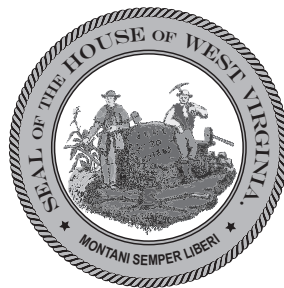


West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Fourth Legislature
First Regular Session

Held at Charleston
Published by the Clerk of the House



March 1, 2019
FIFTY-SECOND DAY

Friday, March 1, 2019

FIFTY-SECOND DAY

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

The House of Delegates 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 Thursday, February 28, 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:

Com. Sub. for S. B. 3, Establishing WV Small Wireless Facilities Deployment Act,

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

At the respective requests of Delegate Summers, and by unanimous consent, the bill (S. B. 3) was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Harshbarger, Chair of the Committee on Agriculture and Natural Resources submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

Com. Sub. for S. B. 317, Authorizing three or more adjacent counties form multicounty trail network authority,

And reports the same back with the recommendation that it do pass, and with the recommendation that second reference to the Committee on the Judiciary be dispensed with and that it be referred to the Committee on Government Organization.

In the absence of objection, the original second reference to the Committee on the Judiciary was abrogated and the Speaker referred the bill (Com. Sub. for S. B. 317) to the Committee on Government Organization.

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

Your Committee on Banking and Insurance has had under consideration:

Com. Sub. for S. B. 30, Eliminating tax on annuity considerations collected by life insurer,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 30) was referred to the Committee on Finance.

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

Your Committee on Banking and Insurance has had under consideration:

Com. Sub. for S. B. 340, Repealing obsolete provisions of code relating to WV Physicians Mutual Insurance Company,

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. 340) was referred to the Committee on the Judiciary.

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:

Com. Sub. for S. B. 360, Relating to third-party litigation financing,

Com. Sub. for S. B. 481, Relating to Judicial Vacancy Advisory Commission,

And,

Com. Sub. for S. B. 491, Extending effective date for voter registration in conjunction with driver licensing,

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

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:

Com. Sub. for S. B. 101, Equalizing penalties for intimidating and retaliating against certain public officers and other persons,

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

S. B. 190, DOH rule relating to employment procedures,

Com. Sub. for S. B. 237, Improving ability of law enforcement to locate and return missing persons,

S. B. 531, Relating generally to workers' compensation claims,

And,

S. B. 664, Authorizing certain members of federal judiciary perform marriages,

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:

Com. Sub. for S. B. 264, Requiring courts to order restitution to crime victims where economically practicable,

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 (Com. Sub. for S. B. 264) was referred to the Committee on Finance.

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

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 40, Establishing Military Service Members Court program,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 40) was referred to the Committee on Finance.

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

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 223, Authorizing Department of Commerce promulgate legislative rules,

And reports the same back with the recommendation that it 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:

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.

Delegate Capito, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 1st day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

Com. Sub. for S. B. 270, Streamlining process for utilities access to DOH rights-of-way,

Com. Sub. for S. B. 356, Requiring MAPS provide state and federal prosecutors information,

S. B. 358, Exempting Purchasing Division purchases for equipment to maintain security at state facilities,

Com. Sub. for S. B. 387, Relating generally to extradition,

And,

S. B. 452, Supplemental appropriation to Second Chance Driver's License Program.

Delegate Capito, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 1st day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

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,

And,

S. B. 444 - Supplemental appropriation to DHHR divisions.

Delegate Capito, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 1st day of March, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

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

And,

Com. Sub. for S. B. 489, Relating to Pharmacy Audit Integrity Act.

Messages from the Executive

Delegate Hanshaw (Mr. Speaker) presented a communication from His Excellency, the Governor, advising that on February 28, 2019, he approved **S. B. 272, H. B. 2459, Com. Sub. for H. B. 2481, H. B. 2492 and Com. Sub. for H. B. 2521.**

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:

Com. Sub. for H. B. 2740, Barring a parent from inheriting from a child in certain instances.

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

On page six, section twelve, by striking out the section caption and substituting therefor a new section caption, to read as follows:

“§42-1-12. When a child may inherit from a parent who has been barred from inheritance.”

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. 397**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Azinger, S. Brown, Miley, Porterfield, Rodighiero and Williams.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2740) passed.

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

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. 2759, Providing for the ancillary administration of West Virginia real estate owned by nonresidents by affidavit and without administration.

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

On page twelve, section one, line forty-two, by striking out the words “of \$20 for” and inserting in lieu thereof the words “that is the amount of”.

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. 398**), and there were—yeas 95, nays 1, absent and not voting 4, with the yeas and absent and not voting being as follows:

Nays: Howell.

Absent and Not Voting: S. Brown, Miley, Porterfield and Rodighiero.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2759) passed.

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

A message from the Senate, by

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

S. C. R. 17 - "Requesting the Division of Highways name bridge number 17-7-4.07 (17A042), locally known as Sardis Bridge, carrying County Route 7 over Tenmile Creek in Harrison County, the 'Sardis District Veterans Memorial Bridge'."

Whereas, Naming this bridge after all the men and women who have served in the United States armed forces from the Sardis District is a fitting and enduring memorial to commemorate their service; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 17-7-4.07 (17A042), locally known as Sardis Bridge, carrying County Route 7 over Tenmile Creek in Harrison County, the "Sardis District Veterans Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "Sardis District Veterans Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

A message from the Senate, by

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

S. C. R. 24 - "Requesting the Division of Highways name bridge number 28-11-8.67 (28A028), locally known as Montcalm Bridge, carrying County Route 11 over the Bluestone River in Mercer County, the 'Hazel Dickens Memorial Bridge'."

