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Monday, February 13, 2017

SIXTH 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 Friday, February 10, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

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. 2301, Relating to direct primary care,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2301) was referred to the Committee on the Judiciary.

Resolutions Introduced

Delegates Howell, Upson, Cowles, Walters, Folk, A. Evans, Rowan, Householder, Espinosa, Blair and 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. 7 – “Requesting the Division of Highways to conduct a preliminary engineering study on the possibility of extending West Virginia Route 9 westward from Martinsburg to Berkeley Springs, in the form of a four-lane highway, and then westward from Berkeley Springs to travel near Paw Paw and connect to the US 220 North/South Corridor in Keyser, in the form of a ‘super two-lane’ highway.”

Whereas, There is currently no direct route that persons traveling by vehicle may take between the Eastern Panhandle regions of West Virginia and other regions of the state without leaving the state; and

Whereas, Increased intrastate travel will promote tourism and economic growth within the state, therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to conduct a preliminary engineering study on the costs and benefits of extending West Virginia Route 9 from Martinsburg to Berkeley Springs, in the form of a four-lane highway, and then from Berkeley Springs to travel near Paw Paw and connect to the US 220 North/South Corridor in Keyser, in the form of a “super two-lane” highway; and, be it

Further Resolved, That in conducting its study, the Division of Highways is specifically requested to consider the potential of constructing the portion of highway to run from Berkeley Springs to the US 220 North/South Corridor in Keyser in the form of a “super two-lane” highway that meets any and all criteria of the Appalachian Development Highway Systems for a road that may be safely traveled at speeds up to 65 miles per hour. A “super two-lane” highway refers to a controlled access at-grade roadway with a single through lane per direction, with the following design elements: (1) Full width lanes, paved shoulders, and clear zones; (2) a center buffer area; (3) limited access, with turn lanes for all permitted turns; (4) horizontal and vertical curves with high design speeds; (5) passing lanes, speed differential, and truck lanes; (6) provisions for easy expansion to freeway or divided roadway; and (7) proper interchange design for a two-lane freeway; and, be it

Further Resolved, That the Division of Highways is requested to report to the Select Interim Committee on Infrastructure on its findings, conclusions and recommendations, no later than January 1, 2018.

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

H. C. R. 8 – “Requesting the Division of Highways to name Bridge Number 27-35-17.37 (27A117) (38.83117, -82.14255), locally known as US 35-WV 2 Overpass Bridge, carrying US 35 over WV Route 2 in Mason county, the ‘Dr. Roy and Marian Eshenaur Bridge’.”

Whereas, Roy Walter Eshenaur was born in Oberlin, Pennsylvania on October 1, 1907, the fourth child in a family of six; and

Whereas, Roy developed an interest in osteopathic medicine in high school after observing an osteopath treat his mother who had fallen ill; and

Whereas, Roy pursued his dream of becoming a doctor by attending Kirksville College of Osteopathy and Surgery in Kirksville, Missouri from 1925 through 1929; and

Whereas, While in medical school, Roy met the love of his life, Marian Edith Gast, a rural school teacher in Kirksville, Missouri; and

Whereas, After graduating from medical school and marrying Marian, Dr. Roy moved to Point Pleasant, West Virginia with only \$9.31 to his name, \$5,000 in debt, and a pregnant wife; and

Whereas, Roy was the first osteopath in Point Pleasant when he arrived, and found working conditions difficult in the early years given the lack of reliable roads. Dr. Roy would oftentimes be required to rely on patients to furnish transportation, including oxcarts, wagons, sleds and mules during dry times, and canoes, flat boats, skiffs and even swimming horses when roads were flooded; and

Whereas, Despite these difficulties, Roy remained committed to Point Pleasant, where he dreamed of one day opening up a hospital. His dreams would ultimately be realized as he was instrumental in the founding and growth of Pleasant Valley Hospital which still operates to this day; and

Whereas, Roy delivered thousands of babies before and after the founding of Pleasant Valley Hospital, many of whom still live in and around Mason County; and

Whereas, Roy was also very active in West Virginia political and civic life, serving in the West Virginia House of Delegates and as President of the West Virginia Chamber of Commerce; and

Whereas, Marian Eshenaur was similarly active in her community, being a member of the Daughters of the American Revolution, the Point Pleasant Woman's Club and the Tu-Endie-Wei Garden Club. Marian was also a devout Christian and an active member in her beloved Main Street Baptist Church; and

Whereas, On May 25, 1979, Roy and Marian Eshenaur tragically lost their lives in a plane crash, leaving behind seven children, nine grandchildren, and a community in mourning; and

Whereas, Despite their passing, the Eshenaurs' legacy lives on in their children, grandchildren, Pleasant Valley Hospital, and the hundreds of families in Point Pleasant that came to know and love the man they affectionately called "Dr. Roy," and his beloved wife Marian, through their works, their faith, and their commitment to serve others; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name Bridge Number 27-35-17.37 (27A117) (38.83117, -82.14255), locally known as US 35-WV 2 Overpass Bridge, carrying US 35 over WV Route 2 in Mason County, the "Dr. Roy and Marian Eshenaur 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 "Dr. Roy and Marian Eshenaur 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.

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

H. C. R. 9 – "Requesting the Division of Highways to name the bridge number 14-50/9-0.25 (14A130), (latitude, 39.31542, longitude, -78.65703), locally known as Baptism Bridge, carrying County Route 50/9 over the Little Cacapon River in Hampshire county located in the location of the now non-existent community of Frenchburg, the 'Frenchburg Bridge'."

Whereas, One James French was an early settler in the area and was the namesake for the community which later came to be known as Frenchburg; and

Whereas, Hampshire County is one of a few counties in the State of West Virginia that was not in favor of inclusion into the northern union during the Civil War, having had predominantly southern sympathies; and

Whereas, As a result of its southern stance during the Civil War, the town was razed by fire by Union forces sometime between November 1861 when two Ringgold Cavalry soldiers were killed near Frenchburg and Stonewall Jackson's campaign to Berkeley Springs and Romney in January 1862; and

Whereas, Since Frenchburg was destroyed, it never recovered as a viable community, yet due to its past history, including having been surveyed by George Washington in addition to the foregoing, is endowed with a rich historical significance and heritage; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to erect signs at both entrances to bridge number 14-50/9-0.25 (14A130) (latitude, 39.31542, longitude, -78.65703), locally known as Baptism Bridge, carrying County Route 50/9 over the Little Cacapon River in Hampshire county located in the location of the now non-existent community of Frenchburg, the "Frenchburg Bridge".

Further Resolved, That the Clerk of the House of Delegates is hereby requested to forward a certified copy of this concurrent resolution to the Secretary of the Department of Transportation.

