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February 20, 2019  
FORTY-THIRD DAY



—●—  
Wednesday, February 20, 2019

### FORTY-THIRD DAY

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

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

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

The Clerk proceeded to read the Journal of Tuesday, February 19, 2019, being the first order of business, when the further reading thereof was dispensed with and the same approved.

### Committee Reports

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

Your Committee on the Judiciary has had under consideration:

**H. B. 2617**, Relating to the form for making offer of optional uninsured and underinsured coverage by insurers,

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

**Com. Sub. for H. B. 2617** - "A Bill to amend and reenact §33-6-31d of the Code of West Virginia, 1931, as amended, relating to the form for making offer of optional uninsured and underinsured coverage by insurers; requiring Insurance Commissioner to provide for the use of electronic means of delivery and electronic signing of form; and requiring an insurer when offering to place an insured with an affiliate of the insurer, to make available a new uninsured and underinsured motorist coverage offer form,"

And,

**H. B. 2770**, Fairness in Cost-Sharing Calculation Act,

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

**Com. Sub. for H. B. 2770** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-52-1, §33-52-2, §33-52-3, and §33-52-4, all relating to establishing the Fairness in Cost-Sharing Calculation Act; providing for definitions; establishing health plan cost sharing calculations; establishing pharmacy benefits cost sharing calculations; and providing for rule-making authority,"

With the recommendation that the committee substitutes each do pass.

### Reordering of the Calendar

Delegate Summers announced that the Committee on Rules had transferred Com. Sub. for H. B. 2532, H. B. 2872, H. B. 2932 and Com. Sub. for H. B. 2980, on Second Reading, Special Calendar,

to the House Calendar; and Com. Sub. for H. B. 2452, on First Reading, Special Calendar, to the House Calendar.

### Committee Reports

-continued-

Delegate Anderson, Chair of the Committee on Energy, submitted the following report, which was received:

Your Committee on Energy has had under consideration:

**Com. Sub. for S. B. 163**, Authorizing DEP promulgate legislative rules,

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 (Com. Sub. for S. B. 163) was referred to the Committee on the Judiciary.

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. 3132**, Relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment,

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

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:

**Com. Sub. for S. B. 175**, Authorizing DHHR promulgate legislative rules,

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 the Judiciary.

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 175) was referred to the Committee on the Judiciary.

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

Your Committee on Finance has had under consideration:

**H. B. 2828**, Relating to promoting investment in a Qualified Opportunity Zone,

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

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

Your Committee on Finance has had under consideration:

**H. B. 2830**, Establishing Next Generation 911 services in this state,

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

**Com. Sub. for H. B. 2830** - "A Bill to amend and reenact §24-6-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section designated §24-6-15; all relating to establishing Next Generation 911 services in this state; providing for expanded definitions; establishing a commission to study Next Generation 911 services; providing for commission membership; providing for travel expense reimbursement under certain conditions; establishing the commission's duties; requiring a preliminary report to the Joint Committee on Government and Finance; requiring a final report to the Joint Committee on Government and Finance and to the Governor; and establishing an effective date and termination date of the commission,"

With the recommendation that the committee substitute do pass.

### Messages from the Executive

Delegate Hanshaw (Mr. Speaker) presented a communication from His Excellency, the Governor, advising that on February 19, 2019, he approved **Com. Sub. for S. B. 240, S. B. 267, S. B. 324, S. B. 354, Com. Sub. for H. B. 2307 and H. B. 2462.**

### Messages from the Senate

A message from the Senate, by

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

**H. B. 2459**, Exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law.

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

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

**"ARTICLE 2. COMMISSIONER OF HUMAN SERVICES; POWERS; DUTIES AND RESPONSIBILITIES GENERALLY**

**§9-2-3a. Authorized exemption from federal law; exceptions.**

Pursuant to the authority and option granted by 21 U.S.C. §862a(d)(1)(A) to the states, West Virginia exempts all individuals domiciled within the state from the application of 21 U.S.C. §862a(a)(2) unless the offense of conviction has as an element thereof misuse of supplemental nutrition assistance program benefits, loss of life, or the causing of physical injury."

And,

By amending the title of the bill to read as follows:

**H. B. 2459** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-2-3a, relating to exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law and exempting persons convicted of certain offenses from the prohibition against receiving supplemental nutrition assistance program benefits."

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

On the passage of the bill, the yeas and nays were taken (**Roll No. 214**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Boggs, Malcolm and C. Thompson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2459) passed.

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

### **Resolutions Introduced**

Delegate Boggs offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 76** - "Requesting the Division of Highways name bridge Number :04-1-4.02 (04A001), locally known as Orlando Bridge, carrying County Route 1 over Oil Creek in Braxton County, the 'Reverend Lonnie Ramsey Memorial Bridge'."