Whereas, Hazel Dickens was born in Montcalm, Mercer County, on June 1, 1925, as the eighth child of Sarah (Simkins) Dickens and Pastor H. N. Dickens, a Primitive Baptist Church minister and logging truck driver; and

Whereas, When she was 16 years old, Hazel, along with her parents and some of her siblings, moved to Baltimore, Maryland, to be close to one of her brothers, who was there being treated for tuberculosis. She worked several jobs, including as a waitress, store clerk, and factory worker. Hazel spent her evenings playing double-bass for hillbilly and bluegrass bands in Baltimore and writing songs based on her memories of growing up in the mountains of southern West Virginia; and

Whereas, Eventually, she moved to Washington, D.C., and formed a musical partnership with Alice Gerrard. Hazel drew upon the Primitive Baptist musical tradition to develop her unique vocal style. Although slight in physical stature, Hazel sang with an unamplified voice that was strong, loud, and powerful enough to keep the faithful seated in rear pews wide awake. At the same time, the themes of the songs she authored told of the plight of working men and women, the tragedy of poverty, the strength of family love, and the power of faith; and

Whereas, In a performing career that spanned nine decades, from 1936 to her final performance on March 16, 2011, Hazel put her heart into her music and maintained her steadfast love for her West Virginia roots. She had a profound influence on other female vocalists, including Alison Krauss, Emmylou Harris, and the Judds. She also carried the story of the plight of coal miners through four songs in the soundtrack of the 1976 Academy Award-winning documentary "Harlan County, USA" and sang "Beautiful Hills of Galilee" in a powerful graveyard scene in the 1987 movie "Matewan"; and

Whereas, Hazel Dickens traveled to venues around the world where she performed to great acclaim and, following her passing on April 22, 2011, at the age of 85, her family brought her back home to Mercer County and her final resting place at Roselawn Cemetery; and

Whereas, It is fitting that an enduring memorial be established to commemorate Hazel Dickens and her contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways name bridge number 28-11-8.67 (28A028), locally known as Montcalm Bridge, carrying County Route 11 over the Bluestone River in Mercer County, the "Hazel Dickens Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "Hazel Dickens Memorial Bridge"; and, be

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

A message from the Senate, by

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

S. C. R. 27 - "Requesting the Joint Committee on Government and Finance study the supply or shortage of drivers with commercial driver's licenses (CDLs); whether there are drivers 18 to 21 years old with CDLs sufficient for meeting any shortage, and if they are able to be insured; and explore establishing an insurance pool specifically for CDL drivers 18 to 21 years old for the solid waste industry."

Whereas, It is important that a supply of skilled and safe drivers be available for employment by the solid waste industry; and

Whereas, Many companies report difficulty in obtaining and retaining commercial drivers; and

Whereas, It is recognized that it may be difficult to obtain insurance at a reasonable cost for young and inexperienced drivers; and

Whereas, It is in the best interest of the state to assist in ensuring solid waste companies are able to provide their services to the public; and

Whereas, Public sector insurance pools may be an acceptable way to reduce the cost of insuring younger commercial drivers; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study the supply or shortage of drivers with commercial driver's licenses (CDLs); whether there are drivers 18 to 21 years old with CDLs sufficient for meeting any shortage, and if they are able to be insured; and explore establishing an insurance pool specifically for CDL drivers 18 to 21 years old for the solid waste industry; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2020, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

A message from the Senate, by

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

S. C. R. 28 - "Requesting the Division of Highways name a portion of U.S. Route 35 at the intersection with Interstate 64, in Putnam County, the 'U.S. Army SP5 James Henry Caruthers Memorial Road'."

Whereas, James Henry Caruthers was born on August 11, 1945, to James Henry and Josephine Della "Teeny" Legg Caruthers. He graduated from Poca High School in 1963 and attended Concord College.

Whereas, In 1966, he was drafted into the U.S. Army and proudly and honorably served his country in Vietnam; and

Whereas, Upon his discharge, he returned to his company, Putnam Fabrication. He was also employed by Terradon Corporation and West Virginia Steel. He was elected to three terms as Putnam County Commissioner, and also elected Mayor of Poca and councilman. In 2001, Jim was appointed by Governor Bob Wise to serve on the West Virginia Statewide Addressing and Mapping Board. He initiated the Putnam County Transportation Committee, which still exists today. He was a member of the Central West Virginia Regional Airport, the Putnam County Republican Executive Committee, the Nitro Moose, and a life member of the VFW, Post 9097, Hurricane, West Virginia; and

Whereas, While recognized and winning numerous awards for his public service, in 2008, Jim was selected for the PF Tucker Award by the Regional Intergovernmental Council. In 2011, he was proud to receive the Mayo Lester Community Service Award, bestowed upon him by the Putnam County Chamber of Commerce, and, in 2015, was presented with the Distinguished West Virginian Award by Governor Earl Ray Tomblin; and

Whereas, James Henry Caruthers, 72, a life-long resident of Poca, West Virginia, passed away, Wednesday, March 28, 2018, is survived by his adoring wife, Kim Blair; son, Jonathan Caruthers (Warrant Officer, USMC, stationed in Beaufort, South Carolina), and his partner, Jillianne Sprague; other sons, Jeffrey Blair, Esq. and his wife, Dr. Amy Schultz of Scott Depot, West Virginia; and Brian Blair and partner Desi Andrews of Parkersburg, West Virginia; and

Whereas, It is fitting that an enduring memorial be established to commemorate James Henry Caruthers and his 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 a portion of U.S. Route 35 at the intersection with Interstate 64, in Putnam County, the "U.S. Army SP5 James Henry Caruthers Memorial Road"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs at both ends identifying the portion of the road as the "U.S. Army SP5 James Henry Caruthers Memorial Road"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

A message from the Senate, by

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

S. C. R. 34 - "Requesting the Division of Highways name bridge number 26-2/26-0.13 (26A095), locally known as the Sixth Street Bridge, carrying Sixth Street over West Virginia Route 2 and U.S. Route 250 in Marshall County, the 'U.S. Army SPC Julian Lee Berisford Memorial Bridge'."