Delegates Ambler, Cooper, Moye, Householder and Rowan offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 10 – "Requesting the Commissioner of the Division of Highways to rename bridge number 13-60-39.43, locally known as Airport Bridge, carrying United States Route 60 over Howards Creek, the 'John Cameron Brown Bridge'."

Whereas, John Cameron Brown was born on May 13, 1956, in Orlando, Orange County Florida; and

Whereas, After graduating from West Virginia University in 1991, John began working for the West Virginia Division of Highways as an Engineer-in-Training in the District Nine Construction Department; and

Whereas, During his time at the West Virginia Division of Highways, John worked on numerous infrastructure projects and acted as a supervisor in the construction of the Ronceverte Bridges in Greenbrier County, the Cotton Hill Bridge in Fayette County, and Airport Bridge in Greenbrier County; and

Whereas, The construction of Airport Bridge in particular required exceptional skill and expertise from its engineers, being one of the first deep shaft drilled caisson bridges in the State of West Virginia and requiring the installment of unique features such as a latex overlay on the bridge deck; and

Whereas, Throughout the construction and later inspection of Airport Bridge, John demonstrated extraordinary professionalism and ingenuity, keeping necessary lines of communication open with The Greenbrier Resort due to Airport Bridge's proximity to The Greenbrier Resort's golf courses and helping to develop novel inspection methods for required caisson inspections; and

Whereas, Following the completion of Airport Bridge in 2002, John was awarded the position of District Resurfacing Coordinator whereby he oversaw the inspection and supervision of resurfacing contracts on primary and secondary routes in District Nine until his passing in March of 2015; and

Whereas, Throughout his time at the West Virginia Division of Highways, John took great pride in his work and displayed outstanding dedication to providing West Virginia and her citizens with safe and well-constructed bridges and highways. Furthermore, John was beloved by his colleagues for his decency and dependability, and John in turn loved working for the West Virginia Division of Highways, even when beset by illness. John is deeply missed by his fellow employees; and

Whereas, This dedication would serve as a fitting tribute to John's legacy, not only for his exemplary work in the construction of Airport Bridge, but also for his commitment to public safety in West Virginia, his dedication to his craft, and the lasting impact John left on those who knew and worked with him; therefore, be it

Resolved by the Legislature of West Virginia:

That the Commissioner of the Division of Highways is hereby requested to rename bridge number 13-60-39.43, locally known as Airport Bridge, carrying United States Route 60 over Howards Creek, the "John Cameron Brown Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to create and erect signs at both ends of the bridge proclaiming the bridge the "John Cameron Brown 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 Howell, Ambler, Arvon, Atkinson, Blair, Butler, Cooper, Ellington, A. Evans, Fast, Folk, G. Foster, Sypolt, Hamrick, Harshbarger, Higginbotham, Householder, Marcum, McGeehan, Rowan, Summers, Ward and Zatezalo offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 11 – "Requesting the Federal Government to permit West Virginia to withdraw from the Environmental Protection Agency's Chesapeake Bay Initiative."

Whereas, The primary source of pollution for the Chesapeake Bay is the Susquehanna River and the massive population along the I-95 corridor. West Virginia is not in the Susquehanna water shed and West Virginia is not part of the I-95 corridor. The clean waters of West Virginia are not a source of pollution for the Chesapeake Bay and any waters from West Virginia enter the lower bay far away from the primary pollution problem. The requirements under the Chesapeake Bay initiative add additional cost to West Virginia taxpayers for which they see no gain and does little to help the Chesapeake Bay. Only the eastern most counties of West Virginia are saddled with this burden of cost; and, only states in the Chesapeake Bay water shed are burdened with this additional cost putting West Virginia at an economic disadvantage to states outside the initiative zone; and

Whereas, There is a lack of infrastructure upgrades in and around Baltimore causing all of the sewage lines in the Baltimore area to go into their big plant. They have no room to upgrade without major expense. This results in the other states, including West Virginia, having to be overly burdened with unnecessary costs in order to save Baltimore money by allowing Baltimore to continue to pollute the waters, where our water goes in does nothing to help at all, we are paying so they don't have too, that is wrong; therefore, be it

Resolved by the Legislature of West Virginia:

The Federal Government is requested to permit West Virginia to withdraw from the EPA's Chesapeake Bay Initiative; and, be it

Further Resolved, That the Clerk of the House of Delegate forward a copy of this Concurrent Resolution to the President of the United States, the Environmental Protection Agency and to the members of the West Virginia Delegation in the United States Senate and the House of Representatives.

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

By Delegates Rodighiero, Hicks, Marcum, Eldridge and Moye:

H. J. R. 10 – “Proposing an amendment to the Constitution of the State of West Virginia, amending section one-b, article ten, relating to homestead exemption increase; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on Finance then the Judiciary.

By Delegates Overington, G. Foster and Upson:

H. J. R. 11 – “Proposing an amendment to the Constitution of the State of West Virginia, amending section nine, article three thereof, relating to prohibiting the taking of private property for private use; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on the Judiciary.

By Delegates Overington, Frich and Gearheart:

H. J. R. 12 – “Proposing an amendment to the Constitution of the State of West Virginia, amending article X thereof by adding thereto a new section, designated section five-a, relating to taxes and fees; providing that, with exception, bills imposing a tax or license fee and bills increasing the effective rate of any tax levied or fee imposed may not be enacted unless two-thirds of the members of each house, present and voting, vote in the affirmative for passage; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of the proposed amendment”; to the Committee on Finance then the Judiciary.

By Delegates Overington, Gearheart, Frich and Sobonya:

H. J. R. 13 – “Proposing an amendment to the Constitution of the State of West Virginia, amending section one, article VI thereof; amending section two, article XIV thereof; and amending said Constitution by adding a new article, designated article XV, all relating to the legislative powers held by the people of the state and the Legislature; the power of the registered voters and the power of the Legislature to propose amendments to this Constitution; and the reservation by and to the people and registered voters of this state the powers of initiative, referendum, and recall at all levels of government in this state; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on the Judiciary.

By Delegates Sponaugle, Marcum, Hicks, Hamilton and Phillips:

H. J. R. 14 – “Proposing an amendment to the Constitution of the State of West Virginia amending Article III thereof, by adding thereto a new section, designated section 23 relating to the right to hunt and fish; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on Agriculture and Natural Resources then the Judiciary.

Delegate Pyles offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. R. 6 – “Expressing support for the preservation and continued operation of the Warner Theater in Morgantown, West Virginia.”