Whereas, Reverend Lonnie Ramsey, 73, of the Fall Run Community of Ireland, West Virginia, died Sunday, February 26, 2017, after a year-long struggle with cancer. He was born in Widen, West Virginia, on January 28, 1944, a son of the late Delbert "Deb" Ramsey and Mame Bragg Ramsey. He attended Burnsville High School. After graduation, he entered the U. S. Army where he served two years. He was a veteran of the United States Army, having served during the Vietnam Era. He married his high school sweetheart, Judy Mealey, on May 12, 1968. They lived 48 beautiful years together and raised two sons: Jeffrey and Jonathan Ramsey. He was always ready for a ballgame, some time spent fishing, or a great Papaw story. Lonnie was an electrician by trade and a pastor by heart. He was a member of the International Brotherhood of Electricians for 35 years and pastored three churches in his and Judy's 40 years of ministry. He is the former pastor of the Mt. Zion Baptist Church at Right Hand Fork of Freeman's Creek, and the Poplar Ridge Community Church outside of Sutton, and was the pastor of the Orlando Baptist Church over 25 years. He held this position until his passing. Lonnie never knew a stranger and always finished his visit with "God Bless You"; and

Whereas, Lonnie Ramsey was instrumental in getting the road in Orlando repaired and a new bridge constructed. He should be remembered for his years of community service by having the new bridge in Orlando, named after him; and

Whereas, It is fitting that an enduring memorial be established to commemorate Lonnie Ramsey's contributions to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number :04-1-4.02 (04A001), locally known as Orlando Bridge, carrying County Route 1 over Oil Creek in Braxton County, the “Reverend Lonnie Ramsey 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 as the “Reverend Lonnie Ramsey Memorial Bridge”; and, be it

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

### **Special Calendar**

#### **Third Reading**

**Com. Sub. for H. B. 2486**, Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation; 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. 215**), and there were—yeas 94, nays 3, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Cowles, Fast and C. Martin.

Absent and Not Voting: Boggs, Malcolm and C. Thompson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2486) 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. 2975**, Relating to imposition of sexual acts on persons incarcerated; 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. 216**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Boggs, Malcolm and C. Thompson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2975) 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. 270**, Streamlining process for utilities access to DOH rights-of-way; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 356**, Requiring MAPS provide state and federal prosecutors information; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**S. B. 358**, Exempting Purchasing Division purchases for equipment to maintain security at state facilities; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 387**, Relating generally to extradition; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**S. B. 452**, Supplemental appropriation to Second Chance Driver's License Program; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**H. B. 2515**, Exempting the sale and installation of mobility enhancing equipment from the sales and use tax; on second reading, coming up in regular order, was read a second time.

Delegates S. Brown, Walker, Fleischauer, Zukoff, C. Thompson and Estep-Burton moved to amend the bill on page four, line eight-five, following the period, by inserting a new section, to read as follows:

**“§11-15-9q. Exempting certain hygiene products from sales tax.**

(a) Notwithstanding any other provision of this article, hygiene products are exempt from the tax imposed under this article.

(b) For the purposes of this section:

(1) ‘Feminine hygiene product’ includes sanitary napkins, tampons, menstrual cups, pads, and other similar feminine hygiene products;

(2) ‘Diapers’ means an absorbent incontinence product that is washable or disposable and worn by a person, regardless of age or sex, who cannot control bladder or bowel movements; and

(3) ‘Hygiene product’ means diapers and feminine hygiene products as defined by this subsection.”

The Speaker ruled that the subject of the amendment was beyond the scope of the bill and therefore was not in order.

The bill was ordered to engrossment and third reading.

**H. B. 2667**, Supplemental appropriation to the Department of Military Affairs and Public Safety, Division of Corrections; 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. 2854**, Exempting sales from the consumers sales and service tax and use tax by not for profit volunteer school support groups raising funds for schools; 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. 2855**, Allowing rebate moneys to be used for the operation and maintenance of accounting and transparency systems of the State Auditor; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.



**H. B. 2856**, Relating to the administration of the operating fund of the securities division of the Auditor's office; 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. 2886**, Establishing requirements for a Division Motor Vehicles office or Division of Motor Vehicles Now kiosk to be present in a county; 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. 2907**, Requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 2924**, Permitting the West Virginia Tourism Office to decide to contract with the Division of Highways to sell advertising space on the WV511 website; 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. 2929**, Authorizing the West Virginia Tourism Office to enter into an agreement with the Division of Highways to provide staff at the welcome centers; 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. 2933**, Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Shott, the bill was amended on page one, after the article heading, by striking out the remainder of the bill and inserting in lieu thereof the following:

**“§61-8D-3. Child abuse resulting in injury; child abuse creating risk of injury; criminal penalties.**

(a) If ~~any a~~ parent, guardian or custodian ~~shall abuse~~ abuses a child and by ~~such the~~ the abuse ~~cause~~ causes the child bodily injury as ~~such the~~ the term is defined in §61-8B-1 of this code, then ~~such the~~ the parent, guardian or custodian ~~shall be is~~ is guilty of a felony and, upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000 and imprisoned in a state correctional facility for not less than ~~one two~~ two nor more than ~~five 10~~ 10 years, or in the discretion of the court, be confined in jail for not more than one year.

(b) If ~~any a~~ parent, guardian or custodian ~~shall abuse~~ abuses a child and by ~~such the~~ the abuse ~~cause~~ causes the child serious bodily injury as ~~such the~~ the term is defined in §61-8B-1 of this code, then ~~such the~~ the parent, guardian or custodian ~~shall be is~~ is guilty of a felony and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$5,000 and committed to the custody of the Division of Corrections and Rehabilitation not less than ~~two five~~ five nor more than ~~ten 15~~ 15 years.

(c) ~~Any A~~ A parent, guardian or custodian who abuses a child and by the abuse creates a substantial risk of death or serious bodily injury, as serious bodily injury is defined in §61-8B-1 of this code, to the child is guilty of a felony and, upon conviction thereof, shall be fined not more than \$3,000 or imprisoned in a state correctional facility for not less than ~~one two~~ two nor more than ~~five ten~~ ten years, or both.