Whereas, Julian Lee Guthrie Berisford was born in Wheeling on June 13, 1984, to Shelley Guthrie and Julie Berisford, of Moundsville, West Virginia; and

Whereas, Julian Lee Berisford graduated from John Marshall High School in 2002, and studied Parks and Recreation at West Liberty State College; and

Whereas, Julian Lee Berisford was known to his friends and family as someone who was good to be around, ready with a joke or a friendly gesture, and was a fan of fishing and the West Virginia Mountaineers; and

Whereas, Julian Lee Berisford enlisted in the United States Army in 2007 and, after successfully completing paratrooper school, was assigned to the 4th Brigade Combat Team, 25th Infantry Division (Airborne), stationed in Fort Richardson, Alaska, with the rank of Specialist; and

Whereas, During that time, Julian Lee Berisford had also fallen in love with, and became engaged to, Gina Marie Yankovich, whom he married on December 31, 2007, and in November of the following year they had a daughter, Mya; and

Whereas, SPC Julian Lee Berisford was subsequently deployed to Afghanistan as part of Operation Enduring Freedom; and

Whereas, After serving many months in Afghanistan, SPC Julian Lee Berisford was granted leave and scheduled to come home for a visit to celebrate his daughter's first birthday; however, before the scheduled date of his leave, his team set out on another mission where they came under hostile fire during their patrol, and SPC Julian Lee Berisford was killed in action on November 4, 2009; and

Whereas, It is fitting that an enduring memorial be established to commemorate SPC Julian Lee Berisford and his 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 26-2/26-0.13 (26A095), locally known as the Sixth Street Bridge, carrying Sixth Street over West Virginia Route 2 and U.S. Route 250 in Marshall County, the "U.S. Army SPC Julian Lee Berisford Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S. Army SPC Julian Lee Berisford Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed forward a copy of this resolution to the Commissioner of the Division of Highways.

A message from the Senate, by

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

S. C. R. 36 - "Requesting the Division of Highways name bridge number 26-250-38.73 (26A073), locally known as Boggs Run Bridge, carrying U.S. Route 250 over Marshall Street in Marshall County, the 'U.S. Army CPL Cory M. Hewitt Memorial Bridge'."

Whereas, Cory Michael Hewitt was born May 22, 1978, in a hospital in Wheeling, West Virginia, although the family resided in Sand Hill, Marshall County, West Virginia; and

Whereas, Cory Michael Hewitt played football and the trombone in the band, and was known to slip out of his shoulder pads at halftime, grab his trombone, and join the band for the halftime show, and then slip back into his football uniform to play in the second half; and

Whereas, Cory Michael Hewitt graduated from West Liberty State College in 2001, where he is remembered by his professors as a model student; and

Whereas, Not having 20/20 vision kept him from his dream job of being a member of the Secret Service or the FBI, so he followed in the footsteps of his father to become a member of the U.S. Army; and

Whereas, CPL Cory Michael Hewitt was assigned to the 705th Ordinance Company (Explosive Ordinance Disposal), 63rd Ordinance Battalion, 52nd Ordinance Group, 20th Support Command (CBRNE) in Iraq; and

Whereas, CPL Cory Michael Hewitt was killed on December 21, 2004, by a suicide bomber in the forward Operating Base Marez, Mosul, Iraq; and

Whereas, CPL Cory Michael Hewitt was awarded the Bronze Star Medal and the Purple Heart Medal; and

Whereas, It is fitting that an enduring memorial be established to commemorate CPL Cory M. Hewitt and his sacrifice for his 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 26-250-38.73 (26A073), locally known as Boggs Run Bridge, carrying U.S. Route 250 over Marshall Street in Marshall County, the "U.S. Army CPL Cory M. Hewitt Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is requested to have made and be placed signs identifying the bridge as the "U.S. Army CPL Cory M. Hewitt Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

A message from the Senate, by

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

S. C. R. 39 - "Requesting the Joint Committee on Government and Finance to create a Joint Select Committee on Requirements Governing Water Quality Standards."

Whereas, There is disagreement on what water quality standards should be; and

Whereas, Industry representatives and environmentalists disagree on what standards are adequate to protect the public health and well-being while still allowing businesses to be successful in their endeavors; and

Whereas, Federal standards must also be considered in determining the state's water quality standards; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to create a Joint Select Committee on Requirements Governing Water Quality Standards; and, be it

Further Resolved, That the Legislature hereby authorizes the Joint Select Committee on Requirements Governing Water Quality Standards to study the issues concerning water quality standards, while maintaining compliance with federal regulations, specifically the proposed Triennial Review of Water Quality Standards; and, be it

Further Resolved, That the Joint Select Committee on Requirements Governing Water Quality Standards shall be composed of five members of the Senate appointed by the President of the Senate and five members of the House of Delegates appointed by the Speaker of the House of Delegates. No more than three of the five members appointed by the President of the Senate and the Speaker of the House of Delegates, respectively, may be members of the same political party. In addition, the President of the Senate and Speaker of the House of Delegates shall be ex officio nonvoting members of the Joint Select Committee on Requirements Governing Water Quality Standards and shall designate the co-chairpersons; and, be it

