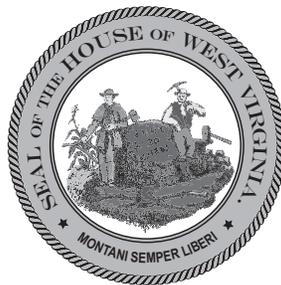


West Virginia Legislature

JOURNAL
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Eighty-Second Legislature
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January 27, 2016
FIFTEENTH DAY

Wednesday, January 27, 2016

FIFTEENTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

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

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

The Clerk proceeded to read the Journal of Tuesday, January 26, 2016, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Hamilton, 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:

H. B. 4170, Removing restrictions for hunting or trapping on private lands on Sundays,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4170) was referred to the Committee on the Judiciary.

Delegate Evans, 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:

H. B. 4110, Department of Health and Human Resources, rule relating to farmers market vendors,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4110) 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:

H. B. 4235, Relating to the publication requirements of the administration of estates,

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

Delegate Storch, Chair of the Committee on Political Subdivisions, submitted the following report, which was received:

Your Committee on Political Subdivisions has had under consideration:

H. B. 4163, Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4163) was referred to the Committee on the Judiciary.

Delegate Gearheart, Chair of the Committee on Roads and Transportation, submitted the following report, which was received:

Your Committee on Roads and Transportation has had under consideration:

H. B. 4138, Department of Transportation, rule relating to rail fixed guideway systems state safety oversight,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4138) was referred to the Committee on the Judiciary.

Delegate Gearheart, Chair of the Committee on Roads and Transportation, submitted the following report, which was received:

Your Committee on Roads and Transportation has had under consideration:

H. B. 4009, Letting Our Counties Act Locally Act,

And,

H. B. 4200, Eliminating courtesy patrol programs,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4009 and H. B. 4200) were referred to the Committee on Finance.

Delegate Overington, Chair of the Committee on Industry and Labor, submitted the following report, which was received:

Your Committee on Industry and Labor has had under consideration:

H. B. 4141, Human Rights Commission, rule relating to the Pregnant Workers' Fairness Act,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4141) was referred to the Committee on the Judiciary.

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

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

H. B. 4117, Department of Health and Human Resources, rule relating to family child care home registration requirements,

H. B. 4064, Department of Health and Human Resources, rule relating to child care licensing requirements,

And,

H. B. 4065, Department of Health and Human Resources, rule relating to family child care facility licensing requirements,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4117, H. B. 4064 and H. B. 4065) were each referred to the Committee on the Judiciary.

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

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

H. B. 4142, Board of Examiners for Speech-Language Pathology and Audiology, rule relating to speech-language pathology and audiology assistants,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4142) was referred to the Committee on the Judiciary.

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

Your Committee on Energy has had under consideration:

H. B. 4218, Expanding the definition of “underground facility” in the One-Call System Act,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4218) was referred to the Committee on the Judiciary.

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

Your Committee on Government Organization has had under consideration:

H. B. 4282, Reorganizing certain code provisions that organize the executive branch of state government,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4282) was referred to the Committee on the Judiciary.

Messages from the Executive

The Speaker presented annual reports from various state agencies as required by the provisions of law, as follows:

Accountancy, Board of

Acupuncture, Board of

Alcohol Beverage Control Administration

Attorney General, Office of
Consumer Protection and Antitrust Division

Budget Office
Consolidated Report of Federal Funds (FY 2016)

Childrens Health Insurance Program

Children with Autism Trust Board

Chiropractic, Board of

Coal Severance Tax Fund, Gas and Oil Severance Tax General Fund, County and
Municipal Governments Consolidated Budget Report

Commerce, Department of
Film Office, Division of Tourism (2011-12)

Commission on Special Investigations

Conservation Agency

Consolidated Public Retirement Board
Trooper Disability Experience Report

Consumer Advocate, Office of
Insurance Commission Report

Corrections, Division of

Court System (2013)

Dentistry, Board of Education, Department of
Compulsory School Attendance
Earn a Degree Graduate Early
Innovation Zone

Development Office
Marketing and Communications Office

Dietitians, Board of Licensed

Energy, Division of

Education, Department of
Alternative Education Elementary/Middle Pilot

Earn a Degree-Graduate Early (EDGE)

Energy, Division of
Legal Challenges Potentially Impacting the Energy Industry

Engineers, Board of Professional

Environmental Protection, Department of
Advisory Council, Office of
Explosives and Blasting, Office of
Hazardous Waste, Office of
Oil and Gas, Office of
Underground Storage Tank Fund

