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January 15, 2024
SIXTH DAY

Monday, January 15, 2024

SIXTH 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.

**Messages from the Executive
And Other Communications**

The following communication was reported by the Clerk:



Jim Justice
Governor of West Virginia

January 12, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Pursuant to W. Va. Code § 3-10-5, I have this day appointed Thomas C. Clark, Webster Springs, Webster County, as a Delegate representing the Forty-Eighth District of the House of Delegates, to fill the vacancy created by the resignation of the Honorable Caleb Hanna.

Sincerely,


Jim Justice
Governor

JCJ: mrp

cc: President of the Senate
Speaker of the House of Delegates
Clerk of the Senate
Clerk of the House of Delegates
West Virginia Ethics Commission

The Clerk announced that Delegate Clark had taken the oath of office on January 15, 2024.

The Clerk proceeded to read the Journal of Friday, January 12, 2024, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Fast, 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. 4190, Relating to the establishment of an alert system for missing cognitively impaired persons,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4190 - "A Bill to amend the Code of West Virginia, 1931, as amended; by adding thereto a new article, designated §15-3F-1, §15-3F-2, §15-3F-3, §15-3F-4, §15-3F-5, §15-3F-6, and §15-3F-7 of said code, all relating to the establishment of an alert system for missing cognitively impaired persons; providing legislative findings; defining cognitive disability; providing for the establishment of a Purple Alert Plan; providing criteria for the activation of a Purple Alert; providing for notice and broadcasting of a Purple Alert; and providing immunity for individuals providing information pursuant to a Purple Alert in good faith,"

With the recommendation that the committee substitute do pass.

Delegate Fast, 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. 4252, Uniform Recognition and Enforcement of Canadian Domestic Violence Protective Orders Act,

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

Messages from the Senate

A message from the Senate, by

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

S. B. 142 - "A Bill to amend and reenact §59-1-2a of the Code of West Virginia, 1931, as amended, relating to clarifying the deadline to file an annual report for corporations, limited partnerships, domestic limited liability partnerships, and foreign limited liability companies engaged or authorized to do business in West Virginia; and requiring certain disclosures from nongovernmental entities who solicit the purchase of, or payment for, a product or service from businesses with which they do not have a pre-existing commercial relationship for annual report filing by means of a mailing, electronic mail, or facsimile"; which was referred to the Committee on Government Organization.

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. 143 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-51, relating to safety in public schools; creating the West Virginia Guardian Program; setting out purpose of the program; allowing county school boards to contract for participation in the program; defining terms; setting out the authority of independent contractors participating in the program; providing requirements for participation; providing exclusions from participation; setting forth a limitation of liability; providing exemptions from purchasing requirements; and providing for exclusions from state benefit programs"; which was referred to the Committee on Education then the Judiciary.

A message from the Senate, by

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

S. B. 144 - "A Bill to amend and reenact §18-5-4 of the Code of West Virginia, 1931, as amended, relating to requiring each county board of education to ensure that all of its meetings are open to the public through in-person attendance and that the audio and video of its meetings are broadcast live to the public through an internet link on its website; requiring each county board to ensure that the audio and video is recorded and that the recording is also available through a link on its website; allowing meeting to continue if the live broadcast experiences a technical interruption in which the stream is discontinued or digitally interrupted; providing exception for executive session; allowing each county board to make and enforce reasonable rules for attendance and presentation at any meeting where there is not room enough for all members of the public who wish to attend; requiring the county board, if providing opportunity for the public to address the county board at a meeting, to ensure that any person expressing an interest in speaking has the opportunity in compliance with adopted procedures; requiring that speakers are treated equally; requiring that a draft of the minutes of each public board meeting include a record of the votes cast by each county board member on all substantive matters and be posted to the website within two business days; establishing the duration in which the approved minutes shall remain on the website; and removing the option for a county board to join the National School Board Association"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 146 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-19e, relating to requiring the State Superintendent of Schools to create a taskforce to consider options for direct funding of adult education learning centers; declaring legislative findings; providing for membership and meetings of the taskforce; and establishing deadlines for the taskforce to be created, to begin its meetings, and for submitting a report of recommendations to the Legislature"; which was referred to the Committee on Education.

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. 147 - "A Bill to amend and reenact §61-7-4 of the Code of West Virginia, 1931, as amended, relating to adding definition of "ammunition" for purposes of the live fire requirement for obtaining a license to carry a concealed deadly weapon; and clarifying that marked rounds and training ammunition may be used in the required training course"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 148 - "A Bill to amend and reenact §20-2-33 of the Code of West Virginia, 1931, as amended, relating to establishing an auto-renewal program for wildlife licenses; and authorizing the director to assess discounts to fees"; which was referred to the Committee on Government Organization.

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. 149 - "A Bill to amend and reenact §7-12-3 of the Code of West Virginia, 1931, as amended, relating to municipalities required to be represented on county authority boards; and providing that only municipalities with 1,000 or more residents are required to be represented on a county authority board"; which was referred to the Committee on Political Subdivisions then Government Organization.

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. 150 - "A Bill to amend and reenact §3-10-3 of the Code of West Virginia, 1931, as amended, relating to when vacancies in the office of magistrate shall be filled by election or appointment; clarifying that when a vacancy in the office of magistrate creates an unexpired term of more than three years, the vacancy shall be filled by election; and clarifying that when a vacancy in the office of magistrate creates an unexpired term of less than three years, the vacancy shall be filled by appointment"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 151 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-10-35, relating to creating the criminal offense of human smuggling; defining terms; clarifying that each person smuggled constitutes a separate offense; acknowledging prohibition against police action based on race or ethnic origin; and establishing criminal penalties"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 154 - "A Bill to amend and reenact §60A-4-401, §60A-4-409, §60A-4-414, and §60A-4-416 of the Code of West Virginia, 1931, as amended, all relating to controlled substances violations; increasing sentences for certain controlled substances offenses; making certain offenses ineligible for suspension, probation, or alternative sentencing; making possession of Schedule I and II narcotics and methamphetamine a felony; expressing legislative intent; authorizing reduction from felony to misdemeanor under certain circumstances; declaring a minimum period of 10 years' incarceration for the offense of drug delivery death; requiring inert substances mixed with controlled substances to be considered a controlled substance for purposes of weight measurement; setting forth a method for measurement where more than one controlled substance is in a mixture; and modifying sentences for certain offenses"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 155 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-7-18, relating to the creation of the Violent Crime Prevention Act; and requiring law enforcement to submit ballistics data to the National Integrated Ballistic Information Network for alleged use of firearm in connection with charges for certain crimes"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 157 - "A Bill to amend and reenact §3-10-5 of the Code of West Virginia, 1931, as amended, relating to the filling of vacancies in the Legislature; and providing that an individual must reside within the district he or she would represent for one year prior to appointment in order to be eligible to fill a vacancy in the Legislature"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 158 - "A Bill to amend and reenact §61-5-17 of the Code of West Virginia, 1931, as amended, relating to creating enhanced second and third offenses for fleeing from an officer on foot or in a vehicle; establishing criminal penalties for the new offenses; and declaring that a conviction for fleeing while under the influence of alcohol or drugs is treated as a driving under the influence conviction for licensure purposes"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 159 - "A Bill to amend and reenact §3-5-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-2-1 of said code; and to amend and reenact §18-5-1a of said code, all relating to prohibiting persons who have been convicted of certain crimes against minors from holding positions on boards of education; and requiring that a candidate for county