Further Resolved, That the Joint Select Committee on Requirements Governing Water Quality Standards may meet at any time, both during sessions of the Legislature and in the interim, or as

often as may be necessary to receive information and testimony, and report on its findings and conclusions. All members of the committee are entitled to compensation and reimbursement for expenses as authorized for members of the Legislature in accordance with the performance of their interim duties; and, be it

Further Resolved, That, at the conclusion of its study, the Joint Select Committee on Requirements Governing Water Quality Standards report to the Joint Committee on Government and Finance its findings, conclusions, and recommendations together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

A message from the Senate, by

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

Com. Sub. for S. C. R. 40 - "Requesting the Division of Highways name bridge number 2657, S-242(17), (40A030), located on Rt. 34 within the city limits of Hurricane, in Putnam County, the 'U.S. Army CPL Roy E. Clark Memorial Bridge'."

Whereas, Roy Edward Clark was born March 22, 1946, in Culloden, West Virginia, the son of Lawrence Willard Clark and Mazy Ann Woodard; and

Whereas, Roy E. Clark graduated from Hurricane High School in 1966, where he was known by his friends as a kind, humble, honest, and caring young man. Roy loved athletics and was a member of both the basketball and track teams; and

Whereas, After graduating high school, Roy E. Clark served with the U.S. Army in Vietnam, Company C, 5th Battalion, 46th Infantry, 198th Infantry Brigade; and

Whereas, On May 24, 1969, CPL Roy E. Clark was mortally wounded when his company came under heavy enemy fire near the village of Trà Vinh, Vietnam. With complete disregard for his own safety, CPL Roy E. Clark continued to expose himself to intense enemy fire, laying down a suppressive fire that provided cover to his comrades, enabling them to reach a safe position; and

Whereas, CPL Roy E. Clark was posthumously awarded the Bronze star with "V" for valor for saving the lives of many of his fellow soldiers through his timely and courageous actions; and

Whereas, It is fitting that an enduring memorial be established to commemorate CPL Roy E. Clark and his sacrifice for his state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways name bridge number 2657, S-242(17), (40A030), located on Rt. 34 within the city limits of Hurricane, in Putnam County, the "U.S. Army CPL Roy E. Clark Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S. Army CPL Roy E. Clark Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

Special Calendar

Unfinished Business

The following resolutions, coming up in regular order, as unfinished business, were reported by the Clerk and adopted:

S. C. R. 35, Designating days for displaying Honor and Remember Flag at WV Veterans Memorial,

H. C. R. 15, Requesting the Joint Committee on Government and Finance study the impact of business regulations and economic development incentives to recruit and retain small business,

H. C. R. 20, PFC Charles Everett Hurd Memorial Bridge,

H. C. R. 65, Vietnam Veterans Memorial Highway,

H. C. R. 66, U. S. Army SPC Thurman 'Duwayne' Young Memorial Bridge,

H. C. R. 74, U. S. Army PFC James Leslie Pridemore Memorial Road,

And,

H. C. R. 81, Erecting a statue of Charles Elwood "Chuck" Yeager on the State Capitol Complex grounds.

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

Third Reading

Com. Sub. for S. B. 295, Relating to crimes against public justice; 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. 399**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: S. Brown, Miley, Porterfield and Rodighiero.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 295) passed.

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

Com. Sub. for S. B. 408, Determining indigency for public defender services; on third reading, coming up in regular order, was, on motion of Delegate Summers, postponed one day.

Com. Sub. for S. B. 518, Restricting sale and trade of dextromethorphan; 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. 400**), and there were—yeas 92, nays 3, absent and not voting 5, with the nays and absent and not voting being as follows:

Nays: Fluharty, J. Jeffries and McGeehan.

Absent and Not Voting: S. Brown, Miley, Porterfield, Rodighiero and Sypolt.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 518) passed.

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

S. B. 545, Relating to HIV testing; 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. 401**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: S. Brown, Miley, Porterfield and Rodighiero.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 545) passed.

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

S. B. 545 - "A Bill to amend and reenact §64-7-4, of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of the Insurance Commission to promulgate a legislative rule relating HIV testing; and eliminating outdated testing protocols."

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

On this question, the yeas and nays were taken (**Roll No. 402**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: S. Brown, Miley, Porterfield and Rodighiero.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 545) takes effect from its passage.

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

S. B. 593, Permitting critical access hospital become community outpatient medical center; 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. 403**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: S. Brown, Miley, Porterfield and Rodighiero.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 593) passed.

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

Second Reading

Com. Sub. for S. B. 60, Licensing practice of athletic training; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on Health and Human Resources, was reported by the Clerk and adopted, amending the bill on page six, line twenty-five, by striking out the defined terms, “‘BOC’ means National Athletic Trainers’ Association Board of Certification. ‘CAATE’ means the Commission on Accreditation of Athletic Training Education.”

On page seven line thirteen, by striking out subdivision (3) in its entirety and renumbering the remaining subdivisions accordingly.

On page eight, line twenty-two, by striking out subdivision (7) in its entirety and inserting in lieu thereof a new subdivision (7) to read as follows: “(7) Complete a criminal background check as required by §30-1D-1” and a semicolon.