Ethics Commission
Registered Lobbyists' Activity Report (2015)

Family Protection Services Board

Fire Commission
Comprehensive Report on the Review and Recommendations on Volunteer and
Part-Volunteer Fire Service

Fire Marshall

Forestry, Division of
Logging Sediment Control Act
Managed Timberland Impact Assessment
Stewardship Contracting (2014 & 2015)

Foundation for Rape Information and Services

Health Care Authority
Broadband Availability

Health and Human Resources, Department of
Breast and Cervical Cancer Diagnostic and Treatment Fund
Children and Families Youth Services, Bureau for
Joint Committee on Children and Families; Foster Care
Maternal, Child and Family Health, Office of (2010, 2011, 2012)
Sudden Unexplained Infant Death (SUID) (2010)
Women's Right to Know
Youth Services

Hearing Aid Dealers, Board of

Herbert Henderson Office of Minority Affairs

Insurance Commissioner, Office of
Consumer Advocate, Office of
Insurance Commissioner's Annual Report (2013) (2014)
Medical Malpractice

Investment Management Board

Jobs Investment Trust Board

Justice and Community Services, Division of
Community Corrections Act
Justice Reinvestment Initiative Executive Report
Juvenile Justice and Delinquency Prevention

Landscape Architects, Board of

Legislature Agency Report

Library Commission

Lottery Commission Report (2013 and 2014)

Massage Therapy Licensure, Board of

Medical Imaging and Radiation Therapy Technology, Board of Examiners

Medicine, Board of

Military Affairs and Public Safety, Department of
Corrections, Division of

Motor Vehicles, Division of
Motorcycle Safety and Awareness Program

Municipal Home Rule Pilot Program Summary

Municipal Pensions Oversight Board
Municipal Policemen and Fireman's Pension and Relief

Natural Resources, Division of

Nursing Home Administrators Licensing Board

Occupational Therapy, Board of

Optometry, Board of (FY 2010, FY 2011, FY 2012)

Personnel, Division of

Physical Therapy, Board of

Professional Engineers, Board of

Professional Surveyors, Board of

Prosecuting Attorneys Institute Report

Psychologists, Board of Examiners

Public Employees Insurance Agency

Public Employees Insurance Autism Report

Public Service Commission
Consumer Advocate Division

Public Water System Supply Study Commission Report

Purchasing Division
Stringing Report

RESA II

Real Estate Appraiser Licensing and Certification Board

Real Estate Commission

Regional Education Service Agency

Registered Professional Nurses, Board of

Respiratory Care, Board of

Sanitarians, Board of

Seneca Health Services

Social Work Examiners, Board of

Special Investigations, Commission on

Speech Language Pathology and Audiology, Board of Examiners

State Auditor, Office of
Consolidated Budget Report

State Police

Recruitment of Females/Minorities

Supreme Court of Appeals
Appellate Report

Surveyors, Board of Professional

Tax, Department of
Children with Autism Trust Board
Housing Index
Managed Timberland

Tourism, Division of (2008, 2009, 2011)

Transportation, Department of
Transportation Coordinating Council

Treasury Investments, Board of

Treasurer's Office
Prepaid Tuition and Savings Program, Board of

Veterinary Medicine, Board of

Volunteer West Virginia

Water Development Authority

West Virginia University Board of Governors

Workforce West Virginia
Development Report
Marcellus Shell Report to the Legislature
Narrative of the Workforce Investment Act
WVU Board of Governors

The above-referenced reports are on file in the Clerk's Office.

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

Com. Sub. for S. B. 13 - "A Bill to amend and reenact §17C-12-7 of the Code of West Virginia, 1931, as amended, relating to increasing penalties for overtaking and passing a school bus stopped for the purpose of receiving and discharging children; and providing penalties in the event that the driver of the passing vehicle cannot be ascertained"; 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. 32 – "A Bill to amend and reenact §3-5-11, §3-5-18 and §3-5-19 of the Code of West Virginia, 1931, as amended, all relating to withdrawal of candidates for office and filling vacancies; requiring the Secretary of State to create a notarized statement of withdrawal form; setting certain deadlines for the filing of a notarized statement of withdrawal form in order to have one's name removed from ballot; setting deadline for when the Secretary of State shall certify names of general election candidates to counties; prohibiting certification of the name of a candidate who filed a timely notarized statement of withdrawal; clarifying process for determining candidate is disqualified; removing the State Election Commission from process of voluntary withdrawal of candidates; authorizing executive committee to replace a candidate who files a timely notarized statement of withdrawal and whose name would have otherwise appeared on the general election ballot; and setting and adjusting certain deadlines"; 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