board of education include a statement on the certificate of announcement that he or she swears and affirms that he or she has not been convicted of certain crimes against minors"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 160 - "A Bill to amend and reenact §61-8-9 of the Code of West Virginia, 1931, as amended, relating to indecent exposure of a person's nude penis, vagina, or anus; declaring that indecent exposure requires exposing one's nude penis, vagina, or anus; authorizing a person convicted of third offense indecent exposure for purposes of sexual gratification to be both fined and imprisoned; creating enhanced penalties for second and subsequent violations; creating the criminal offense of indecent exposure in front of minors; removing breast-feeding exemption as unnecessary due to definition clarification; defining terms; and establishing criminal penalties for the new offense"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 162 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5D-6, relating to establishing the Summer Feeding for All Program; providing findings; directing a county-by-county assessment of non-school-day student initiative; addressing food insecurities; empowering county school boards to develop initiatives and programs for feeding students in need during summer and other non-school time periods; providing county board reporting requirements to the Office of Child Nutrition; and directing the Office of Child Nutrition to collect and distribute information regarding available food resources"; 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. 163 - "A Bill to amend and reenact §17C-5-3 of the Code of West Virginia, 1931, as amended, relating to reckless driving; establishing the aggravated felony offense of reckless driving resulting in the death of another; and providing the criminal penalties for the offense"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 165 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §37-6-5a; to amend and reenact §37-6A-5 of said code; and to amend and reenact §55-3A-1 of said code, all relating to residents of recovery residences; creating pilot program for recovery residences located in Cabell County as such residences relate to landlord-tenant law; defining terms; providing that resident of recovery residence may be immediately discharged in certain circumstances; establishing procedures for removing recovery resident; establishing refund process for fees for residency or services paid to recovery residence; requiring return transportation be provided to individual transported to recovery residence from outside

state of West Virginia; requiring reporting of certain information to West Virginia Department of Health and Human Resources' Bureau for Behavioral Health; requiring West Virginia Department of Health and Human Resources' Bureau for Behavioral Health to prepare and submit written report to Joint Committee on Government and Finance and specifying minimum contents; clarifying effect on rights under the West Virginia Fair Housing Act; providing sunset date; requiring award of reasonable attorney's fees against recovery residence in certain instances; and requiring recovery residence file petition for summary relief for wrongful occupation of residential rental property in certain circumstances"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 166 - "A Bill to amend and reenact §3-7-3, §3-7-6, and §3-7-7 of the Code of West Virginia, 1931, as amended, all relating to contested elections procedure update; changing jurisdiction of election contests for county, district, and municipal elections to the circuit courts; requiring a recount proceeding to be completed before filing certain election contests; providing certain procedural requirements for election contests before circuit courts; providing for appeals of a decision made by a circuit court in an election contest be made to the Supreme Court of Appeals; and granting rule-making authority to the Supreme Court of Appeals regarding election contests before circuit courts"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 168 - "A Bill to amend and reenact §8-15-1 of the Code of West Virginia, 1931, as amended, relating to municipal fire departments; granting municipal fire marshal the authority to assist in the lawful execution of another law-enforcement officer's official duties; and clarifying that the authority to assist federal law enforcement is limited by provisions"; which was referred to the Committee on Political Subdivisions then the Judiciary.

A message from the Senate, by

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

S. B. 169 - "A Bill to amend and reenact §30-3-14 and §30-3-15 of the Code of West Virginia, 1931, as amended; and to amend and reenact §31B-13-1301 of said code, all relating to authorizing physician assistants to own a business; denying a license or other authorization for physician assistants for referrals where the physician assistant has a proprietary interest; authorizing medical corporations that have physician assistant shareholders; conforming the definition of "physician assistant" to the American Academy of Physician Associates' term for the profession; and designating the profession of physician assistant as a "professional service" for the purposes of the Uniform Limited Liability Company Act"; 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, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 170 - "A Bill to amend and reenact §23-4-1 of the Code of West Virginia, 1931, as amended, relating to compensable diseases of certain firefighters covered by workers' compensation; establishing rebuttable presumption of injury arising out of, and in the course of, employment for certain covered firefighters that develop bladder cancer, mesothelioma, and testicular cancer; providing for conditions of the presumption; and providing that the rebuttable presumption expires on July 1, 2027, unless extended by the Legislature"; which was referred to the Committee on Fire Departments and Emergency Medical Services then the Judiciary.

A message from the Senate, by

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

S. B. 172 - "A Bill to amend and reenact §18-5A-2 of the Code of West Virginia, 1931, as amended, relating to local school improvement councils; revising council membership requirements; requiring minutes be taken at every council meeting; revising requirements pertaining to annual council meeting regarding the school's academic performance; requiring training on the role and governance of the councils and the production of a document on parent and community leader roles in the councils; and allowing public charter schools to abide by all or some of the local school improvement council requirements"; which was referred to the Committee on Education.

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. 175 - "A Bill to amend and reenact §61-2-13 of the Code of West Virginia, 1931, as amended, relating to the offenses of extortion and attempted extortion; including threats to publish images of a person's intimate body parts as a means of committing extortion or attempted extortion; defining the phrase "anything of value or other consideration" to include certain defined sexual acts and defining images of intimate body parts; and setting forth criminal penalties"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 176 - "A Bill to amend and reenact §31-15A-17c of the Code of West Virginia, 1931, as amended, relating to permissible expenditures by the Water Development Authority from the Infrastructure Fund; modifying the upper limit of funds which may be transferred to subaccount; raising the cap on total project costs for certain facilities for use of Critical Needs and Failing Systems Sub Account funding; and allowing the authority to grant infrastructure grant money from the Critical Needs and Failing Systems Sub Account to certain projects for the upgrading of a water facility or wastewater facility to reduce maintenance costs, operations costs, or waterline leakages"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 177 - "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, and §46A-

6O-6, all relating to automatic purchase renewal offers and continuous service offers; stating legislative intent; defining terms; setting notice and disclosure requirements for automatic purchase renewal offers and continuous service offers; providing that a business may not charge the consumer for an automatic renewal or continuous services without first obtaining the consumer's affirmative consent; providing acknowledgement requirements; providing that a business shall disclose how to cancel the automatic renewal or continuous service before the consumer pays, if the offer includes a free gift or trial; providing that a business shall provide certain mechanisms for cancellation of the automatic renewal or continuous offer in the acknowledgement; requiring a business to provide contact information to the consumer; providing means for terminating the automatic renewal or continuous service offer online; providing notice requirements in the case of material changes in the terms of the automatic renewal or continuous service; providing that a business shall provide to the consumer a reminder of the recurring charge and information on how the consumer may cancel at least 30 days prior to the charge in the case of automatic renewal or continuous service offers of certain frequency; providing a period of application; providing that goods, wares, merchandise, or products shall be deemed an unconditional gift to the consumer when the business sends any goods, wares, merchandise, or products to a consumer without first obtaining the consumer's affirmative consent under a continuous service agreement or automatic renewal of a purchase; providing a civil cause of action; providing statutory penalties; providing that no action may be brought until written notice is provided by the consumer, or his or her representative, to the business; providing written notice requirements; providing mailing requirements; providing the business an opportunity to cure the alleged violation; providing for expiration of the cure offer and cure period; providing a period for the business to remit payment, if any, as specified in the accepted cure offer; providing that a claim may be brought for failure of the business to timely effect the accepted cure offer; providing that the written notice is a jurisdictional prerequisite to bringing a cause of action; prohibiting certification of certain class action litigation; providing the court discretion to award plaintiff costs of the action, including reasonable attorney's fees; providing that plaintiff is not entitled to costs and attorney's fees under certain circumstances; providing a statute of limitations; providing for tolling of the statute of limitations; and providing exemptions"; 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, and requested the concurrence of the House of Delegates in the passage, of

S. B. 178 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-63-1, §33-63-2, §33-63-3, and §33-63-4, all relating to dental health care service plans; providing for transparency of expenditures of patient premiums; requiring carriers to file annual reports; requiring annual rebates in the form of premium reductions if funds spent for patient care is less than a certain percentage of premium funds; and providing for legislative and emergency rulemaking"; which was referred to the Committee on Banking and Insurance then the Judiciary.