And,

On page fifteen, section eleven, line twenty-three, by striking out subdivisions (7) and (8) and inserting the following:

“(7) An athletic trainer licensed in another jurisdiction who is forced to leave his or her residence or place of employment due to a declared local, state, or national disaster or emergency and due to the displacement seeks to practice as an athletic trainer. This exemption applies for no longer than 60 calendar days in a calendar year following the declaration of the emergency. The athletic trainer shall notify the board of his or her intent to practice;

(8) Nothing in this article may be construed to prohibit or otherwise limit the use of the term ‘athletic trainer’ in secondary school settings by persons who were practicing athletic training under a West Virginia Board of Education Athletic Certification, provided the practice is in accordance with Board of Education policy in effect prior to July 1, 2011; and

(9) Nothing contained in this article prohibits a person from practicing within his or her scope of practice as authorized by law.”

The bill was then ordered to third reading.

Com. Sub. for S. B. 310, Establishing certain requirements for dental insurance; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 641, Relating to Primary Care Support Program; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on Health and Human Resources, was reported by the Clerk and adopted, amending the bill on page one, section two, line nineteen, after the period, by inserting the following:

“Additionally, the Secretary may use certain portions of funds within this account for activities in support of rural and primary care.”

The bill was then ordered to third reading.

Com. Sub. for H. B. 2020, Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution; on second reading, coming up in regular order, was read a second time.

At the request of Delegate Summers, and by unanimous consent, the bill was advanced to third reading with the general right to amend, and the rule was suspended to permit the consideration of amendments on that 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. 72, Creating Sexual Assault Victims’ Bill of Rights,

Com. Sub. for S. B. 393, Protecting right to farm,

Com. Sub. for S. B. 441, Relating to higher education campus police officers,

Com. Sub. for S. B. 520, Requiring entities report drug overdoses,

S. B. 635, Relating generally to coal mining activities,

S. B. 636, Authorizing legislative rules for Higher Education Policy Commission,

And,

S. B. 668, Relating to physician assistants collaborating with physicians in hospitals.

At 12:21 p.m., on motion of Delegate Summers, the House of Delegates recessed until 5:00 p.m.

* * * * *

Evening Session

* * * * *

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

Speaker Pro Tempore Cowles in the Chair

Mr. Speaker, Mr. Hanshaw, addressed the House from the floor as follows:

Mr. Speaker, Mr. Hanshaw: Friends, good evening. I bluntly struggle with what even to say. I have spent this afternoon from meeting to meeting, from room to room, from phone call to phone call, trying to explain how we got where we are as a body. I have spent the last four hours thinking to myself, where are we as a House and what possible example are we setting for the people of this state.

What possible example are we as a body setting for those who sit at home and watch our session. The pace at which I move this House is well-known and many of you joke about it and that is fine. But, let's not joke about it tonight. Let's not joke about it tonight. I have said for five years now that among the highest professional honors of my life has been the privilege to represent the 33rd Delegate District in this Legislature. From the day I came to this body and sat in that seat where Delegate Maynard sits today, till the time you gave me the opportunity to stand at that podium and represent our entire House of Delegates it has been my privilege, it is my privilege, to often speak for our body, to often speak for our chamber about what we believe to be good about our state, about what we believe to be good about the 1.8 million people that we represent that we call our friends, that we call our neighbors, that we call our family, that we call our constituents and I am deeply proud of that.

Like almost every person here in this House I have chosen West Virginia. This is my home not because I couldn't go elsewhere but because I chose it, just like so many of you chose it. We have made this our home because we are proud of it. We have chosen this state as our home because we love it, and with that means we love the people in it, with that choice means we love who we are as a people, who we are as a state. So I have struggled, I have struggled for the last four, six hours it is now to answer the question of how we got where we are, how we got where we are.

Friends, we owe it to ourselves to do better. We owe it to ourselves, we owe it to our constituents, we owe it to the men and women and children and families that we represent to do better than we are. We have but 60 days a year as a body to come to this Capitol, to come to this Legislature and form ourselves into a collective, form ourselves into a unit into, into a whole to bring about better for the State of West Virginia, to bring about better for the people who have chosen this place as their home. To bring about better for the place that we say we love and that I know we do. But we owe it to ourselves to do better. Friends, over the course of these past fifty now two days we have allowed national level politics to become a cancer on our state, to become a cancer on our Legislature, to invade our chamber in a way that, frankly, makes me ashamed. Frankly makes me ashamed.

Ladies and gentlemen, we address each other in this body, we address each other in committee, we address each other on the floor of this House with opening remarks that began, my friend from the 1st, my friend from the 3rd, my friend from the 27th, I hope we mean it. I hope we mean that. I hope that's not a hollow acknowledgment of some trite title. I hope we mean that. Because if we don't, everything else we do here is for not. If we don't mean that, everything else we do here is but a hollow gesture.

Ladies and gentlemen, we've allowed the proceedings in this House to reach a point at which... we have now had a staff member physically injured. We all have passion, all have belief, we all have, we all have motivation. We all have things that drive us to do what we do and be who we are and represent those that we do, but we can do better. We can do better and we owe it to the 1.8 million people that we represent to do better. We owe it to the 1.8 million people we represent to be better.

It's, it's a privilege to travel all over this world wearing an emblem that has that flying WV on it, or a shirt that says West Virginia, or some duffle bag that says Mountaineers, something else that depicts our state. I've had that privilege, many of you have had that privilege. I've flown through airports when other West Virginians have stopped me. I've walked on streets in foreign countries when people wearing that same logo about our state have stopped me and it matters not where you are. Doesn't matter who that other person is. All they have to do is see that logo. All they have to do is see the outline of that state. That's all it takes. That's takes because it doesn't matter where you are in the world when another West Virginian sees that state, sees that logo, sees that outline, we are instant friends.