~~(d)(1) If a parent, guardian or custodian who has not previously been convicted under this section, section four of this article or a law of another state or the federal government with the same essential elements abuses a child and by the abuse creates a substantial risk of bodily injury, as bodily injury is defined in section one, article eight-b of this chapter, to the child is guilty of a misdemeanor and,~~

upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000 or confined in jail not more than six months, or both.

~~(2) For a second offense under this subsection or for a person with one prior conviction under this section, section four of this article or a law of another state or the federal government with the same essential elements, the parent, guardian or custodian is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,500 and confined in jail not less than thirty days nor more than one year, or both.~~

~~(3) For a third or subsequent offense under this subsection or for a person with two or more prior convictions under this section, section four of this article or a law of another state or the federal government with the same essential elements, the parent, guardian or custodian is guilty of a felony and, upon conviction thereof, shall be fined not more than \$3,000 and imprisoned in a state correctional facility not less than one year nor more than three years, or both~~

(d) A person convicted of any offense under this section with any prior conviction under this section, §61-8D-4 of this code or a law of another state or the federal government with the same essential elements is subject to the following increased penalties:

(1) A person with one prior conviction shall be fined not more than \$3,000 or imprisoned in a state correctional facility for not less than three nor more than 15 years, or both. *Provided, however,* That a person convicted of a crime under subsection (b) is subject to the higher penalty therein.

(2) A person with two or more prior convictions is guilty of a felony and, upon conviction thereof, shall be fined not more than \$3,000 and imprisoned in a state correctional facility not less than five years nor more than 15 years, or both.

~~(e)~~ (d) Any person convicted of a ~~misdemeanor~~ an offense under this section:

(1) May be required to complete parenting classes, substance abuse counseling, anger management counseling, or other appropriate services, or any combination thereof, as determined by Department of Health and Human Resources, Bureau for Children and Families through its services assessment evaluation, which shall be submitted to the court of conviction upon written request;

(2) ~~Shall not be~~ is not required to register pursuant to §15-13-1 *et seq.* of this code; and

(3) ~~Shall~~ May not, solely by virtue of the conviction, have their custody, visitation or parental rights automatically restricted.

~~(f)~~ (e) ~~Nothing in~~ This section ~~shall~~ does not preclude a parent, guardian or custodian from providing reasonable discipline to a child.

**§61-8D-4. Child neglect resulting in injury; child neglect creating risk of injury; criminal penalties.**

(a) If a parent, guardian or custodian neglects a child and by such neglect causes the child bodily injury, as bodily injury is defined in section one, article eight-b of this chapter, then the parent, guardian or custodian is guilty of a felony and, upon conviction thereof, shall be fined not less than \$100 nor more than \$1,000 dollars or imprisoned in a state correctional facility for not less than one nor more than three years, or in the discretion of the court, be confined in jail for not more than one year, or both.

(b) If a parent, guardian or custodian neglects a child and by such neglect cause the child serious bodily injury, as serious bodily injury is defined in section one, article eight-b of this chapter, then the parent, guardian or custodian is guilty of a felony and, upon conviction thereof, shall be fined not less than \$300 nor more than \$3,000 dollars or imprisoned in a state correctional facility for not less than one nor more than ten years, or both.

(c) If a parent, guardian or custodian ~~grossly~~ neglects a child and by that ~~gross~~ neglect creates a substantial risk of death or serious bodily injury, as serious bodily injury is defined in section one, article eight-b of this chapter, of the child then the parent, guardian or custodian is guilty of a felony and, upon conviction thereof, ~~shall be fined not less than \$1,000 nor more than \$3,000 dollars or imprisoned in a state correctional facility for not less than one nor more than five years, or both. shall be fined not less than \$100 nor more than \$1,000 or confined in jail not more than two years, or both.~~

~~(d)(1) If a parent, guardian or custodian who has not been previously convicted under this section, section three of this article or a law of another state or the federal government with the same essential elements neglects a child and by that neglect creates a substantial risk of bodily injury, as defined in section one, article eight-b of this chapter, to the child, then the parent, guardian or custodian, is guilty of a misdemeanor and, upon conviction thereof, for a first offense, shall be fined not less than \$100 nor more than \$1,000 or confined in jail not more than six months, or both fined and confined.~~

~~(2) For a second offense under this subsection or for a person with one prior conviction under this section, section three of this article or a law of another state or the federal government with the same essential elements, the parent, guardian or custodian is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000 and confined in jail not less than thirty days nor more than one year, or both.~~

~~(3) For a third or subsequent offense under this subsection or for a person with two or more prior convictions under this section, section three of this article or a law of another state or the federal government with the same essential elements, the parent, guardian or custodian is guilty of a felony and, upon conviction thereof, shall be fined not more than \$2,000 and imprisoned in a state correctional facility not less than one year nor more than three years, or both fined and imprisoned.~~

(d) A person convicted of any offense under this section with any prior conviction is subject to the following increased penalties. A prior conviction includes any offense under this section, §61-8D-3 of this code or a law of another state or the federal government with the same essential elements:

(1) A person with one prior conviction shall be fined not more than \$3,000 or imprisoned in a state correctional facility for not less than three nor more than 15 years, or both.