A message from the Senate, by

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

S. B. 179 - "A Bill to amend and reenact §49-4-601 of the Code of West Virginia, 1931, as amended, relating to service of parties in child abuse and neglect matters; requiring the sheriff to serve the abuse and neglect petition and notice of a preliminary hearing without compensation; clarifying the procedure for notices of subsequent hearings and service via publication; and

exempting the sheriff from further obligations to provide service, mailings, or publications after serving the petition and notice of preliminary hearing"; which was referred to the Committee on the Judiciary.

Resolutions Introduced

Resolutions were introduced and severally referred as follows:

By Delegate Mallow:

H. C. R. 16 – "Requesting the Division of Highways name bridge number 25-091/00-001.24 (25A274), locally known as Rachel Railroad Bridge, carrying County Route 91 over an abandoned railroad bed in Marion County, the 'Thomas Leo Starsick Memorial Bridge'; to the Committee on Technology and Infrastructure then Rules.

By Delegate Dillon:

H. C. R. 17 – "Requesting the Division of Highways name Bridge Number: 30-003/05-016.21 (30A288), (37.90962, -82.24858) locally known as Breeden Bridge, carrying CR 03/05 over West FK of Twelvepole CK in Mingo County the 'Ab and Laura Baisden Bridge'; to the Committee on Technology and Infrastructure then Rules.

By Delegate Linville:

H. C. R. 18 – "Requesting the Division of Highways name bridge number 06-064/00-21.75 (06A243), locally known as Howells Mill Overpass Westbound, carrying I-64 over Mud River and County Route 1 in Cabell County, the 'Caldwell Brothers Memorial Bridge' and name bridge number 06-064/00-2175 (06A242), locally known as Howells Mill Overpass Eastbound, carrying I-64 over Mud River and County Route 1 in Cabell County, the 'Caldwell Brothers Memorial Bridge'; to the Committee on Technology and Infrastructure then Rules.

By Delegate Linville:

H. C. R. 19 – "Requesting the Division of Highways name bridge number: 20-039/00-000.05 (38.4628604688791 -81.5001270435965) locally known as Shady Sadie's Bridge, carrying CR 33 over Little Sandy Creek in Kanawha County, the 'CPL Thomas Lowell Wines Memorial Bridge'; to the Committee on Technology and Infrastructure then Rules.

By Delegate Linville:

H. C. R. 20 – "Requesting the Division of Highways name bridge number: 20-033/00-005.06 (38°33'23.9 -81°33'45.0) locally known as the Yukon Bridge, carrying CR 33 over the Pocatalico River in Kanawha County, the 'SP4 Donnie Lee Hackney Memorial Bridge'; to the Committee on Technology and Infrastructure then Rules.

By Delegate Shamblin:

H. C. R. 21 – "Requesting the Division of Highways name Bridge Numbers: 20-079/00-015.97 (NB & SB) (20A512, 25A213), (38.50709, -81.40960) locally known as I-79 GABES CR BR 2675 NB & SB, carrying IS 79 over CR 53 & GABES CREEK in Kanawha County, West Virginia, as the 'Louie Patton Memorial Bridge'; to the Committee on Technology and Infrastructure then Rules.

By Delegates E. Pritt, Brooks and Fast:

H. C. R. 22 – "Requesting the Division of Highways name bridges number 10-019 and 00-003.82 (10A090 and 10A091), locally known as White Oak Branch Bridges, carrying CR 21 and

CR 20 over White Oak Branch in Fayette County, the 'U. S. Army Corporal William Edgar Hancock Memorial Bridge"; to the Committee on Technology and Infrastructure then Rules.

By Delegates E. Pritt, Brooks and Fast:

H. C. R. 23 – "Requesting the Division of Highways name the bridge numbered 6176, also called 'I77 OV 23/2 PAX IC', which is the turnpike exit to Pax, the 'Cody J. Mullens Memorial Bridge"; to the Committee on Technology and Infrastructure then Rules.

By Delegates Hornby, Thorne, E. Pritt, Ferrell, Willis, Dittman, Heckert, Toney, Jennings, Chiarelli and Smith:

H. C. R. 24 – "Requesting a study of the school aid formula and how school aid funds are currently distributed"; to the Committee on Education then Rules.

By Delegate Sheedy:

H. C. R. 25 – "Requesting the Division of Highways name bridge number 26-250/00-011.46 (26A089), locally known as Grade School Bridge, carrying US 250 over Grave Creek in Marshall County, 'U. S. Navy Sonarman First Class William "Bill" C. Harris Memorial Bridge"; to the Committee on Technology and Infrastructure then Rules.

By Delegate Sheedy:

H. C. R. 26 – "Requesting the Division of Highways name a bridge bearing the Bridge Number: 52-054/00-000.75 (52A088), (39.56097, -80.72622) locally known as Crow Run Bridge, carrying CR 04 over Crow Run in Wetzel County, as the 'PFC Jerry Lee Bassett Memorial Bridge"; to the Committee on Technology and Infrastructure then Rules.

On motions for leave, Joint Resolutions were introduced and severally referred as follows:

By Delegate Kimble:

H. J. R. 11 – "Proposing an amendment to the Constitution of the State of West Virginia amending section one, article VI thereof; amending section two, article XIV thereof; and amending said Constitution by adding a new article, designated article XV, all relating to the legislative powers held by the people of the state and the Legislature; the power of the registered voters and the power of the Legislature to propose amendments to this Constitution; and the reservation by and to the people and registered voters of this state the powers of initiative, referendum, and recall at all levels of government in this state; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

By Delegate Kump:

H. J. R. 12 – "Proposing an amendment to the Constitution of the State of West Virginia, amending section one-b, article X thereof, relating to homestead exemption increase; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

Bills Introduced

On motions for leave, bills were introduced and severally referred as follows:

By Delegate Fluharty:

H. B. 4693 - "A Bill to amend and reenact §18C-7-6 of the Code of West Virginia, 1931, as amended, relating to expanding the amount of PROMISE scholarship funds awarded to persons

majoring in science, technology, engineering and mathematics fields"; to the Committee on Education then Finance.

By Delegate Fluharty:

H. B. 4694 - "A Bill to amend and reenact §17-16A-6 of the Code of West Virginia, 1931, as amended, relating to exempting law enforcement and emergency vehicles from paying turnpike tolls"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Gearheart:

H. B. 4695 - "A Bill to amend and reenact §3-10-4 of the Code of West Virginia, 1931, as amended, relating to filling a vacancy occurring in the House of Representatives in the Congress of the United States"; to the Committee on the Judiciary.

By Delegate Crouse:

H. B. 4696 - "A Bill to amend and reenact §29-5A-1, §29-5A-2, §29-5A-3, §29-5A-3a, §29-5A-3b, §29-5A-4, §29-5A-5, §29-5A-6, §29-5A-7, §29-5A-8, §29-5A-9, §29-5A-13, §29-5A-14, §29-5A-15, §29-5A-16, §29-5A-17, §29-5A-18, §29-5A-19, §29-5A-20, §29-5A-24, §29-5A-25, and §29-5A-25a of the Code of West Virginia, 1931, as amended, all relating to the West Virginia State Athletic Commission; providing for the implementation of a gate fee to fund the State Athletic Commission; requiring licensed promoters to provide the State Athletic Commission with a written report containing the gross proceeds from ticket and pay-per-view sales, live streaming right, video rights, sold for such contest and any rebroadcast rights from each event to calculate the gate fee; exempting promoter gate fee reports made to State Athletic Commission from the Freedom of Information Act; calculating the gate fee owed to the State Athletic Commission from the gross proceeds from ticket and pay-per-view, live streaming right, video rights, sold for such contest and any rebroadcast rights sales from each event provided in the required report; directing promoters to make payment to the Treasurer of West Virginia by submitting a certified check or money order to the commission; directing the gate fee collected to be deposited into the State Athletic Commission special account fund; making technical changes to code by removing any reference to exhibitions; changing titles for certain commission members to Chief Commissioner and Deputy Commissioner; clarifying that excessive payment of fees and payment of fees not approved by the commission constitutes inference of any boxing match sanctioned by the commission; clarifying that inference with any boxing match sanctioned by the commission is prohibited; more closely adhering to the Unified Boxing Rules and the Association of Boxing Commissions for weight classes; modifying the fee paid to officials for matches; and making clear that matches conducted by any university, college or high school may be exempt from this article if sanctioned by U.S.A. Boxing"; to the Committee on Government Organization then Finance.