Com. Sub. for S. B. 102 - “A Bill to amend and reenact §7-4-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §30-29-12, all relating to West Virginia officials carrying concealed firearm nationwide as provided in the federal Law-Enforcement Officers Safety Act, 18 U. S. C. §926B; providing statutory authority necessary to give prosecuting attorneys and assistant prosecuting attorneys the option to carry firearms pursuant to that federal act upon completion of required training and annual background check; granting prosecuting attorneys and assistant prosecuting attorneys arrest powers under certain circumstances; providing that law-enforcement agencies are neither prohibited from nor required to permit an officer to carry his or her service weapon off duty; and requiring West Virginia law-enforcement agencies to offer access to training and certification for honorably retired officers to be permitted to carry a concealed firearm nationwide as a qualified retired law-enforcement officer as provided in the federal Law-Enforcement Officers Safety Act of 2004”; 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. 311 - “A Bill to amend and reenact §31-17-8 of the Code of West Virginia, 1931, as amended, relating to making permanent the exception allowing a mortgage modification or refinancing loan to be made in participation with and in compliance with the federal Homes Affordable Modification Program, a part of the federal Making Home Affordable program, or any other mortgage modification or refinancing loan funded through any other federal or state program or litigation settlement, when the aggregate total of the outstanding principal balances of all other primary or subordinate mortgage loans secured by the same property exceeds the fair market value of the property”; which was referred to the Committee on Banking and Insurance 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

Com. Sub. for S. B. 323 - “A Bill to amend and reenact §61-3B-3 of the Code of West Virginia, 1931, as amended, relating to correcting subsection designations in the statute regarding trespass on property; and making other technical changes”; which was referred to the Committee on the Judiciary.

Resolutions Introduced

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

By Delegates Sobonya, Moffatt, Miller, Rohrbach, Cadle, Summers, Cowles, J. Nelson, Kurcaba, Ihle and Frich:

H. J. R. 34 - “Proposing an amendment to the Constitution of the State of West Virginia amending section two, article XII thereof, relating to the free schools of the State, numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on Education then the Judiciary.

Delegates Shaffer, R. Smith, Lynch, P. Smith, Blackwell, Faircloth, Byrd and Ireland:

H. J. R. 35 – “Proposing an amendment to the Constitution of the State of West Virginia, amending section one-b, article ten thereof, relating to the homestead exemption for senior citizens; decreasing the age to sixty-two and increasing the amount of the exemption”; to the Committee on Finance then the Judiciary.

Motions

Delegate Sponaugle submitted a written motion to direct the Speaker to request an economic impact statement, therefore suspending House Rule 95c

On this motion, the yeas and nays were taken (**Roll No. 15**), and there were—yeas 38, nays 61, absent and not voting 1, with the yeas and absent and not voting being as follows:

Yeas: Bates, Blackwell, Boggs, Byrd, Campbell, Caputo, Eldridge, Ferro, Fleischauer, Fluharty, Guthrie, Hamilton, Hartman, Hicks, Hornbuckle, Kelly, Longstreth, Lynch, Manchin, Marcum, Miley, Moore, Morgan, Moye, Perdue, Perry, Pethtel, R. Phillips, Pushkin, Reynolds, Rodighiero, Rowe, Shaffer, Skinner, P. Smith, Sponaugle, Trecost and P. White.

Absent and Not Voting: Flanigan.

So, two-thirds of the members present and voting not having voted in the affirmative, the motion was rejected.

Bills Introduced

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

By Delegates McGeehan, Hill, Faircloth, Ihle and J. Nelson:

H. B. 4288 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-15-9o, relating to creating the Save the Hospitals Act; exempting nonprofit hospitals that provide a certain amount of uncompensated care from sales tax and requiring West Virginia Hospital Finance Authority to promulgate rules to effectuate this section”; to the Committee on Health and Human Resources then Finance.