I see some of you shaking your heads because you've had that experience. You've walked down the streets of London and run into someone from West Virginia. You've walked across the streets of Paris and run into someone from here in our state, you've been on the beaches in Australia and encountered somebody else who grew up two counties over from you. These are our friends.

To the ladies and gentlemen who I hope watch our proceedings here on the camera tonight, we are your representatives. We are the one hundred men and women that you have sent here to represent you and I want to pledge to you tonight that on behalf of the one hundred members of this Legislature, we owe it to you to do better and I for one intend to spend the next eight days here in this Legislature doing so. I hope that all of you do. I hope that all of us collectively do. Friends, we can't have this. We cannot have this. We are supposed to be the model of democracy. We are supposed to be the model for how a democratic republic operates and that's not a philosophical trite worn out phrase. That's our government. That's our government, that's what our people deserve. That's what our people expect. That's what they sent us here to be. That's what they sent us here to do. It's who we are. It's who we are. We are supposed to have disagreement here, we are supposed to engage in high minded debate, we are supposed to air out things in ways that sometimes are uncomfortable. That's okay. That's okay, that's what makes our country great. That's what is good about our country. That's what separates the United States of America from other places in this world where people don't have the same kind of opportunity that we have.

But, ladies and gentlemen, we owe it to one another to do that in a respectful way. We owe it to the 1.8 million people we represent to model the kind of behavior we expect from each other and we expect from our citizens, we expect from our family members and we expect from our children. I really don't know how to conclude, because I didn't know how to begin. For five hours today I thought about why I love West Virginia, why I chose it, why I wanted to be in this Legislature at all if that's going to be the way we engage in dialogue with one another. If it's going to be the kind of language we use to address each other, if it's going to be the way we treat those around us, if it's going to be the way we interact with those who are simply doing a job.

We can do better. We can do better. It was four weeks ago that I look out here now and I see a number of us who stood together down in front of this building and joined the Governor and pulled a rope and honored Dr. King. "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate only love can do that." I wish I was smart enough to have said that but that's Dr. King; That's Dr. King.

Friends, we can do better. We can be more than what we are today. We have eight more days to do it but we owe it to ourselves and we owe it to the 1.8 million people who watch us, who believe in us, who sent us here, who expect more of us to do it. Be what the people sent you here to be. Thank you.

Speaker Hanshaw in the Chair**Messages from the Executive
and Other Communications**

The following communication was laid before the House of Delegates and read by the Clerk:

House of Delegates
West Virginia Legislature
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305

March 1, 2019

Roger Hanshaw, Speaker
WV House of Delegates
Building 1, Room 228M
1900 Kanawha Boulevard, East
Charleston, West Virginia 25085

Dear Speaker Hanshaw:

I, Anne Lieberman, do hereby resign my position as Sergeant-at-Arms for the West Virginia House of Delegates effective immediately.

Sincerely,

Anne Lieberman

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

On motions for leave, the following resolutions were introduced (Originating in the Committee on Government Organization and reported with the recommendation that they each be adopted), which was read by their title, as follows:

By Delegates Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, D. Jeffries, J. Jeffries, C. Martin, Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell:

H. C. R. 86 - "Requesting the Joint Committee on Government and Finance to study the consolidation of municipal, county and municipal, and county and county governments for efficiencies and economies of scale and to determine what appropriate incentives the state can provide,"

Whereas, The Legislature recognizes that the 55 county governments and the many municipal governments therein may be able to consolidate municipal and county services including, but not limited to, combining public school districts, library districts, fire districts, and other public services; and

Whereas, The Legislature is committed to ensuring effective, efficient and fiscally responsible governmental services to the citizens of this state; and

Whereas, The consolidated governmental functions may realize certain economies of scale that the state may be able to enhance through incentives including for road construction and repair; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance study the consolidation of municipal, county and municipal, and county and county consolidation for efficiencies and economies of scale and to determine what appropriate incentives the state can provide; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the Regular Session of the Legislature 2020 on its findings, conclusions and recommendations, and together with any drafts of legislation necessary to effectuate any recommendations; and, be it

Further Resolved, That the State Auditor, the Department of Transportation, the Division of Highways, the State Board of Education, and the State Budget Office and any other agency or entity of state government deemed necessary, shall cooperate with the Legislature and provide such information as may be relevant to perform this study; and be it

Further Resolved, That the expenses necessary to conduct this study, prepare a report and draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

By Delegates Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, D. Jeffries, J. Jeffries, C. Martin, Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell:

H. C. R. 87 - "Requesting the Joint Committee on Government and Finance study the Public Service Commission to compare the interstate and intrastate regulation of haulers subjected to single, dual and multiple regulatory jurisdictions,"

Whereas, The Legislature is committed to evaluating and eliminating duplicative, redundant and overly burdensome regulations; and

Whereas, The jurisdiction of the Public Service Commission over certain haulers, in relationship to federal regulations and our surrounding states' regulations appear to overlap and at times contradict each other, creating a confusing and unworkable framework of regulatory schemes; and

Whereas, The Legislature would like to ensure that the regulatory requirements in this state are adequate to protect the public while allowing business activity to thrive and provide the services our citizens desire; and

Whereas, Businesses and regulatory enforcement agencies have expressed concerns regarding the confusing and likely duplicative, redundant and unworkable regulatory schemes among the rules of the Public Service Commission, federal regulations and the regulations of surrounding states related to certain haulers; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance study the Public Service Commission to compare the interstate and intrastate regulation of haulers subjected to single, dual and multiple regulatory jurisdictions; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the Regular Session of the Legislature 2020 on its findings, conclusions and recommendations, together with any drafts of legislation necessary to effectuate any recommendations; and, be it,