(2) A person with two or more prior convictions is guilty of a felony and, upon conviction thereof, shall be fined not more than \$3,000 and imprisoned in a state correctional facility not less than five years nor more than 15 years, or both.

(e) The provisions of this section shall not apply if the neglect by the parent, guardian or custodian is due primarily to a lack of financial means on the part of such parent, guardian or custodian.

(f) Any person convicted of a misdemeanor offense under this section:

(1) May be required to complete parenting classes, substance abuse counseling, anger management counseling, or other appropriate services, or any combination thereof, as determined by Department of Health and Human Resources, Bureau for Children and Families through its services assessment evaluation, which shall be submitted to the court of conviction upon written request;

(2) Shall not be required to register pursuant to the requirements of article thirteen, chapter fifteen of this code; and

(3) Shall not, solely by virtue of the conviction, have their custody, visitation or parental rights automatically restricted.”

The bill was then ordered to engrossment and third reading.

**H. B. 2954**, Defining certain terms used in insurance; 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. 2982**, Amending and updating the laws relating to auctioneers; 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. 3007**, Authorizing the Commissioner of Agriculture to require background checks; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3039**, Relating to a court’s consideration of the expression of a preference by a child in certain child custody matters; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3083**, Adding temporary work during the legislative session as exclusion to the term employment for purposes of unemployment compensation; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3093**, Relating to standards for factory-built homes; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

### **First Reading**

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

**Com. Sub. for S. B. 13**, Relating to distributions from State Excess Lottery Fund,

**S. B. 442**, Supplementing, amending, and decreasing appropriation to Insurance Commission,

**S. B. 443**, Supplemental appropriation of federal moneys to DHHR divisions,

**S. B. 444**, Supplemental appropriation to DHHR divisions,

**Com. Sub. for H. B. 2540**, Prohibiting the waste of game animals, game birds or game fish,

**Com. Sub. for H. B. 2541**, Requiring certain safety measures be taken at public schools,

**Com. Sub. for H. B. 2807**, Creating an additional modification to the West Virginia adjusted gross income of shareholders of S corporations engaged in banking,

**H. B. 2829**, Relating to the termination of severance taxes on limestone and sandstone,

**H. B. 2837**, Relating to the licensing of advance deposit wagering,

**Com. Sub. for H. B. 2901**, Allowing for the establishment of a secondary location for racetrack video lottery terminals,

**H. B. 2934**, Permitting interactive wagering authorized as West Virginia Lottery interactive wagering activities,

**H. B. 2968**, Adding remote service unit to the definition of customer bank communications terminals,

And,

**H. B. 3134**, Establishing criminal penalties for negligent homicide, and increasing criminal penalties for reckless driving.

At 11:39 a.m., on motion of Delegate Summers, the House of Delegates recessed until 6:00 p.m.

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### Evening Session

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

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

### Committee Reports

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

Your Committee on the Judiciary has had under consideration:

**H. B. 2229**, Adding violations of law upon which a public servant's retirement plan may be forfeited,

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

**Com. Sub. for H. B. 2229** - "A Bill to amend and reenact §5-10A-2 of the Code of West Virginia, 1931, as amended, relating generally to disqualification for public service retirement plan benefits, modifying the definition of less than honorable service, removing the exception of a misdemeanor from that aspect of less than honorable service involving impeachment and conviction; removing the requirement that the participant or former participant plead guilty or nolo contendere to felony criminal conduct to constitute less than honorable service; and providing that conviction of specified misdemeanor conduct related to the participant's term in office or participant's term of employment in public service constitutes less than honorable service,"

And,

**H. B. 3133**, Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service,

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

**Com. Sub. for H. B. 3133** - "A Bill to amend and reenact §62-12-6 and §62-12-9 of the Code of West Virginia, 1931, as amended, relating to requiring a probationer found to have suffered with addiction to participate in a support service upon release for a certain period of time,"

With the recommendation that the committee substitutes each do pass.

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

Your Committee on Government Organization has had under consideration:

**H. B. 2603**, Relating to the amount permitted to remain in the West Virginia Alcohol Beverage Control Administration's operating fund,

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. 2603) was referred to the Committee on Finance.

On motion for leave, a bill was introduced (Originating in the Committee on Finance and reported with the recommendation that it do pass), which was read by its title, as follows:

**By Delegates Criss, Cowles, Ellington, Espinosa, Hardy, Rowan, Barrett, Hartman, Longstreth, Rowe and Williams:**

**H. B. 3135** - "A Bill expiring funds to the balance of the Department of Commerce, Development Office – Entrepreneurship and Innovation Investment Fund, fund 3006, fiscal year 2019, organization 0307, in the amount of \$500,000, from the Auditor's Office – Purchasing Card Administration Fund, fund 1234, fiscal year 2019, organization 1200, by supplementing and amending chapter 12, Acts of the Legislature, 2018, known as the Budget Bill."