By Mr. Speaker (Mr. Armstead), and Delegates Miley, Bates, Lane and Shott:

H. B. 4289 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §52-2-11, relating to grand juries; authorizing prosecuting attorneys to designate law-enforcement officers and investigators as custodians of records, documents and other evidence subpoenaed by a grand jury; authorizing designated custodians to used subpoenaed records, documents and other evidence for investigative purposes prior to such records, documents or other evidence being presented to a grand jury; requiring presentation of subpoenaed materials held by the custodian be presented to the next session of the grand jury meeting after receipt; and limiting law enforcement use of such subpoenaed materials to legitimate investigation and prosecuted purposes relevant to the investigation underlying the issuance of the subpoena”; to the Committee on the Judiciary.

By Delegates Marcum and P. White:

H. B. 4290 — “A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §20-2B-2a, relating to the Laurel Lake Wildlife Management Fund; providing sufficient funding to maintain the Laurel Lake Wildlife Management Area, including its facilities; providing the Director of the Division of Natural Resources shall provide legislative rules designed to fulfil the purpose of providing sufficient funding; requiring the Director of the Division of Natural Resources to collaborate with the Mingo County Commission to explore alternative means of funding the fund; and, creating the Laurel Lake Wildlife Management Fund advisory board”; to the Committee on Agriculture and Natural Resources then Finance.

By Delegates J. Nelson, Phillips, Moffatt, Espinosa, Westfall, Perdue, Upson, Lane, Moye, Mr. Speaker (Mr. Armstead) and Miley:

H. B. 4291 — “A Bill to amend and reenact §61-8D-5 of the Code of West Virginia, 1931, as amended, relating to increasing penalties for teachers who commit sexual offenses against children with whom they hold positions of trust; and, providing that upon conviction for sexual offenses against children with whom they hold positions of trust, such teachers are banned for life from volunteering for or being employed by any educational, vocational, training, day care, group home, foster care program, or rehabilitation facility in the state”; to the Committee on Education then the Judiciary.

By Delegates Marcum, Phillips, Hamilton, Hicks, Rodighiero, Westfall, Sobonya, R. Smith, P. White, Moye and Byrd:

H. B. 4292 — “A Bill amend and reenact §60A-4-409 of the Code of West Virginia, 1931, as amended, relating to increasing criminal incarceration penalties for the transportation of controlled substances into the state”; to the Select Committee on Prevention and Treatment of Substance Abuse then the Judiciary.

By Mr. Speaker (Mr. Armstead), and Delegate Miley

[By Request of the Executive]:

H. B. 4293 — “A Bill to amend and reenact §60A-9-4, §60A-9-5, §60A-9-5a, §60A-9-7 and §60A-9-8 of the Code of West Virginia, 1931, as amended, all relating to the West Virginia Controlled Substances Monitoring Program database; requiring reporting when an opioid antagonist is dispensed by certain persons; clarifying code language related to seventy-two hour prescriptions; prohibiting licensing boards from issuing or reissuing licenses to practitioners who have not registered for the West Virginia Controlled Substances Monitoring Programs database; establishing a fine for failure to register for the West Virginia Controlled Substances Monitoring Program database; and establishing a fine for failure to access the West Virginia Controlled Substances Monitoring Program as mandated by the code; clarifying language related to the Fight Substance Abuse Fund; placing administrative authority over the Fight Substance Abuse Fund with the Bureau for Public Health; revising code language to use defined terms; and reorganizing existing code language”; to the Select Committee on Prevention and Treatment of Substance Abuse then the Judiciary.

By Delegate Miley

[By Request of the Executive]:

H. B. 4294 — “A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to sales tax exemption for certain sales of materials acquired for use in a highway construction or maintenance project; and specifying elimination for the fiscal year beginning July 1, 2015, of the refundable exemption for sales of construction and maintenance material acquired by a second party for use in the construction or maintenance of a highway project, with retroactive effect for the elapsed portion of that fiscal year, and resumption thereof for the fiscal year beginning July 1, 2016”; to the Committee on Roads and Transportation then Finance.

By Mr. Speaker (Mr. Armstead), and Delegate Miley

[By Request of the Executive]:

H. B. 4295 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5B-14; and to amend said code by adding thereto a new article, designated §18-5E-1, §18-5E-2, §18-5E-3, §18-5E-4 and §18-5E-5, all relating to Innovation in Education Schools and Innovation Zones; terminating funding for Innovation Zones and Local Solution Dropout Prevention and Recovery Innovation Zones; setting forth purpose of Innovation in Education Act; establishing and authorizing Innovation in Education school designation; setting forth components and requirements for Innovation in Education plan; requiring evaluations of Innovation in Education designated schools; authorizing amendment and suspension of components of Innovation in Education plans; authorizing termination of designation of a school as an Innovation in Education school; requiring promulgation of rule by state board; creating Innovation in Education

Fund; authorizing expenditures from Innovation in Education Fund; and authorizing investment of Innovation in Education Fund moneys”; to the Committee on Education then Finance.