Further Resolved, That the Public Service Commission, the County and Regional Solid Waste Authorities, the Department of Environmental Protection and the Division of Natural Resources shall cooperate with the Legislature and provide such information as may be necessary to perform this study; and, be it

Further Resolved, That the expenses necessary to conduct this study, prepare a report and draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

And,

By Delegates Howell, Pack, Azinger, Bibby, Cadle, Diserio, Hansen, Hicks, Hott, D. Jeffries, J. Jeffries, C. Martin, Nelson, Paynter, Phillips, Staggers, Swartzmiller, Sypolt, Walker and Worrell:

H. C. R. 88 - "Requesting the Joint Committee on Government and Finance study the Board of Risk and Insurance Management by evaluating their contracting for services, reviewing their premium structures and rates, identifying their activities to provide transparency to the public and governmental entities and reviewing their fiscal responsibilities."

Whereas, The Legislature is committed to ensuring the efficiency of all executive agencies; and

Whereas, The Legislature is committed to state agencies being fiscally responsible and ensuring transparency to the taxpayers; and

Whereas, The Board of Risk and Insurance Management has entered into multi-year contracts and has extended certain contracts, so that it is necessary to review the activities of the Board of Risk and Insurance Management by evaluating their processes for establishing premiums, risk rate structures and overall efficiency to ensure that the Board of Risk and Insurance Management is operating responsibly; and

Whereas, Because of the known discrepancies between the various databases across state government, it is necessary to evaluate the mechanisms of communication, or lack thereof, among the various agencies to ensure the accuracy of the states asset inventories in relationship to the appropriate risk coverage for state assets, in order to provide adequate risk protection of the taxpayers' money; and

Whereas, The Legislature is committed to periodically auditing agencies for their performance of their duties to ensure best practices and compliance with applicable laws and the Board of Risk and Insurance management has not been formally audited by the Legislature since 2006; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance study the Board of Risk and Insurance Management by evaluating their contracting for services, reviewing their premium structures and

rates, identifying their activities to provide transparency to the public and governmental entities and reviewing their fiscal responsibilities; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the Regular Session of the Legislature 2020 on its findings, conclusions and recommendations, together with any drafts of legislation necessary to effectuate any recommendations; and, be it,

Further Resolved, That the Board of Risk and Insurance Management, the Real Estate Division, The Fleet Management Division, the Department of Administration, the State Auditor, the Enterprise Resources Planning Board, and the State Budget Office shall cooperate with the Legislature and provide such information as may be necessary to perform this study; and, be it

Further Resolved, That the expenses necessary to conduct this study, prepare a report and draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

The Speaker referred the resolutions to the Committee on Rules.

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:

Com. Sub. for S. B. 344, Relating to operation of state-owned farms,

And reports the same back with the recommendation that it 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:

Com. Sub. for S. B. 330, Requiring contact information be listed on agency's online directory and website,

And,

S. B. 667, Creating WV Motorsport Committee,

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

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

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 154, Using school facilities for funeral and memorial services for certain community members,

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

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

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 624, Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act.

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:

Com. Sub. for S. B. 100, Increasing court fees to fund law-enforcement standards training and expenses,

And,

Com. Sub. for S. B. 316, Preserving previously approved state Municipal Policemen's or Firemen's pensions,

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

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

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 373, Relating to financial responsibility of inmates,

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:

S. B. 519, Requiring county emergency dispatchers complete course for telephonic cardiopulmonary resuscitation,

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

Leaves of Absence

At the request of Delegate Summers, and by unanimous consent, leaves of absence for the day were granted Delegates Miley and Porterfield.

Miscellaneous Business

Delegate Sponaugle asked and obtained unanimous consent to have the remarks of Speaker Hanshaw when addressing the House from the floor printed in the Journal.

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

- Delegates Pushkin, Caputo and Angelucci after obtaining unanimous consent to address the House today

At 5:19 p.m., the House of Delegates adjourned until 9:00 a.m., Saturday, March 2, 2019.

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

SPECIAL CALENDAR

Saturday, March 2, 2019

53rd Day

9:00 A. M.

THIRD READING

- Com. Sub. for S. B. 60 - Licensing practice of athletic training (ELLINGTON) (REGULAR)
- Com. Sub. for S. B. 310 - Establishing certain requirements for dental insurance (ELLINGTON) (REGULAR)
- Com. Sub. for S. B. 408 - Determining indigency for public defender services (SHOTT) (REGULAR)
- Com. Sub. for S. B. 641 - Relating to Primary Care Support Program (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2020 - Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [RIGHT TO AMEND]

SECOND READING

- Com. Sub. for S. B. 3 - Establishing WV Small Wireless Facilities Deployment Act (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- Com. Sub. for S. B. 72 - Creating Sexual Assault Victims' Bill of Rights (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- Com. Sub. for S. B. 393 - Protecting right to farm (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- Com. Sub. for S. B. 441 - Relating to higher education campus police officers
- Com. Sub. for S. B. 520 - Requiring entities report drug overdoses (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING) (ELLINGTON) (REGULAR)
- S. B. 635 - Relating generally to coal mining activities (ENERGY COMMITTEE AMENDMENT PENDING) (ELLINGTON) (REGULAR)
- S. B. 636 - Authorizing legislative rules for Higher Education Policy Commission (HAMRICK) (REGULAR)