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

Your Committee on Finance has had under consideration:

**H. B. 3045**, Exempting certain complimentary hotel rooms from hotel occupancy tax,

And,

**Com. Sub. for S. B. 26**, Permitting certain employees of educational service cooperatives participate in state's teacher retirement systems,

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

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

Your Committee on Finance has had under consideration:

**H. B. 2991**, Relating to the Ryan Brown Addiction Prevention and Recovery Fund,

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

**Com. Sub. for H. B. 2991** - "A Bill to amend and reenact §16-53-1 and §16-53-2 of the Code of West Virginia, 1931, as amended, relating to the Ryan Brown Addiction Prevention and Recovery Fund; requiring an assessment; requiring a presentation of that assessment; and requiring future settlements to be directed to the fund,"

And,

**H. B. 2550**, Creating a matching program for the Small Business Innovation and Research Program and the Small Business Technology Transfer Program,

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

**Com. Sub. for H. B. 2550** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-8-1, §5B-8-2, §5B-8-3, §5B-8-4, and §5B-8-5, all relating to creating a matching program for the Small Business Innovation Research Program and the Small Business Technology Transfer Program; providing that matching funds are to be paid from the Entrepreneurship and Innovation Investment Fund; defining terms; defining eligibility; providing terms of the grant; defining the application process; and providing for legislative rule-making,"

With the recommendation that the committee substitutes each do pass.

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

Your Committee on Government Organization has had under consideration:

**H. B. 2694**, Relating to the state's ability to regulate hemp,

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

**Com. Sub. for H. B. 2694** - "A Bill to amend and reenact §19-12E-3, §19-12E-4, §19-12E-5, §19-12E-6, §19-12E-7, §19-12E-8, and §19-12E-9 of the Code of West Virginia, 1931, as amended, and to amend said code by adding thereto two new sections, designated §19-12E-10 and §19-12E-11, all relating generally to the Industrial Hemp Development Act; adding and modifying definitions; updating code to reflect changes in federal law; clarifying that no person may grow, cultivate, possess, or process industrial hemp without a license from the Department of Agriculture; requiring certain documentation requested by the commissioner to be submitted by licensees; authorizing commissioner to submit plan for state regulation of industrial hemp to United States Department of Agriculture; requiring plan to comply with federal law; providing for continued legality of hemp production in absence of submitted plan; providing for handling negligent violations; addressing handling of non-negligent violations; requiring notification of attorney general and law enforcement under certain circumstances; and making technical corrections,"

With the recommendation that the committee substitute do pass.

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

Your Committee on Government Organization has had under consideration:

**H. B. 3024**, West Virginia Business Ready Sites Program.

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

**Com. Sub. for H. B. 3024** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-1n, relating to creating a pilot program to encourage utility infrastructure development to certain lands; declaring certain legislative findings; defining certain terms; requiring the West Virginia Development Office to consider certain applications; requiring the Public Service Commission consider certain plans; providing the Public Service Commission with the authority to allow certain public utility infrastructure projects to recover certain costs via ratemaking; providing for the expiration of certain statutory provisions; and providing for an effective date of the provisions of this section,"

With the recommendation that the committee substitute do pass.

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

Your Committee on Government Organization has had under consideration:

**H. B. 2598**, Relating to submitting a certifying statement attesting to status as a charitable or public service organization,

**H. B. 2816**, Removing the terms "hearing impaired", "hearing impairment" and "deaf mute" from the West Virginia Code and substituting terms,

**H. B. 2827**, Removing the residency requirements for hiring deputy assessors,

And,

**H. B. 2926**, Requiring the Secretary of the Department of Veterans' Affairs to study the housing needs of veterans,

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

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

Your Committee on the Judiciary has had under consideration:

**H. B. 2718**, Requiring purchasers of roundwood to collect and maintain certain information,

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

**Com. Sub. for H. B. 2718** - "A Bill to amend the Code of West Virginia, 1931, as amended; by adding thereto a new section, designated §61-3-52a; relating to requiring commercial purchasers of roundwood to collect and maintain certain information; and establishing criminal and administrative penalties for failure to comply,"

With the recommendation that the committee substitute do pass.

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

Your Committee on the Judiciary has had under consideration:



**H. B. 2690**, Relating to guaranty associations,

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

**Com. Sub. for H. B. 2690** - "A Bill to amend and reenact §33-26A-19 of the West Virginia Code, 1931, as amended, relating to guaranty associations; and making revisions consistent with the National Association of Insurance Commissioners Life and Health Insurance Guaranty Association Model Act,"

And,

**H. B. 2802**, Uniform Partition of Heirs Property Act,

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

**Com. Sub. for H. B. 2802** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §37-16-1, §37-16-2, §37-16-3, §37-16-4, §37-16-5, §37-16-6, §37-16-7, §37-16-8, §37-16-9, §37-16-10, §37-16-11, §37-16-12, and §37-16-13, all relating to enacting the Uniform Partition of Heirs Property Act; defining terms; providing for applicability; providing for conflicts with other laws; providing for a court hearing to determine if the partition action concerns heirs' property; providing for notice by publication in a partition action; providing for requirements for commissioners; providing procedures for a court to follow in determining the value of the property and factors for a court to consider for certain types of partitions; providing procedures for cotenant buyout; providing for alternatives to a partition action; providing for certain factors for the court to consider in determining whether partition in kind is appropriate; providing for open-market sales, sealed bids, or auctions; providing reporting requirements for an open-market sale; providing for uniformity of application and construction; and modifying, limiting, and superseding the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001 *et seq.*"

With the recommendation that the committee substitutes each do pass.

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

Your Committee on the Judiciary has had under consideration:

**H. B. 2519**, The Campus Self Defense Act,

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.

Delegate Summers asked unanimous consent that second reference of the bill to the Committee on Finance recommended by the Committee on the Judiciary be dispensed with, which consent was not granted, objection being heard.