Whereas, The Warner Theater of Morgantown was built by the Warner Brothers Company and first opened to the public in 1931 with a showing of “The Millionaire” starring George Arliss; and

Whereas, The Warner Theater was designed by noted theater architect John Eberson and is his only theater in the State of West Virginia; and

Whereas, The Warner Theater during its eighty-year history has presented some of Hollywood's most loved and most treasured films including "Gone With the Wind" and "The Sound of Music"; and

Whereas, The Warner Theater was the site of the national premier of the film "The Incredible Mr. Limpet", starring Morgantown native Don Knotts who had previously worked in the theater as an usher during his youth: and

Whereas, The Warner Theater is one of Morgantown's best preserved examples of Art Deco architecture and is an important and valuable contributing structure in the downtown historic district; and

Whereas, The Warner Theater was the last remaining Warner Brothers Theater being operated as a cinema under the Warner name; and

Whereas, The Warner Theater showed its last movie on Sunday, September 5, 2010, and is now closed, suffering disrepair and deterioration; and

Whereas, The Warner Theater now faces the prospect of having its architectural treasures and Art Deco relics removed and sold and may also face possible demolition; and

Whereas, Removal of the Warner Theater would be a great loss to Morgantown's entertainment scene and could possibly threaten the status of the entire downtown historic district and the tax benefits that this status offers to owners of other historic properties; therefore, be it

Resolved by the House of Delegates:

That The Warner Theater is an important historic and cultural resource in the City of Morgantown and the State of West Virginia; and

Further Resolved, That The Warner Theater is a valuable contribution to Morgantown and the state and is worthy of both preservation and designation as a state historic landmark; and

Further Resolved, That all concerned parties, public and private, have an obligation to future generations to do everything in their power to insure the preservation and continued operation of the Warner Theater including assistance in finding a reputable buyer for the property who will accomplish these purposes; and

Further Resolved, That the Clerk of the House of Delegates forward copies of this resolution to the Division of Culture's State Historic Preservation Office, the Monongalia County Commission, the Monongalia County Development Authority, the City of Morgantown, the Monongalia County Historic Landmarks Commission, the Monongalia Historical Society, the President of West Virginia University, and the Dean of Creative Arts at West Virginia University.

Bills Introduced

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

By Delegates Statler, Maynard, Howell, Espinosa, Upson, Hill, Wagner, Higginbotham, Ward, Summers and Williams:

H. B. 2340 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2A-24, relating to performance metrics for the West Virginia Division of Highways; requiring the division to develop performance standards and criteria to measure agency performance in all essential operations; requiring the division to employ a management information

system that will track the division's past and current progress toward meeting performance standards; and requiring the division to report to the Joint Committee on Infrastructure"; to the Committee on Roads and Transportation then Finance.

By Delegate Sobonya:

H. B. 2341 - "A Bill to amend and reenact §9-5-11 of the Code of West Virginia, 1931, as amended, relating to the right of the Department of Health and Human Resources to subrogation to a settlement by a recipient of assistance under the Medicaid Program for third-party liability; and providing that a settlement in the aggregate that does not exceed \$20,000 is exempt from the provisions of this section"; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Rowan and Sobonya:

H. B. 2342 - "A Bill to amend and reenact §61-2-17 of the Code of West Virginia, 1931, as amended, relating to human trafficking; redefining the parameters for the offense of human trafficking; civil remedies; and penalties"; to the Committee on the Judiciary.

By Delegates Howell, Hamrick, Sypolt, Higginbotham, Harshbarger, Atkinson, Ward, Upson, Butler, Zatezalo and Cooper:

H. B. 2343 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-2-10b, relating to requiring the State Police to lease rather than buy vehicles if cost effective; limitations; vehicle identification"; to the Committee on Government Organization then Finance.

By Delegates Howell, Hamrick, Sypolt, Higginbotham, Harshbarger, Atkinson, Ward, Upson, Butler, Kelly and Cooper:

H. B. 2344 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §10-1-23, relating to transferring the assets of the Library Commission relating to media broadcasting to the Educational Broadcasting Authority"; to the Committee on Government Organization then Finance.

By Delegates Hamrick, Maynard, Walters, McGeehan, Sypolt, Howell, Higginbotham, Harshbarger, Atkinson, Ward and Summers:

H. B. 2345 - "A Bill to amend and reenact §4-10-10 of the Code of West Virginia, 1931, as amended; to amend and reenact §18A-4-8 of said code; to amend and reenact §18C-3-4 of said code; to amend and reenact §30-1-7a of said code; to amend and reenact §30-1-20 of said code; to amend and reenact §30-7A-1 and §30-7A-5 of said code; to amend and reenact §30-7B-4 of said code; and to amend and reenact §30-24-3 of said code, all relating to abolishing the West Virginia State Board of Examiners for Licensed Practical Nurses, transferring all duties and powers previously belonging to the West Virginia State Board of Examiners for Licensed Practical Nurses to the West Virginia Board of Examiners for Registered Professional Nurses; transferring all property and records of the West Virginia State Board of Examiners for Licensed Practical Nurses to the West Virginia Board of Examiners for Registered Professional Nurses; providing that the rules previously promulgated by the West Virginia State Board of Examiners for Licensed Practical Nurses shall remain in effect until new rules are promulgated by the West Virginia Board of Examiners for Registered Professional Nurses; and deleting references to the West Virginia State Board of Examiners for Licensed Practical Nurses throughout the code"; to the Committee on Government Organization.

By Delegates Howell, Upson, Maynard, Statler, Walters, McGeehan, Sypolt, Westfall, Hamrick, Higginbotham and Harshbarger:

H. B. 2346 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-2-25, relating to motor vehicle license plates; requiring the

Commissioner of the Division of Motor Vehicles to conduct a study on the cost effectiveness of flat license plates; and, if the study determines flat license plates is cost effective, requiring the commissioner to manufacture those types of plates"; to the Committee on Roads and Transportation then Government Organization.

By Delegates Howell, Maynard, Walters, McGeehan, C. Miller, Westfall, Hamrick, Higginbotham, Harshbarger and Atkinson:

H. B. 2347 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-27-15, relating to allowing schools licensed to provide barber, cosmetology and related training to hold theory classes and clinical classes at different locations"; to the Committee on Government Organization.

By Delegates Howell, Maynard, Walters, McGeehan, Sypolt, Westfall, C. Miller, Hamrick, Higginbotham, Harshbarger and Ward:

H. B. 2348 - "A Bill to amend and reenact §30-27-12 of the Code of West Virginia, 1931, as amended, relating to eliminating any requirement that class hours of students be consecutive"; to the Committee on Government Organization.

By Delegates Howell, Upson, Maynard, Statler, Walters, C. Miller, Westfall, Hamrick, Higginbotham, Harshbarger and Atkinson:

H. B. 2349 - "A Bill to amend and reenact §17C-7-1 of the Code of West Virginia, 1931, as amended, relating to driving on the right side of the roadway, overtaking and passing; providing that the left lane, on interstate highways and Appalachian Development Corridors or other highways where two or more lanes exist, is for passing only; and providing misdemeanor penalties for violations"; to the Committee on Roads and Transportation then the Judiciary.