By Delegate Barnhart:

H. B. 4697 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17B-2-16; and to amend said code by adding thereto a new article, designated §33-63-1, all relating to adding protections for West Virginia residents who reside out of state for certain time periods from non-renewal of licenses and registration"; to the Committee on Technology and Infrastructure.

By Delegate Statler:

H. B. 4698 - "A Bill to amend and reenact §23-4-1f of the Code of West Virginia, 1931, as amended; relating to who may diagnose post-traumatic stress disorder as a compensable injury or disease under workers compensation"; to the Committee on Fire Departments and Emergency Medical Services then Health and Human Resources then Finance.

By Delegate Fluharty:

H. B. 4699 - "A Bill to amend and reenact §6-5-5 of the Code of West Virginia, 1931, as amended, relating to prohibiting persons convicted of a felony related to interfering with an election related proceeding of the United States Congress from running for or election to a public office"; to the Committee on the Judiciary.

By Delegate Fluharty:

H. B. 4700 - "A Bill to amend and reenact §29-22D-15 of the Code of West Virginia, 1931, as amended, relating to banning certain persons from sport wagering activities"; to the Committee on the Judiciary.

By Delegate Fluharty:

H. B. 4701 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-26; to amend said code by adding thereto a new section, designated §18-2-44; and to amend said code by adding thereto a new section, designated §18B-2A-9, all relating to establishing the Stay in State tax credit against personal income for higher education tuition of certain state residents; creating credit for student loan payments of all in-state community college, college, or university undergraduates and their in-state employers against personal income tax; establishing conditions and qualifications for the tax credit; providing methodology for calculating credit; providing for graduate and employer eligibility of payments against student loans for employees; defining terms; and providing for the board of education, State Board of Education, and governing boards of colleges' promotion of the program"; to the Committee on Education then Finance.

By Delegate Linville:

H. B. 4702 - "A Bill to amend and reenact §47-20-2 of the Code of West Virginia, 1931 as amended; and to amend and reenact §60-7-12 of said Code; all relating to charitable bingo and alcohol sales and consumption while such bingo is taking place; adding an exemption for the consumption or sale of alcohol at bingo games at a Veterans Service Organization; defining terms; and explicitly including a Veterans Service Organization as an entity which may conduct charitable bingo games"; to the Committee on Veterans' Affairs and Homeland Security then the Judiciary.

By Delegate Linville:

H. B. 4703 - "A Bill to amend and reenact §17A-10-8 of the Code of West Virginia, 1931, as amended, relating to vehicles exempt from payment of registration fees, by lowering the percentage of a service-connected disability required for exemption from 100 percent to 50 percent or greater; and, by adding recipients of the Distinguished Service Cross, Navy Cross, or Air Force Cross, to the list of persons who may receive such exemption"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Linville:

H. B. 4704 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2P-1 §5B-2P-2, and §5B-2P-3, relating to establishing Infrastructure Ready Jurisdictions; establishing the requirement for this designation; establishing rulemaking for these Infrastructure Ready Jurisdictions for the Department of Economic Development; awarding an additional five percent preferential scoring for entities on projects within these jurisdictions on all permissible grants; and providing that this is not available within an uncertified municipality even if the surrounding county or counties are certified"; to the Committee on Political Subdivisions then Technology and Infrastructure.

By Delegate Linville:

H. B. 4705 - "A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to the consumers sales and service tax, and returning the refundable exemption for sales of construction and maintenance materials acquired by a second party for use in Division of Highways projects; specifying duties of Tax Commissioner and Division of Highways; specifying procedure of the exemption; and setting forth calculation of reimbursement"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Linville:

H. B. 4706 - "A Bill to amend the Code of the West Virginia, 1931, as amended, by adding thereto a new section, designated §31G-4-2a, relating to creating the utility pole rights-of-way and easement mapping initiative; requiring pole owners to provide information to the Department of Economic Development to map the poles; requiring the Department of Economic Development to create maps with specific information about the poles; requiring confidentiality of information about electrical facilities connected to poles; allowing the Department of Economic Development to provide information to parties who demonstrate the need for the information to determine feasibility of projects; requiring confidentiality agreement of any requestor of the information; and providing exception to reporting if pole owner provides information directly to telecommunications entity"; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegate McGeehan:

H. B. 4707 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-1F-1, §5-1F-2, and §5-1F-3; to amend and reenact §29-6-7 of said code; and to amend said code by adding thereto a new section, designated §29-6-23a, all relating to the management of personal service appropriations for vacant positions; providing for findings; providing for the transfer of appropriations for vacant positions; providing for a transfer of appropriations in a state of emergency; and providing for an annual report"; to the Committee on Government Organization then Finance.

By Delegate Dean:

H. B. 4708 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-28-1 and §7-28-2; and to amend said code by adding thereto a new article, designated §8-20B-1, all relating to unsafe real property; providing a process by which county commissions and municipalities may compel the cleanup of hazardous real property conditions; directing each assessor to identify obviously dilapidated, unsafe, or defective condition that renders it unfit for the intended use of the property or the structures upon it; providing that assessors staff receive training; directing the Division of Emergency Management establish a training course; providing a power to assert a lien if a real property owner fails to comply with a county commission's or municipality's hazardous condition resolution; providing notice, hearing, and an appeals process regarding unsafe condition determinations made; providing a process by which local governing bodies may compel the cleanup of hazardous real property conditions; providing a power to assert a lien if a real property owner fails to comply with a local governing body's hazardous condition resolution; and providing a hearing appeals process on unsafe condition determinations made by local governing bodies"; to the Committee on Political Subdivisions then the Judiciary.

By Delegate Dean:

H. B. 4709 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-44; to amend said code by adding thereto a new article, designated §18-21A-1, §18-21A-2, §18-21A-3, §18-21A-4, §18-21A-5, §18-21A-6, and §18-21A-7; and to amend said code by adding thereto a new article, designated §18-34-1 and §18-34-2,

all relating to vocational and technical education programs; requiring the State Board and Commerce Department to create lists of apprenticeships and certifications and credentials to provide to students; creating a career and technical education pilot program to introduce middle school students career and technical education opportunities in the state; allowing for non-certified persons provide student instruction; providing state board authorize and establish conditions thereto and promote the pilot program; directing local public education institutions participation; requiring county school districts to provide certain information to students; and establishing the Governor's Workforce Credential"; to the Committee on Education then Finance.

By Delegate Mallow:

H. B. 4710 - "A Bill to amend and reenact §11-6B-3 of the Code of West Virginia, 1931, as amended, relating to property tax exemptions; providing for an exemption from increasing property tax for eligible individuals"; to the Committee on Finance.

By Delegate Mallow:

H. B. 4711 - "A Bill to amend and reenact §24-2A-5 of the Code of West Virginia, 1931, as amended, relating to authorizing reduced rates for residential utility customers who are residents of a small community with fewer than 1000 residents"; to the Committee on the Judiciary then Finance.

By Delegate Mallow:

H. B. 4712 - "A Bill to amend and reenact §5C-2-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-6A-5a of said code; and to amend and reenact §11-13A-6 of said code, all relating to ensuring that coal remains the primary source of power in West Virginia during emergency weather events; limiting the new amount of permits to construct wind power plant, wind power farm, or 'windmills' for power generally in West Virginia; and providing that for each new wind powered facility built in West Virginia, there is an offset in the amount of taxes paid by new and existing coal fired power plants"; to the Committee on Energy and Manufacturing then Finance.