On the question of dispensing with the second reference recommended by the Committee on the Judiciary, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 217**), and there were—yeas 51, nays 47, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Anderson, Angelucci, Bates, S. Brown, Byrd, Campbell, Canestraro, Capito, Caputo, Cowles, Diserio, Doyle, Estep-Burton, Evans, Fleischauer, Fluharty, Hansen, Hartman, Hicks, Hollen,

Hornbuckle, Householder, Lavender-Bowe, Longstreth, Lovejoy, Miley, Miller, Nelson, Pethtel, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rowe, Shott, Skaff, Sponaugle, Staggers, C. Thompson, R. Thompson, Tomblin, Toney, Walker, Westfall, Williams and Zukoff.

Absent and Not Voting: Boggs and Cadle.

So, a majority of the members present and voting having voted in the affirmative, the bill (H. B. 2519) was not referred to the Committee on Finance.

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

Your Committee on Finance has had under consideration:

**H. B. 2730**, Increasing the compensation of the membership of the State Police and the salaries for public school teachers and school service personnel,

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

At the respective requests of Delegate Summers, and by unanimous consent, the bill (H. B. 2730) was taken up for immediate consideration, read a first time and ordered to second reading.

### **Messages from the Senate**

A message from the Senate, by

The Clerk of the Senate, announced the adoption of the report of the Committee of Conference on, and the passage, as amended by said report, to take effect from passage, of

**H. B. 2351**, Relating to regulating prior authorizations.

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:

**Com. Sub. for H. B. 2607**, Relating to the licensure of nursing homes.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2019, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 310** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-6-39, relating to defining certain key terms; prohibiting insurers from requiring dentists to provide a discount on noncovered services; prohibiting dentists from charging covered persons more for noncovered services than his or her customary or usual rate for the services; providing that insurers may not provide for a nominal reimbursement for a service in order to claim that the service or material is covered; and providing for an effective date"; which was referred to the Committee on Health and Human Resources.

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. 360** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-6O-1, §46A-6O-2, §46A-6O-3, §46A-6O-4, §46A-6O-5, §46A-6O-6, §46A-6O-7, §46A-6O-8, and §46A-6O-9, all relating to third-party litigation financing; providing that a litigation financier shall register as a litigation financier in this state; providing registration requirements for business entities, partnerships, and individuals; providing that litigation financiers shall secure a bond or an irrevocable letter of credit; providing to whom the bond is payable; requiring that the litigation financiers amend their registration if their information changes or becomes inaccurate; providing that the Secretary of State may promulgate rules; providing that the terms of the litigation financing transaction shall be set forth in a completed, written contract; providing that the litigation financing contract shall contain a right of rescission; providing that a litigation financing contract shall contain certain written acknowledgements and disclosures; providing that a litigation financier shall not pay, or offer to pay, commissions, referral fees, or other consideration to any attorney, law firm, medical provider, chiropractor, or physical therapist or any of their employees for referring a consumer to the litigation financier; providing that a litigation financier shall not accept commissions, referral fees, or other consideration; providing that a litigation financier shall not advertise false or misleading information; providing that a litigation financier shall not refer a consumer to a specific attorney, law firm, medical provider, chiropractor, or physical therapist; providing an exception; providing that a litigation financier shall supply copies of the contract to the consumer or consumer’s attorney; providing that a litigation financier shall not attempt to waive any of a consumer’s remedies; providing that a litigation financier shall not attempt to effect arbitration or otherwise effect waiver of a consumer’s right to a jury trial; providing that a litigation financier shall not offer legal advice; providing that a litigation financier shall not assign the litigation financing contract; providing that a litigation financing contract shall contain certain disclosures and terms; providing form disclosures; providing that a violation shall render the contract unenforceable; providing that a court may award costs and attorneys’ fees against defendant; clarifying authority of the Attorney General; providing that a contingent right to receive an amount under a legal claim may be assigned by a consumer; providing a priority of liens; providing exceptions for certain liens and claims; providing a maximum annual fee; providing maximum frequency annual fee charges; providing that fees may compound semiannually but not based on any lesser time period; providing means for calculating annual percentage fee or rate of return; providing maximum terms for fees; and restricting incorporation of prior obligations”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**S. B. 377**, Relating to minimum wage and maximum hour standards.

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. 512** - “A Bill to amend and reenact §47-26-1, §47-26-2, and §47-26-3 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §47-26-2a, all relating to the regulation of pawnbrokers; removing an exception for certain transactions from the report required of all pawnbrokers; requiring all pawnbrokers to be equipped with certain surveillance equipment and signage effective January 1, 2021; prohibiting pawnbrokers from doing business with certain persons; prohibiting pawnbrokers from purchasing certain items or transacting with certain items from anyone; creating misdemeanor offenses for certain violations; and increasing the penalties for existing criminal offenses related to pawnbrokers”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2019, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 553** - "A Bill to amend and reenact §18-10-3 of the Code of West Virginia, 1931, as amended, relating to federal funds for land-grant institutions"; which was referred to the Committee on Education then Finance.

A message from the Senate, by

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

**S. B. 587** - "A Bill to amend and reenact §5-16-8a of the Code of West Virginia, 1931, as amended, relating to the West Virginia Public Employees Insurance Agency's reimbursement of air-ambulance providers who provide emergency transportation to individuals covered by the plan"; which was referred to the Committee on Finance.