By Delegate Pyles:

H. B. 2350 - "A Bill to amend and reenact §60-3-9d of the Code of West Virginia, 1931, as amended, relating to deleting the language that remitted a portion of the alcoholic beverage tax to municipalities for tax collected outside of, but within one mile, of the corporate limits"; to the Committee on Political Subdivisions then Finance.

By Delegate Pyles:

H. B. 2351 - "A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §11-15-3d, relating to providing for a sales tax of five percent for over the counter medicines and nutritional supplements; and providing that the tax be used to offset public employees insurance premiums"; to the Committee on Health and Human Resources then Finance.

By Delegates Statler, Westfall, Maynard, Howell, Upson, Hill, Kessinger, N. Foster, Higginbotham, Ward and Williams:

H. B. 2352 - "A Bill to amend and reenact §61-8-14 of the Code of West Virginia, 1931, as amended, relating to the criminal offense of desecration of graves and vandalizing cemeteries and mandating that persons convicted thereof shall be required to perform one thousand hours of service to and for the cemetery involved"; to the Committee on the Judiciary.

By Delegates Statler, Maynard, Espinosa, Upson, Hill, N. Foster, Higginbotham, Ward, Summers and Williams:

H. B. 2353 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17-30-1, §17-30-2, §17-30-3, §17-30-4 and §17-30-5, all relating to requiring the Commissioner of Highways to develop a formula for allocating road funds among districts, for the benefit of the counties; making legislative findings; requiring the commissioner to solicit and consider public comments; requiring the commissioner to include certain factors in the formula; and requiring

the commissioner to submit the formula to the Legislature for approval as a legislative rule”; to the Committee on Roads and Transportation then Finance.

By Delegates Statler, Westfall, Maynard, Howell, Upson, Hill, Kessinger, Higginbotham, Ward and Williams:

H. B. 2354 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2A-24, relating to requiring the Commissioner of Highways to develop a statewide communications plan known as the Comprehensive Public Involvement Plan; requiring that the plan utilize multimedia outlets to inform the public of known or anticipated disruptions in traffic patterns; requiring that the plan include a mechanism to receive and respond to communications from the public in a timely manner; requiring that the plan include a mechanism for collecting feedback from the public on the division’s response to public communications; requiring the division to employ a communications specialist in each maintenance district; and requiring the division to submit the plan to the Legislature for approval as a legislative rule”; to the Committee on Roads and Transportation then Finance.

By Delegates Fleischauer, Pyles, Canestraro, Lovejoy, Baldwin, Thompson, Hicks, Robinson, Isner, E. Evans and Fluharty:

H. B. 2355 - “A Bill to repeal §21-5G-1, 3 §21-5G-2, §21-5G-3, §21-5G-4, §21-5G-5, §21-5G-6, §21-5G-7 and §21-5G-8 of the Code of West Virginia, 1931, as amended; and to amend and reenact §21-1A-3 and §21-1A-4 of said code, all relating to repealing the West Virginia Workplace Freedom Act and restoring prior law; and authorizing employers, through agreement with a labor organization, to require membership in the organization as a condition of employment”; to the Committee on Industry and Labor then the Judiciary then Finance.

By Delegate Pyles:

H. B. 2356 - “A Bill to amend and reenact §8-26A-3 of the Code of West Virginia, 1931, as amended, relating to the approval of the Historic Landmarks Commission for certain municipal planning commission projects within a historic district designated by listing on the National Register of Historic Places”; to the Committee on Political Subdivisions then Government Organization.

By Delegate Pyles:

H. B. 2357 - “A Bill to amend and reenact §17-4-27 of the Code of West Virginia, 1931, as amended; and to amend and reenact §17C-17-12 of said code, all relating to the power of local government authorities to regulate vehicular traffic within their borders”; to the Committee on Roads and Transportation then the Judiciary.

By Delegates Sponaugle and Fluharty:

H. B. 2358 - “A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to personal income tax; exempting a percentage of social security benefits from personal income tax based on individual’s overall amount of taxable income”; to the Committee on Senior Citizen Issues then Finance.

By Delegate Arvon:

H. B. 2359 - “A Bill to amend and reenact §30-14-12 of the Code of West Virginia, 1931, as amended, relating to offenses and penalties for practicing osteopathic medicine without a license”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Ellington and Summers:

H. B. 2360 - “A Bill to amend and reenact §9-2-6 of the Code of West Virginia, 1931, as amended, relating to exempting certain contracts from the bidding process”; to the Committee on Health and Human Resources then Government Organization.

By Delegates Hamilton, Wagner, Statler, A. Evans, Ambler, R. Romine, Eldridge, Lynch, Ferro, Pethtel and Rowe:

H. B. 2361 - "A Bill to amend and reenact §33-3-33 of the Code of West Virginia, 1931, as amended, relating to the surcharge on fire and casualty insurance policies; providing that the surcharge be increased to one percent; and providing that the surcharge be used solely for volunteer fire departments"; to the Committee on Banking and Insurance then Finance.

By Delegates Cooper and O'Neal:

H. B. 2362 - "A Bill to amend and reenact §20-2-35 of the Code of West Virginia, 1931, as amended, relating to the beginning and expiration of hunting and fishing licenses"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Cooper, Howell, Ambler, Rowan and Moye:

H. B. 2363 - "A Bill to amend and reenact §17E-1-18 of the Code of West Virginia, 1931, as amended, relating to commercial driver's license; and requiring that a state employee with a commercial driver's license have a current medical evaluation certification and may not have a medical waiver"; to the Committee on Roads and Transportation then the Judiciary.

By Delegates Hamilton, Ambler, A. Evans, Statler, R. Romine, Hicks, Rodighiero, Hamrick, Eldridge, Lynch and Frich:

H. B. 2364 - "A Bill to amend and reenact §3-9-9 of the Code of West Virginia, 1931, as amended, relating to prohibiting electioneering within or near early voting locations during early voting periods and making stylistic changes to outdated language"; to the Committee on the Judiciary.

By Delegates Hamilton, A. Evans, Ambler, Statler, Cowles, Gearheart, Butler, Hamrick, Eldridge, Lynch and Frich:

H. B. 2365 - "A Bill to amend of the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-22-26, relating to outdoor advertising regulated by the Commissioner of Highways; and providing exemption to licensing requirement for a person to place signs, displays or devices advertising events to be held no more frequently than once a year at locations other than where the event will be held"; to the Committee on Roads and Transportation then the Judiciary.

By Delegates Ellington and Summers:

H. B. 2366 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to the selling of certain state owned health care facilities by the Secretary of the Department of Health and Human Resources; exempting certain laws; creating a fund; and providing statutory construction"; to the Committee on Health and Human Resources then Finance.