By Delegate Cooper:

H. B. 4713 - "A Bill to amend and reenact §18A-2-5 of the Code of West Virginia, 1931, as amended, relating to requiring candidates for employment as director of transportation for a county school district to have a minimum of two years' experience as a bus operator"; to the Committee on Education.

By Delegate Criss:

H. B. 4714 - "A Bill to amend and reenact §16-5Y-2, §16-5Y-3, §16-5Y-5, §16-5Y-6, §16-5Y-7, §16-5Y-8, and §16-5Y-10 of the Code of West Virginia, 1931, as amended, all relating to creating a licensing requirement for the operation of inpatient provider facilities treating substance use disorder"; to the Committee on Prevention and Treatment of Substance Abuse then Health and Human Resources.

By Delegate Criss:

H. B. 4715 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, §16-67-5, §16-67-6, §16-67-7, §16-67-8, §16-67-9, and §16-67-10, all relating to residential substance use disorder service programs; defining terms; establishing licensure application process for substance use disorder service programs; creating program requirements; establishing revocation process; setting forth the reconsideration process; setting forth the administrative due process provision; providing for administrative and judicial appeal; establishing reporting requirements and renewal provisions;

setting requirements for continuum of care; and establishing civil penalties and injunctive relief"; to the Committee on Prevention and Treatment of Substance Abuse then Health and Human Resources then the Judiciary.

By Delegate Criss:

H. B. 4716 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-53-4, relating to requiring substance use disorder inpatient providers to provide transportation to their patients; to prohibit certain marketing or partnering, and requiring approval for limitation of eligibility"; to the Committee on Prevention and Treatment of Substance Abuse then Health and Human Resources.

By Delegate Criss:

H. B. 4717 - "A Bill to amend and reenact §5A-3-4 and §5A-3-12 of the Code of West Virginia, 1931, as amended, all relating to terminating the authority of the Director of the Purchasing Division to impose a certain annual fee upon vendors"; to the Committee on Finance.

By Delegate W. Clark:

H. B. 4718 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-9-1, §46A-9-2, §46A-9-3, §46A-9-4, and §46A-9-5, all relating to online privacy protection for children; defining terms; establishing actions prohibited; creating rulemaking authority; providing safe harbor for operators; and providing for enforcement by the Attorney General"; to the Committee on the Judiciary.

By Delegate Maynor:

H. B. 4719 - "A Bill to amend and reenact §7-12-3 of the Code of West Virginia, 1931, as amended, relating to changing the manner of appointing members to county authorities; and allowing appointments of members from contiguous counties"; to the Committee on Political Subdivisions then Government Organization.

By Delegate Cooper:

H. B. 4720 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18B-10-7e, relating to providing a waiver of tuition and fees at state institutions of higher education and community and technical colleges for military veterans, their spouses, and dependents, when that veteran has a service-related disability of 50 percent or greater"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

By Delegate Cooper:

H. B. 4721 - "A Bill to amend and reenact §30-13A-10 of the Code of West Virginia, 1931, as amended, relating to requiring land surveyors to offer to record maps or plats of measured parcels of land made by the surveyor"; to the Committee on Political Subdivisions then Government Organization.

By Delegate Barnhart:

H. B. 4722 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, §11-13NN-9, §11-13NN-10, and §11-13NN-11, all relating to establishing a road or highway infrastructure improvement projects or coal production and processing facilities tax credit for taxpayers subject to the tax imposed by West Virginia Code; specifying a short title; specifying legislative findings and purpose for new credit; defining terms; specifying the amount of the credit, application of credit, and carry forward of unused credit; requiring filing of application for road or highway infrastructure improvement project credit as

condition precedent to claiming credit, specifying procedure for application for certification, contents of application and limitation on maximum amount of credits which can be approved; specifying computation of qualified investment in coal production and processing facilities; allowing transfer of credits to successors; providing for forfeiture of unused tax credits and redetermination of credit allowed; providing penalties for failure to maintain records of qualified property; and establishing an effective date"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Barnhart:

H. B. 4723 - "A Bill to amend and reenact §47-21-7 of the Code of West Virginia, 1931, as amended, relating to reducing the license fee paid to the Tax Commissioner for annual Raffle licenses for volunteer fire departments to \$250"; to the Committee on Fire Departments and Emergency Medical Services then Finance.

By Delegate Barnhart:

H. B. 4724 - "A Bill to amend and reenact §16-13A-3 of the Code of West Virginia, 1931, as amended, relating to providing that if a public service board represents more than one community, there shall be one member from each such community on the service district board"; to the Committee on Political Subdivisions then Technology and Infrastructure.

By Delegate Maynor:

H. B. 4725 - "A Bill to amend and reenact §3-5-6, §3-5-6A, §3-5-6B, §3-5-6C, §3-5-6D, and §3-5-6E of the Code of West Virginia, 1931, as amended; and to amend and reenact §3-10-3 of said code, all relating to providing for a runoff election in certain nonpartisan elections where no candidate receives more than 50 percent of the votes cast in an election"; to the Committee on the Judiciary.

By Delegate Cooper:

H. B. 4726 - "A Bill to amend and re-enact §9A-1-9, of the Code of West Virginia, 1931, as amended, relating to the creation of a liaison program with the federal Department of Veterans Affairs Transition Assistance Program in order to actively inform separating and retiring active component service members of the many incentives in relocating to West Virginia upon their conclusion of active service"; to the Committee on Veterans' Affairs and Homeland Security then Government Organization.

By Delegate Cooper:

H. B. 4727 - "A Bill to amend and reenact §17E-1-18 of the Code of West Virginia, 1931, as amended, relating to commercial driver's license; and requiring that a state employee with a commercial driver's license have a current medical evaluation certification and may not have a medical waiver"; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegate Mallow:

H. B. 4728 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-5-16, relating to limiting the assessed value of antique or classic vehicles; and providing a justification requirement for any increase by the county tax assessor which must be presented to the vehicle owner before any increase may take effect"; to the Committee on Political Subdivisions then Finance.

By Delegate Mallow:

H. B. 4729 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-28-1; and to amend said code by adding thereto a new article,

designated §8-20B-1, all relating to unsafe real property conditions in counties or municipalities; providing a process by which county commissions may compel the cleanup of hazardous real property conditions; providing a power to assert a lien if a real property owner fails to comply with a hazardous condition resolution by a county commission; providing a hearing an appeals process regarding unsafe condition determinations made by county commissions; providing a process by which local governing bodies may compel the cleanup of hazardous real property conditions; providing a power to assert a lien if a real property owner fails to comply with a local governing body's hazardous condition resolution; and providing a hearing an appeals process on unsafe condition determinations made by local governing bodies"; to the Committee on Political Subdivisions then the Judiciary.

By Delegate Statler:

H. B. 4730 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17-31-1, §17-31-2, §17-31-3, §17-31-4, and §17-31-5, all relating to requiring the Commissioner of Highways to develop a formula for allocating road funds among districts, for the benefit of the counties; making legislative findings; requiring the commissioner to solicit and consider public comments; requiring the commissioner to include certain factors in the formula; and requiring the commissioner to submit the formula to the Legislature for approval as a legislative rule"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Sheedy:

H. B. 4731 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12o, relating to establishing a tax credit on West Virginia personal income tax for all active-duty military personnel, including National Guard active-duty members and reserve members; providing legislative findings; establishing the credit; and providing for an effective date"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

By Delegate Ross:

H. B. 4732 - "A Bill to amend and reenact §16-4C-8 of the Code of West Virginia, 1931, as amended, relating to removing the requirement for emergency medical technicians ('EMTs') to be nationally certified"; to the Committee on Fire Departments and Emergency Medical Services then Government Organization.