A message from the Senate, by

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

**Com. Sub. for S. B. 601** - "A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15A-4-17a, relating to mandatory supervision of adult inmates generally; authorizing the Commissioner of the Division of Corrections and Rehabilitation to develop mandatory supervised release plans; authorizing the early release of inmates subject to the conditions of a mandatory supervised release plan; providing for return of inmates to a correctional facility for violations of the conditions of mandatory supervised release plans; providing that inmates on mandatory supervised release are considered to be on parole; clarifying that mandatory supervised release plan is not a commutation of sentence or any other form of clemency; and providing that mandatory supervised release concludes upon completion of the minimum expiration of sentence"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**S. B. 636** - "A Bill to amend and reenact §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as amended, all relating to authorizing legislative rules regarding higher education; authorizing legislative rules for the Higher Education Policy Commission regarding Acceptance of Advanced Placement Credit, Human Resources Administration, Guidelines for Governing Boards in Employing and Evaluating Presidents, and PROMISE Scholarship Program; and authorizing legislative rules for the Council for Community and Technical College Education regarding Tuition and Fees, Acceptance of Advanced Placement Credit, Initial Authorization of Degree-Granting Institutions, Workforce Development: Learn and Earn, Technical Program Development, and West Virginia Advance Rapid Response Grants, and Human Resource Administration"; which was referred to the Committee on Education.

### Leaves of Absence

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

At 6:34 p.m., the House of Delegates recessed for thirty minutes.

\* \* \* \* \*

**Evening Session**

\* \* \* \* \*

-continued-

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

**Miscellaneous Business**

Pursuant to House Rule 132, unanimous consent was requested and obtained to print the remarks of the following Members in the Appendix to the Journal:

- Delegate Campbell during Remarks by Members
- Delegate Evans during Remarks by Members

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

- Delegate Hardy for H. B. 2519
- Delegate Porterfield for H. B. 2097, H. B. 2663, H. B. 2714, H. B. 2718, H. B. 2770 and H. B. 3045
- Delegates Atkinson and Nelson for H. B. 3024
- Delegates Pushkin and Robinson for H. B. 3133

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

- Delegate Nelson for H. B. 3092

At 7:05 p.m., the House of Delegates adjourned until 11:00 a.m., Thursday, February 21, 2019.

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

## **SPECIAL CALENDAR**

**Thursday, February 21, 2019**

**44<sup>th</sup> Day**

**11:00 A. M.**

### **THIRD READING**

- Com. Sub. for S. B. 270 - Streamlining process for utilities access to DOH rights-of-way (SHOTT) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 356 - Requiring MAPS provide state and federal prosecutors information (SHOTT) (REGULAR)
- S. B. 358 - Exempting Purchasing Division purchases for equipment to maintain security at state facilities (SHOTT) (REGULAR)
- Com. Sub. for S. B. 387 - Relating generally to extradition (SHOTT) (REGULAR)
- S. B. 452 - Supplemental appropriation to Second Chance Driver's License Program (CRISS) (EFFECTIVE FROM PASSAGE)
- H. B. 2515 - Exempting the sale and installation of mobility enhancing equipment from the sales and use tax (FINANCE COMMITTEE TITLE AMENDMENT PENDING) (BUTLER) (REGULAR)
- H. B. 2667 - Supplemental appropriation to the Department of Military Affairs and Public Safety, Division of Corrections (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2854 - Exempting sales from the consumers sales and service tax and use tax by not for profit volunteer school support groups raising funds for schools (CRISS) (REGULAR)
- Com. Sub. for H. B. 2855 - Allowing rebate moneys to be used for the operation and maintenance of accounting and transparency systems of the State Auditor (GRAVES) (REGULAR)
- H. B. 2856 - Relating to the administration of the operating fund of the securities division of the Auditor's office (FINANCE COMMITTEE TITLE AMENDMENT PENDING) (GRAVES) (REGULAR)
- Com. Sub. for H. B. 2886 - Establishing requirements for a Division Motor Vehicles office or Division of Motor Vehicles Now kiosk to be present in a county (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2907 - Requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation (SHOTT) (REGULAR)

- H. B. 2924 - Permitting the West Virginia Tourism Office to decide to contract with the Division of Highways to sell advertising space on the WV511 website (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2929 - Authorizing the West Virginia Tourism Office to enter into an agreement with the Division of Highways to provide staff at the welcome centers (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2933 - Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury (SHOTT) (REGULAR)
- H. B. 2954 - Defining certain terms used in insurance (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2982 - Amending and updating the laws relating to auctioneers (HOWELL) (REGULAR)
- Com. Sub. for H. B. 3007 - Authorizing the Commissioner of Agriculture to require background checks (HOWELL) (REGULAR)
- H. B. 3039 - Relating to a court's consideration of the expression of a preference by a child in certain child custody matters (SHOTT) (REGULAR)
- H. B. 3083 - Adding temporary work during the legislative session as exclusion to the term employment for purposes of unemployment compensation (SHOTT) (REGULAR)
- H. B. 3093 - Relating to standards for factory-built homes (HOWELL) (REGULAR)

### **SECOND READING**

- Com. Sub. for S. B. 13 - Relating to distributions from State Excess Lottery Fund (FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)
- S. B. 442 - Supplementing, amending, and decreasing appropriation to Insurance Commission (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 443 - Supplemental appropriation of federal moneys to DHHR divisions (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- S. B. 444 - Supplemental appropriation to DHHR divisions (FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2540 - Prohibiting the waste of game animals, game birds or game fish (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2541 - Requiring certain safety measures be taken at public schools (HAMRICK) (REGULAR)