By Delegates R. Miller, Marcum, Eldridge, Rodighiero, Phillips, Sobonya, Lovejoy and Hicks:

H. B. 2367 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §61-3F-1, §61-3F-2 and §61-3F-3, all relating to establishing a criminal offense of organized retail crime; defining terms; providing crime elements and penalties, and providing procedures for forfeiture of assets derived from defined criminal activity"; to the Committee on the Judiciary.

By Delegates Moye, Hornbuckle, Ambler, Cooper, Rowan, Hartman and Boggs:

H. B. 2368 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-22, relating to candidates for professional employee positions involving supervision of a county transportation department; making any service employee who is certified as a Director or Supervisor of Pupil Transportation by the National Association for Pupil

Transportation Certification an eligible candidate and requiring county boards to consider such candidates”; to the Committee on Education.

By Delegates Frich, Folk and Butler:

H. B. 2369 - “A Bill amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-7-18, relating to creating the ‘Firearm Protection Act’; providing that any federal law which attempts to ban semiautomatic firearm or to limit the size of a magazine of a firearm or other limitation on firearms in this state is unenforceable in West Virginia; and providing an effective date”; to the Committee on the Judiciary.

By Delegates Moye, Hornbuckle and Ambler:

H. B. 2370 - “A Bill to amend and reenact §5-16-13 of the Code of West Virginia, 1931, as amended, relating to restoring the ability of new hires to use accrued annual and sick leave for retirement service credit”; to the Committee on Pensions and Retirement then Finance.

By Delegates Pushkin, Fluharty and Sponaugle:

H. B. 2371 - “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, §46A-6N-4, §46A-6N-5, §46A-6N-6, §46A-6N-7, §46A-6N-8, §46A-6N-9 and §46A-6N-10, all relating to placing upon the manufacturers of manufactured homes the duty to meet their obligations and responsibilities under the terms of the express warranties extended to the consumers in this state; and providing consumers additional remedies to enforce the warranties”; to the Committee on the Judiciary.

By Delegates Fleischauer, Pyles, Canestraro, Lovejoy, Baldwin, Thompson, Hicks, Robinson, Isner, E. Evans and Fluharty:

H. B. 2372 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-5A- 1, §21-5A-2, §21-5A-3, §21-5A-4, §21-5A-5, §21-5A-6, §21-5A-7, §21-5A-8 and §21-5A-9, all relating to reestablishing prevailing wages for certain state government contracts; declaring policy; defining terms; requiring contractors to ascertain rates and to include rates in contract specifications; requiring annual determinations of prevailing wage rates; establishing procedures to file objections to prevailing wage rate determinations; providing for hearings, judicial review and appeal; requiring mandatory provisions in contracts and sub-contracts; providing for posting of rates and record-keeping; establishing criminal penalties for violations of the act; and limiting the scope of the law to post-enactment contracts”; to the Committee on Industry and Labor then the Judiciary.

By Delegates Statler, Hill, Espinosa, Kessinger, N. Foster, Wagner, McGeehan, Higginbotham, Ward, Williams and Ellington:

H. B. 2373 - “A Bill to amend and reenact §18-5-22c of the Code of West Virginia, 1931, as amended, relating to authorizing school bus drivers trained in administration of epinephrine auto-injectors to administer auto-injectors to a student or school personnel experiencing an anaphylactic reaction and making school bus drivers immune from liability for administration of an epinephrine auto-injector except in cases of gross negligence or willful misconduct”; to the Committee on Education then the Judiciary.

By Delegates Statler, Westfall, Maynard, Espinosa, Upson, Hill, Kessinger, N. Foster, Wagner, Higginbotham and Ward:

H. B. 2374 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-15e, relating to requiring schools to post signs displaying the Childhelp National Child Abuse Hotline number in certain areas of the school and giving the State Superintendent rulemaking authority”; to the Committee on Education.

By Delegates Moore, Hill, Martin, Dean, Paynter, Upson, Atkinson, Ward, Espinosa, Westfall and C. Miller:

H. B. 2375 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13DD-1, §11-13DD-2, §11-13DD-3, §11-13DD-4, §11-13DD-5, §11-13DD-6 and §11-13DD-7; and to amend and reenact §11-21-8 of said code; and to amend and reenact §11-24-4 of said code; and to amend said code by adding thereto a new section, designated §11-24-5a, all relating to establishing a Small Business Empowerment and Economic Expansion Program providing tax relief to newly-established small businesses; defining terms; creating a credit against state business taxes for property taxes paid for tangible personal property of a small business; describing a procedure for use of the credit; limiting the duration of the credit; requiring reports to the Legislature; reducing the effective personal and corporate income tax rates for income derived from eligible small businesses; from providing for the termination of the program after ten years; and eliminating language relating to an expired severance tax credit"; to the Committee on Small Business, Entrepreneurship and Economic Development then Finance.

By Delegates Ellington and Summers:

H. B. 2376 - "A Bill to amend and reenact §5F-1-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §5F-2-1 and §5F-2-2 of said code; to amend and reenact §9-5-11b and §9-5-22 of said code; to amend said code by adding thereto a new section, designated §9-10-1; to amend and reenact §11-27-38 of said code; to amend and reenact §11B-2-15 of said code; to amend and reenact §16-3-5 of said code; to amend and reenact §16-5S-7 of said code; to amend and reenact §33-25G-2 of said code; to amend and reenact §49-2-125 of said code; and to amend and reenact §60A-9-5 of said code; all relating to the organizational structure of state government; providing that the Bureau for Medical Services be renamed the Department of Medical Services with the Commissioner of the Bureau for Medical Services becoming the Secretary of the Department of Medical Services; providing that the department continue to operate as currently configured as the Bureau for Medical Services with the structure of the Department of Health and Human Resources for administrative support, interagency cooperation and program support; removing the Human Rights Commission, Division of Human Services, Bureau for Public Health, Office of Emergency Medical Services and the Emergency Medical Service Advisory Council, Health Care Authority, Commission on Mental Retardation, Women's Commission and the Child Support Enforcement Division from administration by the Department of Administration; providing that the Bureau for Public Health, The Bureau for Child Support Enforcement, The Bureau of Children and Families, The Office of the Inspector General, The Health Care Authority, The State Commission on Intellectual Disability, The Women's Commission, The Commission for the Deaf and Hard of Hearing; and the James H. 'Tiger' Morton Catastrophic Illness Commission are to be administered as a part of the Department of Health and Human Resources; providing that the Bureau of Medical Services and The Children's Health Insurance Agency are incorporated in and administered as a part of the Department of Medical Services; and making technical changes in various chapters of the code to reflect the creation of the Department of Medical Services"; to the Committee on Health and Human Resources then Government Organization.