By Delegate Ross:

H. B. 4733 - "A Bill to amend and reenact §18A-2-2 of the Code of West Virginia, 1931, as amended, relating to authorizing county boards to employ eligible classroom aides as classroom teachers when certain conditions are met"; to the Committee on Education.

By Delegate Nestor:

H. B. 4734 - "A Bill amend and reenact §5-5-4b of the Code of West Virginia, 1931, as amended, relating to providing a pay raise and sign-on bonus to correctional personnel in West Virginia to retain current workers and attract new workers to this field"; to the Committee on Jails and Prisons then Finance.

By Delegate Mallow:

H. B. 4735 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §29B-2-1, §29B-2-2, §29B-2-3, §29B-2-4, §29B-2-5, §29B-2-6, §29B-2-7, §29B-2-8, §29B-2-9, §29B-2-10, §29B-2-11, §29B-2-12, and §29B-2-13, all relating to creating a Law-Enforcement Officers' Bill of Rights; providing definitions; general rights of officers; general procedure in investigation or interrogation by a law-enforcement agency of a law-

enforcement officer; right to hearing by a hearing board; disposition of administrative action; judicial review expungement of record of formal complaint; summary punishment; emergency suspension; and misdemeanor offense for false statement, report, or complaint, with penalty"; to the Committee on the Judiciary.

By Delegate Mazzocchi:

H. B. 4736 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §19-38-1, §19-38-2, §19-38-3, §19-38-4, §19-38-5, §19-38-6, §19-38-7, and §19-38-8, all relating to agriculture and creating the West Virginia Farm Fresh Dairy Act; providing definitions; exempting certain sales from licensure and certification; setting forth best sanitary milking and milk handling practices; providing for a registration process; setting forth enforcement provisions; setting forth product sales requirements; and providing an effective date"; to the Committee on Agriculture and Natural Resources then Health and Human Resources.

By Delegate Gearheart:

H. B. 4737 - "A Bill to amend and reenact §17-16A-10 of the Code of West Virginia, 1931, as amended, relating to requiring the approval of the Legislature and the Governor before additional bonds may be issued by the Parkways Authority; and requiring tolls to be removed six months following removal of encumbrances for the bonds"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Gearheart:

H. B. 4738 - "A Bill to amend and reenact §17-16A-10 of the Code of West Virginia, 1931, as amended, relating to requiring the approval of the Legislature and the Governor before additional bonds may be issued by the Parkways Authority; and requiring tolls to be removed six months following removal of encumbrances for the bonds"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Gearheart:

H. B. 4739 - "A Bill to amend and reenact §20-2-15 of the Code of West Virginia, 1931, as amended, relating to permit landowners or lessees of land whose land is damaged by deer or other wildlife to hire a third party to kill the deer or other wildlife by bow and arrow"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Tully:

H. B. 4740 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-18-1, §21-18-2, §21-18-3, §21-18-4, §21-18-5, §21-18-6, and §21-18-7, all relating to establishing a nurse staffing and safe harbor peer review process; defining safe harbor; establishing protections for nurse licensure under safe harbor; providing for invocation of safe harbor protections; establishing a withdrawal of request for safe harbor nursing review; establishing a Safe Harbor Peer Review committee and providing for the makeup and composition of the committee; providing when to invoke safe harbor and refuse nursing assignments; defining protection from civil or criminal liability under safe harbor; and defining CNOs/Nurse Practitioners"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Street:

H. B. 4741 - "A Bill to amend and reenact §21A-6-3 of the Code of West Virginia, 1931, as amended, relating to unemployment compensation; employee eligibility; and providing that a person who fails a random testing for alcohol or illegal controlled substances for employees in safety-sensitive positions is disqualified for benefits"; to the Committee on Workforce Development then the Judiciary.

By Delegate Gearheart:

H. B. 4744 - "A Bill to amend and reenact §17-16A-13 of the Code of West Virginia, 1931, as amended, relating to requiring certain non-discretionary procedures be strictly complied with by the West Virginia Parkways Authority before tolls, rents, fees or charges may be increased"; to the Committee on Government Organization.

By Delegate Summers:

H. B. 4745 - "A Bill to amend and reenact §20-2-47 of the Code of West Virginia, 1931, as amended all relating to exempting Coturnix quail from the game farm requirement if they are owned for agricultural purposes"; to the Committee on Agriculture and Natural Resources then Government Organization.

By Delegate Hornbuckle:

H. B. 4746 - "A Bill to amend and reenact §15A-3-4 of the Code of West Virginia, 1931, as amended, relating to requiring correctional facilities to assist juvenile and adult offenders to obtain a Social Security number and card, a birth certificate, and a driver's license"; to the Committee on Jails and Prisons then the Judiciary.

By Delegate Hornbuckle:

H. B. 4748 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-29-15, relating to the establishment of the Police Partnering With Communities Act; providing for a short title; providing for legislative findings; defining a 'distressed area;' providing for the establishment of the Police Partnering With Communities Fund; and providing for an effective date"; to the Committee on the Judiciary then Finance.

By Delegate Pushkin:

H. B. 4749 - "A Bill to amend and reenact §18-10Q-2 and §18-10Q-3, of the Code of West Virginia, 1931, as amended; and to repeal §18-10Q-4, and §18-10Q-5 of said code; and to amend and reenact §21-5C-1 of said code, all relating to wages of persons with disabilities; initiating a State 'Employment First Policy' to facilitate integrated employment of disabled persons; providing legislative findings; establishing a taskforce to develop a State Employment First Policy; providing for implementation of the State Employment First Policy; and removing the exemption from paying minimum wages to disabled persons working in nonprofit workshops"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Pushkin:

H. B. 4750 - "A Bill to repeal §16-5Y-12 of the Code of West Virginia, 1931, as amended, relating to removing the Certificate of Need moratorium on opioid treatment facilities"; to the Committee on Health and Human Resources.

By Delegate Pushkin:

H. B. 4751 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-34, relating to the West Virginia Medicaid program; and requiring West Virginia Medicaid managed care organizations to contract with any otherwise qualified provider"; to the Committee on Health and Human Resources then Finance.

By Delegate Pushkin:

H. B. 4752 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-24-11c, relating to providing a tax credit for obtaining certain certifications by the United States Green Building Council Leadership in Energy and Environmental Design green building rating system or the Green Globes Building Initiative green

building rating standard; setting forth the amount of the credit; establishing who may take the credit; establishing the amount of the credit; establishing the criteria for taking the credit; providing rule-making authority; and defining terms"; to the Committee on Energy and Manufacturing then Finance.

By Delegate Westfall:

H. B. 4753 - "A Bill to amend the code of West Virginia, 1931, by adding thereto a new section designated, §5-16-7h; to amend said code by adding thereto a new section designated §9-5-34; to amend said code by adding thereto a new section designated §33-15-4x; to amend said code by adding thereto a new section designated §33-16-3aa; to amend said code by adding thereto a new section designated §33-24-7y; to amend said code by adding thereto a new section designated §33-25-8v; and to amend said code by adding thereto a new section designated §33-25A-8y, all relating to providing health insurance coverage concerning biomarker testing"; to the Committee on Banking and Insurance then the Judiciary.

By Delegate Criss:

H. B. 4754 - "A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to exempting the processing of beef, pork or lamb by a slaughterhouse for an individual owner of the product processed from the Consumer Sales and Service Tax"; to the Committee on Agriculture and Natural Resources then Finance.

By Delegate Criss:

H. B. 4755 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-6-5a, relating to terminating the Division of Personnel"; to the Committee on Government Organization then Finance.

By Delegate Winzenreid:

H. B. 4756 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5R-8, relating to the creation of a state Alzheimer's plan task force"; to the Committee on Health and Human Resources.