- H. B. 2730 - Increasing the compensation of the membership of the State Police and the salaries for public school teachers and school service personnel (FINANCE COMMITTEE TITLE AMENDMENT PENDING) (HOUSEHOLDER) (JULY 1, 2019)
- Com. Sub. for H. B. 2807 - Creating an additional modification to the West Virginia adjusted gross income of shareholders of S corporations engaged in banking (HOUSEHOLDER) (REGULAR)
- H. B. 2829 - Relating to the termination of severance taxes on limestone and sandstone (HOUSEHOLDER) (REGULAR)
- H. B. 2837 - Relating to the licensing of advance deposit wagering (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2901 - Allowing for the establishment of a secondary location for racetrack video lottery terminals (HOUSEHOLDER) (REGULAR)
- H. B. 2934 - Permitting interactive wagering authorized as West Virginia Lottery interactive wagering activities (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- H. B. 2968 - Adding remote service unit to the definition of customer bank communications terminals (SHOTT) (REGULAR)
- H. B. 3134 - Establishing criminal penalties for negligent homicide, and increasing criminal penalties for reckless driving (SHOTT) (REGULAR)

### **FIRST READING**

- Com. Sub. for S. B. 26 - Permitting certain employees of educational service cooperatives participate in state's teacher retirement systems (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2229 - Adding violations of law upon which a public servant's retirement plan may be forfeited (SHOTT) (REGULAR)
- H. B. 2519 - The Campus Self Defense Act (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2550 - Creating a matching program for the Small Business Innovation and Research Program and the Small Business Technology Transfer Program (HOUSEHOLDER) (REGULAR)
- H. B. 2598 - Relating to submitting a certifying statement attesting to status as a charitable or public service organization (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2617 - Relating to the form for making offer of optional uninsured and underinsured coverage by insurers (SHOTT) (REGULAR)



- Com. Sub. for H. B. 2690 - Relating to guaranty associations (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2694 - Relating to the state's ability to regulate hemp (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2718 - Requiring purchasers of roundwood to collect and maintain certain information (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2770 - Fairness in Cost-Sharing Calculation Act (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2802 - Uniform Partition of Heirs Property Act (SHOTT) (REGULAR)
- H. B. 2816 - Removing the terms "hearing impaired," "hearing impairment," and "deaf mute" from the West Virginia Code and substituting terms (HOWELL) (REGULAR)
- H. B. 2827 - Removing the residency requirements for hiring deputy assessors (HOWELL) (REGULAR)
- H. B. 2828 - Relating to Qualified Opportunity Zones (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2830 - Establishing Next Generation 911 services in this state (HOUSEHOLDER) (REGULAR)
- H. B. 2926 - Requiring the Secretary of the Department of Veterans' Affairs to study the housing needs of veterans (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2991 - Relating to the Ryan Brown Addiction Prevention and Recovery Fund (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 3024 - West Virginia Business Ready Sites Program (HOWELL) (EFFECTIVE FROM PASSAGE)
- H. B. 3045 - Exempting certain complimentary hotel rooms from hotel occupancy tax (HOUSEHOLDER) (REGULAR)
- H. B. 3132 - Relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 3133 - Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service (SHOTT) (REGULAR)
- H. B. 3135 - Expiring the funds to the balance of the Department of Commerce, Development Office (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

## HOUSE CALENDAR

Thursday, February 21, 2019

44<sup>th</sup> Day

11:00 A. M.

### SECOND READING

- Com. Sub. for H. B. 2008 - Relating to nonpartisan election of justices of the Supreme Court of Appeals (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2532 - Allowing certain donations by persons renewing their driver's license or vehicle registration (CRISS) (REGULAR)
- H. B. 2692 - Relating to primary elections and procedures (HOWELL) (REGULAR)
- H. B. 2819 - Relating generally to contractors (FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)
- H. B. 2872 - Authorizing law-enforcement officers to assist the State Fire Marshal (SHOTT) (REGULAR)
- H. B. 2932 - Transferring regulation and licensing of charitable bingo, charitable raffles, and charitable raffle boards (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2980 - Mine Trespass Act (SHOTT) (REGULAR)

### FIRST READING

- Com. Sub. for H. B. 2452 - Creating the West Virginia Cybersecurity Office (HOUSEHOLDER) (REGULAR)

# WEST VIRGINIA HOUSE OF DELEGATES

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**THURSDAY, FEBRUARY 21, 2019**

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**COMMITTEE ON FINANCE  
9:00 A.M. – ROOM 460M**

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

**COMMITTEE ON EDUCATION  
9:00 A.M. – ROOM 432M**

**COMMITTEE ON RULES  
10:45 A.M. – BEHIND CHAMBER**

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

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**FRIDAY, FEBRUARY 22, 2019**

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**PUBLIC HEARING  
COMMITTEE ON FINANCE  
8:00 A.M. – HOUSE CHAMBER**

**H. B. 2730, INCREASING THE COMPENSATION OF THE MEMBERSHIP OF THE  
STATE POLICE AND THE SALARIES FOR PUBLIC SCHOOL TEACHERS AND  
SCHOOL SERVICE PERSONNEL.**

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