By Delegates McGeehan, Hamrick, Gearheart and Folk:

H. B. 2377 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-1B-1a, relating to the West Virginia National Guard; requiring an official declaration of war or an action to call forth the state militia by the United States Congress before members of the West Virginia National Guard may be released from state control to participate in active duty combat"; to the Committee on Veterans' Affairs and Homeland Security then the Judiciary.

By Delegates Rowe, Pushkin and Fleischauer:

H. B. 2378 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-15g, relating to requiring county boards of education to provide days

prior to early voting during primary and general elections for registering eligible students to vote and being transported to vote”; to the Committee on Education then Finance.

By Delegate Howell:

H. B. 2379 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-6L-1, §11-6L-2, §11-6L-3, §11-6L-4, §11-6L-5 and §11-6L-6, all relating to providing a special method for valuation of certain wireless technology property for property taxes; defining terms; providing mandated salvage valuation of certain wireless businesses’ property; specifying method for valuation of certain property; requiring initial determination by county assessors of whether certain property is subject to this article; and specifying procedure for protest and appeal of determination by county assessor”; to the Committee on the Judiciary then Finance.

By Delegates Upson, Blair, Espinosa and Hornbuckle:

H. B. 2380 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §29-6A-1, §29-6A-2, §29-6A-3, §29-6A-4 and §29-6A-5, all relating to enacting the Ban-the-Box Act, prohibiting public employers from asking applicants for employment to disclose information concerning the applicant’s criminal record or history, under certain circumstances”; to the Committee on Industry and Labor then the Judiciary.

By Delegate Shott:

H. B. 2381 - “A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to raising the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled, for the next three years”; to the Committee on Finance.

By Delegates Rohrbach and Sobonya:

H. B. 2382 - “A Bill to amend and reenact §61-3-49 of the Code of West Virginia, 1931, as amended, relating to the purchase of scrap metal”; to the Committee on the Judiciary.

By Delegates Overington, G. Foster, Frich, Hamilton, Rowan, Espinosa and Upson:

H. B. 2383 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §1-2-2a, relating to requiring that the Redistricting Office of the Joint Committee on Government and Finance plan and propose congressional and legislative districts; providing specific criteria that the redistricting office must observe in proposing district mappings; requiring the redistricting office to advertise a proposed draft map of districts to the public; requiring the redistricting office to recommend redistricting plan to the Legislature; requiring the full Legislature to vote on plan ratification; providing for subsequent submissions of plans and vote by Legislature; requiring that commission certify to the Secretary of State that its final proposal for district boundaries is in accordance with Constitutional and legal requirements; and prohibiting certain persons from influencing or attempting to influence district mapping proposals of the redistricting office”; to the Committee on the Judiciary.

By Delegates Caputo and Rowan:

H. B. 2384 - “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 Delegates Ferro, Pethel, Hamilton and Caputo:

H. B. 2385 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-3f, relating to reallocating and dedicating up to \$30 million of the natural gas and oil severance tax revenues annually to the natural gas and oil-producing counties of origin; providing for distribution of the moneys to the districts of the Division of Highways by the State

Treasurer; establishing amounts each natural gas and oil-producing Division of Highways district and counties within a district are to receive; requiring moneys be used solely for the secondary roads; providing duties of State Tax Commissioner and Division of Highways; requiring reports of expenditures to Joint Committee on Government and Finance; providing audits of distributed funds when authorized by the Joint Committee on Government and Finance; providing an effective date; and authorizing legislative and emergency rules”; to the Committee on Energy then Finance.

By Delegate Ferro:

H. B. 2386 - “A Bill to amend and reenact §17A-10-8 of the Code of West Virginia, 1931, as amended, relating to exempting recipients of the distinguished Purple Heart medal from payment of the vehicle registration fee for West Virginia residents”; to the Committee on Veterans’ Affairs and Homeland Security then Finance.

By Delegate Byrd:

H. B. 2387 - “A Bill to amend and reenact §18-2-7b of the Code of West Virginia, 1931, as amended, relating to requiring the State Board of Education to prescribe a comprehensive drug awareness and prevention program to be implemented by county boards of education that mandates students in grades K through 12 receive instruction regarding the dangers of substance abuse; providing purposes of the drug awareness and prevention program; requiring the State Board of Education to coordinate the directives of this amendment with educators, drug rehabilitation specialists and law-enforcement agencies; and providing instruction to students on risks, if stopped by law-enforcement officers, and proper responses and behavior, if arrested”; to the Committee on Prevention and Treatment of Substance Abuse then Education.

By Delegate Byrd:

H. B. 2388 - “A Bill to amend and reenact §18-2E-5 of the Code of West Virginia, 1931, as amended, relating to the comprehensive statewide student assessment; and requiring ACT and ACT Aspire to be used as the comprehensive statewide student assessment”; to the Committee on Education then Finance.

By Delegates Howell, Fast and Phillips:

H. B. 2389 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-45; to amend said code by adding thereto a new section, designated §11-24-11c; and to amend said code by adding thereto a new section, designated §23-2-18, all relating to workers’ compensation insurance; allowing an employer to extend workers’ compensation coverage to an employee engaged in volunteer fire fighting and allowing employers a tax credit for the cost of providing workers’ compensation insurance coverage to employees engaged in volunteer fire fighting”; to the Committee on the Judiciary then Finance.

By Delegates Phillips, Marcum, Rodighiero, Eldridge, C. Miller, Maynard, Paynter, Hartman, Blair, Hamilton and Overington:

H. B. 2390 - “A Bill to repeal §61-11-2 of the Code of West Virginia, 1931, as amended; to repeal §62-3-15 of said code; to amend and reenact §61-2-2 of said code; to amend said code by adding thereto seven new sections, designated §61-2-2a, §61-2-2b, §61-2-2c, §61-2-2d, §61-2-2e, §61-2-2f and §61-2-2g; and to amend said code by adding thereto four new sections, designated §62-7-4, §62-7-5, §62-7-6 and §62-7-6a, all relating to death penalty for first degree murder; procedures, standards and findings applicable to imposition thereof in certain instances including aggravating and mitigating circumstances; sentencing; providing automatic review of the death penalty by the Supreme Court of Appeals; providing for forensic deoxyribonucleic acid (‘DNA’) testing of biological material in death penalty cases; providing for execution of the death sentence by lethal injection; providing for delivery of sentence of death to officer retaining custody of person so sentenced; providing for transmission of indictment, order of conviction, sentence and judgment entered thereon

to the warden of the state correctional facility; transfer of person sentenced to death to the state correctional facility; execution; providing presence of certain persons be requested for the execution; providing for certification that sentence of death has been executed; and providing for disposition of the body"; to the Committee on the Judiciary.