By Delegates Summers, Tully, Rohrbach and Hite:

H. B. 4757 - "A Bill to repeal §5-11-1, §5-11-2, §5-11-3, §5-11-4, §5-11-5, §5-11-6, §5-11-7, §5-11-8, §5-11-9, §5-11-10, §5-11-11, §5-11-12, §5-11-13, §5-11-14, §5-11-15, §5-11-16, §5-11-17, §5-11-18, §5-11-19, and §5-11-20 of the Code of West Virginia, 1931, as amended; to repeal §5-11A-1, §5-11A-2, §5-11A-3, §5-11A-3a, §5-11A-4, §5-11A-5, §5-11A-6, §5-11A-7, §5-11A-8, §5-11A-9, §5-11A-10, §5-11A-11, §5-11A-12, §5-11A-13, §5-11A-14, §5-11A-15, §5-11A-16, §5-11A-17, §5-11A-18, §5-11A-19 and §5-11A-20 of said code; to repeal §5-11B-1, §5-11B-2, §5-11B-3, §5-11B-4, §5-11B-5, §5-11B-6, and §5-11B-7 of said code; to repeal §16-1-22, §16-1-22a, §16-1-22b, §16-1-22c of said code; to repeal §16-2E-1, §16-2E-2, §16-2E-3, §16-2E-4, and §16-2E-5 of said code; to repeal §16-2N-1, §16-2N-2, and §16-2N-3 of said code; to repeal §16-5B-1, §16-5B-2, §16-5B-3, §16-5B-4, §16-5B-5, §16-5B-5a, §16-5B-6, §16-5B-7, §16-5B-8, §16-5B-9, §16-5B-10, §16-5B-11, §16-5B-12, §16-5B-13, §16-5B-14, §16-5B-15, §16-5B-16, §16-5B-17, §16-5B-18, §16-5B-19, and §16-5B-20 of said code; to repeal §16-5C-1, §16-5C-2, §16-5C-3, §16-5C-4, §16-5C-5, §16-5C-6, §16-5C-7, §16-5C-8, §16-5C-9, §16-5C-9a, §16-5C-10, §16-5C-11, §16-5C-12, §16-5C-12a, §16-5C-13, §16-5C-14, §16-5C-15, §16-5C-18, §16-5C-19, §16-5C-20, §16-5C-21, and §16-5C-22 of said code; to repeal §16-5D-1, §16-5D-2, §16-5D-3, §16-5D-4, §16-5D-5, §16-5D-6, §16-5D-7, §16-5D-8, §16-5D-9, §16-5D-10, §16-5D-11, §16-5D-12, §16-5D-13, §16-5D-14, §16-5D-15, and §16-5D-18 of said code; to repeal §16-5E-1, §16-5E-1a, §16-5E-2, §16-5E-3, §16-5E-3a, §16-5E-4, §16-5E-5, and §16-5E-6 of said code; to repeal §16-5H-1, §16-5H-2, §16-5H-3, §16-5H-4, §16-5H-5, §16-5H-6, §16-5H-7, §16-5H-8, §16-5H-9, and §16-

5H-10 of said code; to repeal §16-5I-1, §16-5I-2, §16-5I-3, §16-5I-4, §16-5I-5, and §16-5I-6 of said code; to repeal §16-5N-1, §16-5N-2, §16-5N-3, §16-5N-4, §16-5N-5, §16-5N-6, §16-5N-7, §16-5N-8, §16-5N-9, §16-5N-10, §16-5N-11, §16-5N-12, §16-5N-13, §16-5N-14, §16-5N-15, and §16-5N-16 of said code; to repeal §16-5O-1, §16-5O-2, §16-5O-3, §16-5O-4, §16-5O-5, §16-5O-6, §16-5O-7, §16-5O-8, §16-5O-9, §16-5O-10, §16-5O-11, and §16-5O-12 of said code; to repeal §16-5R-1, §16-5R-2, §16-5R-3, §16-5R-4, §16-5R-5, §16-5R-6, and §16-5R-7 of said code; to repeal §16-5W-1, §16-5W-2, §16-5W-3, and §16-5W-4 of said code; to repeal §16-5Y-1, §16-5Y-2, §16-5Y-3, §16-5Y-4, §16-5Y-5, §16-5Y-6, §16-5Y-7, §16-5Y-8, §16-5Y-9, §16-5Y-10, §16-5Y-11, §16-5Y-12, and §16-5Y-13 of said code; to repeal §16-5AA-1, §16-5AA-2, §16-5AA-3, §16-5AA-4, §16-5AA-5, §16-5AA-6, §16-5AA-7, §16-5AA-8, §16-5AA-9, and §16-5AA-10 of said code; to repeal §16-49-1, §16-49-2, §16-49-3, §16-49-4, §16-49-5, §16-49-6, §16-49-7, §16-49-8, and §16-49-9 of said code; to amend said code by adding a new chapter, designated §16B-1-1; §16B-2-1, §16B-2-2, §16B-2-3, §16B-2-4, §16B-3-1, §16B-3-2, §16B-3-3, §16B-3-4, §16B-3-5, §16B-3-5a, §16B-3-6, §16B-3-7, §16B-3-8, §16B-3-9, §16B-3-10, §16B-3-11, §16B-3-12, §16B-3-13, §16B-3-14, §16B-3-15, §16B-3-16, §16B-3-17, §16B-3-18, §16B-3-19, §16B-3-20, §16B-4-1, §16B-4-2, §16B-4-3, §16B-4-4, §16B-4-5, §16B-4-6, §16B-4-7, §16B-4-8, §16B-4-9, §16B-4-9a, §16B-4-10, §16B-4-11, §16B-4-12, §16B-4-12a, §16B-4-13, §16B-4-14, §16B-4-15, §16B-4-18, §16B-4-19, §16B-4-20, §16B-4-21, §16B-4-22, §16B-5-1, §16B-5-2, §16B-5-3, §16B-5-4, §16B-5-5, §16B-5-6, §16B-5-7, §16B-5-8, §16B-5-9, §16B-5-10, §16B-5-11, §16B-5-12, §16B-5-13, §16B-5-14, §16B-5-15, §16B-5-18, §16B-6-1, §16B-6-1a, §16B-6-2, §16B-6-3, §16B-6-3a, §16B-6-4, §16B-6-5, §16B-6-6, §16B-7-1, §16B-7-2, §16B-7-3, §16B-7-4, §16B-7-5, §16B-7-6, §16B-7-7, §16B-7-8, §16B-7-9, §16B-7-10, §16B-8-1, §16B-8-2, §16B-8-3, §16B-8-4, §16B-8-5, §16B-8-6, §16B-9-1, §16B-9-2, §16B-9-3, §16B-9-4, §16B-9-5, §16B-9-6, §16B-9-7, §16B-9-8, §16B-9-9, §16B-9-10, §16B-9-11, §16B-9-12, §16B-9-13, §16B-9-14, §16B-9-15, §16B-9-16, §16B-10-1, §16B-10-2, §16B-10-3, §16B-10-4, §16B-10-5, §16B-10-6, §16B-10-7, §16B-10-8, §16B-10-9, §16B-10-10, §16B-10-11, §16B-10-12, §16B-11-1, §16B-11-2, §16B-11-3, §16B-11-4, §16B-11-5, §16B-11-6, §16B-11-7, §16B-12-1, §16B-12-2, §16B-12-3, §16B-13-1, §16B-13-2, §16B-13-3, §16B-13-4, §16B-13-5, §16B-13-6, §16B-13-7, §16B-13-8, §16B-13-9, §16B-13-10, §16B-13-11, §16B-13-12, §16B-13-13, §16B-14-1, §16B-14-2, §16B-14-3, §16B-14-4, §16B-14-5, §16B-14-6, §16B-14-7, §16B-14-8, §16B-14-9, §16B-14-10, §16B-15-1, §16B-15-2, §16B-15-3, §16B-15-4, §16B-15-5, §16B-15-6, §16B-15-7, §16B-15-8, §16B-15-9, §16B-16-1, §16B-16-2, §16B-16-3, §16B-16-4, §16B-16-5, §16B-16-6, §16B-16-7, §16B-16-8, §16B-16-9, §16B-16-10, §16B-17-1, §16B-17-2, §16B-17-3, §16B-17-4, §16B-17-5, §16B-17-6, §16B-17-7, §16B-17-8, §16B-17-9, §16B-17-10, §16B-17-12, §16B-17-13, §16B-17-14, §16B-17-15, §16B-17-16, §16B-17-17, §16B-17-18, §16B-17-19, §16B-17-20, §16B-18-1, §16B-18-2, §16B-18-3, §16B-18-3a, §16B-18-4, §16B-18-5, §16B-18-6, §16B-18-7, §16B-18-8, §16B-18-9, §16B-18-10, §16B-18-11, §16B-18-12, §16B-18-13, §16B-18-14, §16B-18-15, §16B-18-16, §16B-18-17, §16B-18-18, §16B-18-19, §16B-18-20, §16B-19-1, §16B-19-2, §16B-19-3, §16B-19-4, §16B-19-5, §16B-19-6, §16B-19-7, §16B-20-1, §16B-20-2, §16B-20-3, §16B-20-4, §16B-20-5, §16B-21-1, §16B-21-2, and §16B-21-3; to amend and reenact §25-1B-7 of said code; to amend and reenact §27-1-9 of said code; to amend and reenact §27-1A-6 and §27-1A-7 of said code; to amend and reenact §27-9-1 and §27-9-2 of said code; to amend and reenact §27-17-1 and §27-17-3 of said code; to amend and reenact §49-1-203 of said code; and to repeal §49-9-101, §49-9-102, §49-9-103, §49-9-104, §49-9-105, §49-9-106, §49-9-107, §49-9-108, §49-9-109, and §49-9-110; all relating to the organization of the Office of the Inspector General"; to the Committee on Health and Human Resources then Finance.