S. B. 668 - Relating to physician assistants collaborating with physicians in hospitals (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING) (ELLINGTON) (REGULAR)

FIRST READING

Com. Sub. for S. B. 100 - Increasing court fees to fund law-enforcement standards training and expenses (FINANCE COMMITTEE TITLE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)

Com. Sub. for S. B. 101 - Equalizing penalties for intimidating and retaliating against certain public officers and other persons (SHOTT) (REGULAR)

Com. Sub. for S. B. 154 - Using school facilities for funeral and memorial services for certain community members (HAMRICK) (REGULAR)

Com. Sub. for S. B. 163 - Authorizing DEP promulgate legislative rules (SHOTT) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 175 - Authorizing DHHR promulgate legislative rules (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (EFFECTIVE FROM PASSAGE)

S. B. 190 - DOH rule relating to employment procedures (SHOTT) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 223 - Authorizing Department of Commerce promulgate legislative rules (SHOTT) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 237 - Improving ability of law enforcement to locate and return missing persons (SHOTT) (REGULAR)

Com. Sub. for S. B. 316 - Preserving previously approved state Municipal Policemen's or Firemen's pensions (FINANCE COMMITTEE TITLE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)

Com. Sub. for S. B. 330 - Requiring contact information be listed on agency's online directory and website (HOWELL) (REGULAR)

Com. Sub. for S. B. 344 - Relating to operation of state-owned farms (HOWELL) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 360 - Relating to third-party litigation financing (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)

Com. Sub. for S. B. 373 - Relating to financial responsibility of inmates (HOUSEHOLDER) (REGULAR)

- Com. Sub. for S. B. 481 - Relating to Judicial Vacancy Advisory Commission (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- Com. Sub. for S. B. 491 - Extending effective date for voter registration in conjunction with driver licensing (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (EFFECTIVE FROM PASSAGE)
- S. B. 519 - Requiring county emergency dispatchers complete course for telephonic cardiopulmonary resuscitation (HOUSEHOLDER) (REGULAR)
- S. B. 531 - Relating generally to workers' compensation claims (SHOTT) (REGULAR)
- Com. Sub. for S. B. 624 - Allowing county boards of education use alternative assessment provided in Every Student Succeeds Act (HAMRICK) (JULY 1, 2019)
- S. B. 664 - Authorizing certain members of federal judiciary perform marriages (SHOTT) (EFFECTIVE FROM PASSAGE)
- S. B. 667 - Creating WV Motorsport Committee (HOWELL) (REGULAR)

HOUSE CALENDAR

Saturday, March 2, 2019

53rd Day

9:00 A. M.

THIRD READING

- H. B. 2729 - Recognition of Emergency Medical Services Personnel Licensure Interstate Compact (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2931 - Clarifying that the State Lottery Commission has no authority over nonlottery games (SHOTT) (REGULAR)
- Com. Sub. for H. B. 3105 - Permitting the Alcohol Beverage Control Administration to request the assistance of law enforcement (HOWELL) (REGULAR)
- H. B. 3136 - Relating to the Centers for Medicare and Medicaid Services (HOUSEHOLDER) (REGULAR)
- H. B. 3137 - Relating to the personal income tax fund (HOUSEHOLDER) (REGULAR)

SECOND READING

- Com. Sub. for S. B. 529 - Clarifying provisions of Nonintoxicating Beer Act (SHOTT) (REGULAR)
- 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. 2433 - Modifying the school calendar to begin not earlier than Labor Day and end prior to Memorial Day (HAMRICK) (REGULAR)
- Com. Sub. for H. B. 2441 - Removing certain requirements related to wages for construction of public improvements (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2597 - Creating a hunting permit to safely accommodate visually impaired hunters (SHOTT) (REGULAR)
- H. B. 2692 - Relating to primary elections and procedures (HOWELL) (REGULAR)
- H. B. 2732 - Defend the Guard Act (MCGEEHAN) (REGULAR)

- H. B. 2819 - Relating generally to contractors (FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)
- H. B. 2953 - Permitting a critical access hospital to become a community outpatient medical center (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2976 - Economic Diversification Act of 2019 (CRISS) (REGULAR)
- Com. Sub. for H. B. 2980 - Mine Trespass Act (SHOTT) (REGULAR)
- Com. Sub. for H. B. 3100 - Clarifying certain provisions of the Nonintoxicating Beer Act (HOWELL) (REGULAR)
- Com. Sub. for H. B. 3103 - Authorizing operators of a distillery or mini-distillery to offer for purchase and consumption liquor on the premises (HOWELL) (REGULAR)
- Com. Sub. for H. B. 3116 - Removing current limitations on sales of nonintoxicating beer and nonintoxicating craft beer growlers (HOWELL) (REGULAR)
- H. B. 3147 - Requiring the Board of Insurance and Risk Management purchase life insurance products from state resident agents (HOWELL) (REGULAR)

FIRST READING

- Com. Sub. for H. B. 2179 - Allowing nonmembers of a political party to request that party's partisan ballot at a primary election (SHOTT) (REGULAR)

WEST VIRGINIA HOUSE OF DELEGATES

SATURDAY, MARCH 2, 2019

HOUSE CONVENES AT 9:00 A.M.

**COMMITTEE ON RULES
8:00 A.M. – ROOM 418M**

**COMMITTEE ON HEALTH & HUMAN RESOURCES
TBA – ROOM 215E**

**COMMITTEE ON THE JUDICIARY
TBA – ROOM 418M**

MONDAY, MARCH 4, 2019

**TECHNOLOGY & INFRASTRUCTURE
1:00 P.M. - TBA**

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