By Delegates Upson and Blair:

H. B. 2391 - "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 Summers and Shott:

H. B. 2392 - "A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended, relating to truancy intervention, and defining excused and unexcused absences"; to the Committee on Education then the Judiciary.

By Delegates Shott and Folk:

H. B. 2393 - "A Bill to amend and reenact §5-10A-2 of the Code of West Virginia, 1931, as amended, relating to adding violations of law upon which a public servant's retirement plan may be forfeited; changing the definition of less than honorable service; removing the exception of a misdemeanor from the definition of less than honorable service relating to impeachment and conviction of a participant or former participant under the Constitution; removing the exception for certain lesser included crimes to constitute less than honorable service; and adding additional violations of law which constitute less than honorable service"; to the Committee on Pensions and Retirement then Finance.

By Delegates Upson, Shott and Folk:

H. B. 2394 - "A Bill to amend and reenact §6B-2-5 of the Code of West Virginia, 1931, as amended, relating to prohibited interests in public contracts and appropriations of moneys under the Ethics Act; prohibiting elected or appointed mayors of a municipality or members of a municipality's governing body or council from being employed by the municipality in which they serve; and requiring public officials, except members of the Legislature, to recuse themselves from voting on the appropriation of moneys or award of contract to a nonprofit corporation if the public official or an immediate family member is employed by or an officer or board member of the nonprofit, whether compensated or not"; to the Committee on the Judiciary.

By Delegates Fluharty, Pushkin and Miley:

H. B. 2395 - "A Bill to amend and reenact §6B-3-2 of the Code of West Virginia, 1931, as amended, relating to prohibiting chairmen of state political parties during or up to one year after the termination of their employment as chairmen of those political parties from registering as lobbyists; and providing an effective date"; to the Committee on the Judiciary.

By Delegates Folk, Hamilton, Frich and Gearheart:

H. B. 2396 - "A Bill to amend and reenact §44A-2-7 of the Code of West Virginia, 1931, as amended, relating to appointing counsel for an alleged protected person; and requiring the circuit court to make appointments from a listing of all interested and qualified attorneys in the circuit and on a rotating basis"; to the Committee on the Judiciary.

By Delegate Hamilton:

H. B. 2397 - "A Bill to amend and reenact §59-1-2 of the Code of West Virginia, 1931, as amended, relating to donations of overpayment of fees to the Secretary of State"; to the Committee on the Judiciary then Finance.

By Delegate Pushkin:

H. B. 2398 - "A Bill to amend and reenact §18-5B-14 of the Code of West Virginia, 1931, as amended, relating to extending funding for School Innovation Zones and Local Solution Dropout Prevention and Recovery Innovation Zones"; to the Committee on Education then Finance.

By Delegates Sponaugle, Marcum and Pushkin:

H. B. 2399 - "A Bill to repeal §11-21-22a of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-21-22 and §11-21-22b of said code, all relating to personal income tax; creating the West Virginia Earned Income Tax Credit; and authorizing a refundable tax credit based upon the federal earned income tax credit"; to the Committee on Finance.

By Delegates Sponaugle, Hornbuckle and Phillips:

H. B. 2400 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12j, relating to providing certain members of volunteer fire departments and rescue squads a \$5,000 modification reducing federal adjusted gross income for personal income tax purposes"; to the Committee on Finance.

By Delegates Ellington, Cooper and Summers:

H. B. 2401 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-1b, relating to increasing teacher salaries"; to the Committee on Education then Finance.

By Delegates Howell, Frich, Eldridge and Phillips:

H. B. 2402 - "A Bill to amend and reenact §17-24A-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §17-24A-6a, all relating to abandoned antique vehicles; creating a special procedure for a person in possession of an abandoned antique vehicle to apply for and receive title to the vehicle; creating a procedure for the Division of Motor Vehicles to search for the owner of the vehicle and provide notice of the application for title to vehicle; creating a procedure for the owner to reclaim the vehicle within thirty days of notice of an application for title to the vehicle; establishing fees to accompany an application for title to the vehicle; establishing fees for reclamation of the vehicle by owner; creating a misdemeanor and, imposing fines for interfering with an owner's attempt to reclaim a vehicle; and directing the division to promulgate rules and forms to effectuate new procedure"; to the Committee on Roads and Transportation then Finance.

By Delegates Rowan, Cooper, Moyer, Ambler, Wagner and Fast:

H. B. 2403 - "A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended relating to permitting county boards of education to accumulate instructional days and use them when needed in a later instructional term when inclement weather and emergencies prevent the otherwise full instructional term from being completed; and establishing an instructional day to be three hundred thirty minutes"; to the Committee on Education.

By Delegates Rowan, Moyer, Overington and Phillips:

H. B. 2404 - "A Bill to amend and reenact §36-1-20 of the Code of West Virginia, 1931, as amended; and to amend and reenact §42-4-2 of said code, all relating generally to barring persons who are convicted of certain criminal offenses from acquiring property from their victims through joint tenancy or inheritance; and creating exceptions"; to the Committee on Senior Citizen Issues then the Judiciary.

By Delegate Gearheart:

H. B. 2405 - "A Bill to amend and reenact §29-22B-1101 and §29-22B-1408 of the Code of West Virginia, 1931, as amended, all relating to permitting licensed limited video lottery retailers to have

up to seven video lottery terminals; permitting certain fraternal societies and veterans' organizations to have up to twelve video lottery terminals; and providing that a portion of the revenue generated by the lottery terminals be deposited into the State Road Fund"; to the Committee on Small Business, Entrepreneurship and Economic Development then the Judiciary then Finance.

By Delegate Caputo:

H. B. 2406 - "A Bill to amend and reenact §20-7-1a and §20-7-1c of the Code of West Virginia, 1931, as amended, all relating to providing an increase in compensation for natural resources police officers"; to the Committee on Agriculture and Natural Resources then Finance.

By Delegates Caputo and Moye:

H. B. 2407 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-2-5a, relating to requiring compensation be made to certain members of the State Police for off-duty time when they are required to be on standby to be called back to work; requiring off duty State Police officers who are called back to work or appear in court be compensated a minimum amount; and providing a housing cost stipend for those officers who reside in and are assigned to one of the top five counties in median monthly housing costs"; to the Committee on Government Organization then Finance.