By Delegate Jennings:

H. B. 4758 - "A Bill to amend and reenact §15A-12-1, §15A-12-2, §15A-12-3, §15A-12-4, §15A-12-5 and §15A-12-7 of the Code of West Virginia, 1931, as amended, all relating to the Fusion Center; providing the creation of the Joint Oversight Committee on the Fusion Center and

defining the composition and duties associated with the Committee; providing non-disclosure agreement requirements; defining terrorism; clarifying the Fusion Center's duties, functions, reporting requirements, prohibitions and restrictions when information or intelligence is gathered for prohibited purposes; providing reporting requirements for information or intelligence gathered regarding election fraud or tampering; requiring that an annual report be provided to the Committee and clarifying the information required in the report; and creating criminal penalties for violations of prohibitions and restrictions applicable to the West Virginia Fusion Center"; to the Committee on Veterans' Affairs and Homeland Security then the Judiciary.

By Delegates Phillips and McGeehan:

H. B. 4759 - "A Bill to amend and reenact §21-1B-2, §21-1B-3, §21-1B-5, §21-1B-6, §21-1B-7, and §21-1B-8 of the Code of West Virginia, 1931, as amended, all relating to E-Verify, the federal employment authorization program; defining terms; requiring businesses to participate in E-Verify as a condition for receiving state contracts, grants, or incentives; requiring subcontractors to participate in E-Verify prior to working on any project paid for by any state contract, grant, or incentive; providing rules for E-Verify participation for contractors and subcontractors; requiring business entities and employers in this state to enroll and participate in E-Verify; listing exceptions to said mandatory participation; providing rules for E-Verify participation for business entities and employers; imposing civil penalties; providing defenses; providing for enforcement; and requiring the Division of Labor to propose legislative rules to implement the article's provisions"; to the Committee on Government Organization then the Judiciary.

**By Delegates Hanshaw (Mr. Speaker) and Hornbuckle
[By Request of the Executive]:**

H. B. 4760 - "A Bill to amend and reenact §6-7-2a of the Code of West Virginia, 1931, as amended, relating to establishing salaries for the Secretaries of the Department of Health, the Department of Human Services, and the Department of Health Facilities"; to the Committee on Finance.

Note: The titles for H. B. 4033 and H. B. 4555 were incorrect in the Journal of January 10, 2024. The correct titles are listed below:

By Delegate Smith:

H. B. 4033 - "A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards"; to the Committee on Energy and Manufacturing then the Judiciary.

By Delegate Criss:

H. B. 4555 - "A Bill to amend and reenact §11-6K-1 and §11-6K-3 of the Code of West Virginia, 1931, as amended, all generally relating to the assessment and valuation of industrial property and natural resource property; for assessments made on or after July 1, 2024, providing that the arithmetic means for annual production and average coal price to value coal properties shall be based upon the full calendar year immediately preceding the July 1st assessment date; providing that the Tax Commissioner shall utilize an average coal density of 1800 tons per acre foot, unless clear and convincing evidence is submitted by a tax payer establishing a lower density value; providing that density information reported on returns, due on or before May 1 of each year, shall be used to determine values for the immediately following July 1 assessments; providing that the Tax Commissioner shall take into consideration economic viability and engineering considerations when establishing values for coal properties; providing that coal beds which are of a thickness of less than 35 inches shall not be classified as mineable coal for valuation for property tax purposes unless there is clear and convincing evidence to the contrary; providing that no

permitted coal seam may be classified for taxation as active until actual depletion of coal commences under a permit; providing that for any owner, operator, or producer which fails to make a return within the time required, any and all penalties imposed shall be equally and uniformly applied across all forms of industrial property and natural resources property; and specifying an effective date"; to the Committee on Energy and Manufacturing then Finance.

Special Calendar

First Reading

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

H. B. 4274, Renaming the Department of Health and Human Resources.

And,

H. B. 4433, Relating to exempting the acquisition and utilization of a mobile facility which performs mammography or low density computerized tomography.

Miscellaneous Business

At 11:25 a.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, January 16, 2024.

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

SPECIAL CALENDAR

Tuesday, January 16, 2024

7th Day

11:00 A.M.

SECOND READING

- H. B. 4274 - Renaming the Department of Health and Human Resources
- H. B. 4433 - Relating to exempting the acquisition and utilization of a mobile facility which performs mammography or low density computerized tomography.

FIRST READING

- Com. Sub. for H. B. 4190 - Relating to the establishment of an alert system for missing cognitively impaired persons
- H. B. 4252 - Uniform Recognition and Enforcement of Canadian Domestic Violence Protective Orders Act

HOUSE CALENDAR

Tuesday, January 16, 2024

7th Day

11:00 A.M.

(No Bills)

WEST VIRGINIA HOUSE OF DELEGATES

TUESDAY, JANUARY 16, 2024

HOUSE CONVENES AT 11:00 A.M.

**COMMITTEE ON
VETERANS' AFFAIRS AND HOMELAND SECURITY
9:15 A.M.
EAST WING COMMITTEE ROOM**

**COMMITTEE ON
GOVERNMENT ORGANIZATION
1:00 P.M.
EAST WING COMMITTEE ROOM**

**COMMITTEE ON
TECHNOLOGY AND INFRASTRUCTURE
1:00 P.M.
EDUCATION COMMITTEE ROOM**

**COMMITTEE ON
ENERGY AND MANUFACTURING
1:00 P.M.
FINANCE COMMITTEE ROOM**

**COMMITTEE ON
ECONOMIC DEVELOPMENT AND TOURISM
3:00 P.M.
JUDICIARY COMMITTEE ROOM**

**COMMITTEE ON
HEALTH AND HUMAN RESOURCES
3:00 P.M.
EAST WING COMMITTEE ROOM**

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