By Delegates Overington, Gearheart, Westfall, Phillips and G. Foster:

H. B. 2408 - "A Bill to repeal §61-11-2 of the Code of West Virginia, 1931, as amended; to repeal §62-3-15 of said code; to amend and reenact §61-2-2 of said code; to amend said code by adding thereto seven new sections, designated §61-2-2a, §61-2-2b, §61-2-2c, §61-2-2d, §61-2-2e, §61-2-2f and §61-2-2g; and to amend said code by adding thereto four new sections, designated §62-7-4, §62-7-5, §62-7-6 and §62-7-6a, all relating to death penalty for first degree murder; procedures, standards and findings applicable to imposition thereof in certain instances including aggravating and mitigating circumstances; sentencing; providing automatic review of the death penalty by the Supreme Court of Appeals; providing for forensic deoxyribonucleic acid ('DNA') testing of biological material in death penalty cases; providing for execution of the death sentence by lethal injection; providing for delivery of sentence of death to officer retaining custody of person so sentenced; providing for transmission of indictment, order of conviction, sentence and judgment entered thereon to the warden of the state correctional facility; transfer of person sentenced to death to the state correctional facility; execution; providing presence of certain persons be requested for the execution; providing for certification that sentence of death has been executed; and providing for disposition of the body"; to the Committee on the Judiciary.

By Delegate Gearheart:

H. B. 2409 - "A Bill to amend and reenact §18-9D-15 and §18-9D-16 of the Code of West Virginia, 1931, as amended, all relating to the School Building Authority; eliminating local participation in funding school construction projects and the associated limited funding reserve; eliminating certain regional planning activities when evaluating proposed construction projects; eliminating the requirement of a county board(s) efforts in school bond issues being a consideration when evaluating proposed projects; eliminating the requirement that counties receive explanations detailing the authority(s) decision concerning the funding of projects; requiring funds awarded by the School Building Authority must be consistent with the evaluation report of the School Building Authority; and declaring certain documents related to funding consideration to be public documents and available to the public upon request"; to the Committee on Education then Finance.

By Delegate Folk:

H. B. 2410 - "A Bill to amend and reenact §16-13A-9 of the Code of West Virginia, 1931, as amended, relating to public sewage services; requiring that individuals receiving public sewage services who do not also receive public water services are charged based on the mean or median of

monthly water consumption in their customer class, whichever is lower”; to the Committee on Political Subdivisions then the Judiciary.

By Delegate Fast:

H. B. 2411 - “A Bill to amend and reenact §29-21-13a of the Code of West Virginia, 1931, as amended, relating to Public Defender Services; increasing the hourly rate for attorneys for in court and out of court work including investigative services; permitting attorneys who spend at least 1200 hours a year on court appointed cases to enroll in the Public Employees Insurance Agency plans; and requiring the executive director to propose rules, for legislative approval, that relate to requirements for the attorneys to enroll in the plans”; to the Committee on the Judiciary then Finance.

By Delegate Cooper:

H. B. 2412 - “A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, all relating to primary and secondary school instructional terms; removing the word ‘separate’ throughout the section as it relates to the number of instructional days in the school calendar; requiring that the instructional term for students begin no earlier than August 10 and end no later than June 10, except for schools operating on a balanced calendar; removing preparation for opening and closing school from mandatory list of areas for which remaining noninstructional days may be designated by county school board; designating one noninstructional day for teachers as a preparation day; allowing teacher preparation day to be used for other purposes only at teacher’s discretion; increasing number of two-hour blocks for faculty senate meetings from four to six; removing requirement that faculty senate meetings be held once every forty-five days; permitting accrued minutes to be used for lost instructional days; designating time frames within which faculty senate meetings may take place; and requiring county boards to first use accrued minutes for early dismissals and late arrivals and requiring that any reimagining student instructional days be exhausted prior to using accrued minutes for lost instructional days”; to the Committee on Education.

By Delegates Folk, McGeehan, Butler, Shott, Upson, Martin, Ellington, Walters, Householder, Storch and Howell:

H. B. 2413 - “A Bill to amend and reenact §5A-2-33 of the Code of West Virginia, 1931, as amended, relating to requiring the comprehensive annual financial report to be published by the end of December of the calendar year in which the fiscal year reported upon ended”; to the Committee on Government Organization then Finance.

By Delegate Caputo:

H. B. 2414 - “A Bill to amend and reenact §11A-1-3 of the Code of West Virginia, 1931, as amended, relating to allowing quarterly payment of real and personal property taxes”; to the Committee on the Judiciary then Finance.

By Delegates Howell, Upson, Statler, Walters, McGeehan, Sypolt, C. Miller, Westfall, Hamrick, Higginbotham and Harshbarger:

H. B. 2415 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-3-11; and to amend and reenact §17-3A-2 and §17-3A-4 of said code, all relating to construction of industrial access roads with state funds; requiring that access roads to unoccupied industrial facilities be initially constructed as a two-lane highway meeting certain design standards and authorizing additional lanes to be added to two-lane access roads to previously unoccupied industrial facilities only after the traffic volume indicates the need for a four-lane highway”; to the Committee on Roads and Transportation then Finance.

By Delegates Pyles and Upson:

H. B. 2416 - “A Bill to amend and reenact §11-21-8a of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-24-23a of said code, all relating to increasing the tax credits allowed for rehabilitation of certified historic structures”; to the Committee on Finance.

By Delegates Pyles and Lynch:

H. B. 2417 - "A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exempting from personal income tax the entirety of any income received under the federal Social Security system for persons with an adjusted federal gross income of one hundred thousand dollars or less"; to the Committee on Senior Citizen Issues then Finance.

By Delegates Pyles and Upson:

H. B. 2418 - "A Bill to amend and reenact §61-8-19 of the Code of West Virginia, 1931, as amended, relating to prohibiting the performing of an onychectomy or flexor tendonectomy procedure on a cat"; to the Committee on Agriculture and Natural Resources then the Judiciary.

Daily Calendar**First Reading**

Com. Sub. for H. B. 2006, Increasing the penalties for violating the Whistle-blower Law; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Miscellaneous Business

Delegate Overington filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. B. 2303.

Delegates Gearheart, Westfall, Phillips, G. Foster, Walters, Fast, Dean, Wilson, Rowan and Ambler filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. B. 2408.

At 11:44 a.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, February 14, 2017.

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

HOUSE CALENDAR

Tuesday, February 14, 2017

7TH Day

11:00 A. M.

SECOND READING

Com. Sub. for H. B. 2006 - Increasing the penalties for violating the Whistle-blower Law
(SHOTT) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

TUESDAY, FEBRUARY 14, 2017

HOUSE CONVENES AT 11:00 A.M.

**COMMITTEE ON INDUSTRY & LABOR
9:00 A.M. – ROOM 215E**

**COMMITTEE ON AGRICULTURE & NATURAL RESOURCES
10:00 A.M. – ROOM 215E**

**COMMITTEE ON POLITICAL SUBDIVISIONS
1:00 P.M. – ROOM 434M**

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

**COMMITTEE ON PENSIONS AND RETIREMENT
4:00 P.M. – ROOM 464M**

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