By Delegates Rowan, Cooper, D. Evans, Moye, Perry, Ambler, Wagner, Fast, Duke, Campbell and Ferro:

H. B. 4296 — “A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended relating to permitting county boards of education to accumulate instructional days and use them when needed in a later instructional term when inclement weather and emergencies prevent the otherwise full instructional term from being completed; and establishing an instructional day to be three hundred thirty minutes”; to the Committee on Education then Finance.

By Delegates Cadle, Foster, Border, Statler, McCuskey, Upson, Zatezalo, Blair, Stansbury, Hill and Kessinger:

H. B. 4297 — “A Bill to amend and reenact §61-3-30 of the Code of West Virginia, 1931, as amended, relating to increasing penalties for destruction or theft of election campaign advertising”; to the Committee on the Judiciary.

By Delegates Rohrbach, Upson, Sobonya, Miller, Reynolds, Campbell and Cooper:

H. B. 4298 — “A Bill to amend and reenact §18-5-18 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18-8-1a, all relating to changing the age effective date of children for whom county boards of education must provide kindergarten programs from September 1 to August 1; and changing the age effective date for students who are compelled to attend school from September 1 to August 1”; to the Committee on Education then Finance.

By Delegates J. Nelson, Phillips, Moffatt, R. Smith, McCuskey, Wagner, Bates, Eldridge, Stansbury, Arvon and Miley:

H. B. 4299 — “A Bill to amend and reenact §7-1-3d of the Code of West Virginia, 1931, as amended, relating to increasing the amount volunteer fire companies or paid fire departments may charge for reimbursement for personnel and equipment used in performing fire fighting services, victim rescue or cleanup of debris”; to the Committee on Political Subdivisions then Finance.

By Delegates Espinosa, Upson, Householder, Blair, Faircloth, Folk, Duke, Howell, McGeehan, Zatezalo and Overington:

H. B. 4300 — “A Bill to amend and reenact §29-22A-10d and §29-22A-10e of the Code of West Virginia, 1931, as amended, all relating to changes in distribution of net terminal income, excess net terminal income and excess lottery fund”; to the Committee on the Judiciary then Finance.

By Delegates Espinosa, Westfall, Ambler, Cooper, D. Evans, Statler, Hamrick, Kurcaba, Rohrbach, Upson and Householder:

H. B. 4301 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-36, relating to a framework for initiating comprehensive transformation of school leadership; making legislative findings that provide a context for leadership that promotes instructional improvement; stating purpose of section as framework for development of needed statutory and policy changes; stating further purpose to initiate transformation through general statement of legislative intent; providing certain expectations; stating intent for process of broad stakeholder input; requiring convening of stakeholders to assist state board; listing minimum issues to be considered for state recommendations; and requiring reports and recommendations to Legislature and Governor”; to the Committee on Education then Finance.

By Delegates Mr. Speaker (Mr. Armstead), Bates, Miley, Lane and Shott:

H. B. 4302 — “A Bill to amend and reenact §4-5-1, §4-5-2, §4-5-3, §4-5-4, §4-5-5, and §4-5-6 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §4-5-7, all relating to the Commission on Special Investigations; clarifying the

composition and chairmanship of the commission; redefining what constitutes a quorum for the voting procedures of the commission; clarifying the contents of the commission's annual report; listing the existing and necessary commission staff positions; defining an agency's duty to cooperate with the commission during investigations and requiring agencies to disclose information and documents to commission; establishing the requirements for the commission to enter into executive session; establishing procedures for conducting executive session; removing the requirement that the Joint Committee on Government and Finance approve expenses of the commission; establishing a procedure for commission retention and disposal of records; defining a new felony offense of making a false statement to the commission; setting penalties for making a false statement to the commission; defining a new felony offense of impersonating a commission member or staff member; and setting penalties for impersonating a commission member or staff member"; to the Committee on the Judiciary.

By Delegates Cooper, D. Evans, Ambler and Rowan:

H. B. 4303 — "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-2d, relating to providing a salary increase for special education teachers"; to the Committee on Education then Finance.

By Mr. Speaker (Mr. Armstead), and Delegate Miley

[By Request of the Executive]:

H. B. 4304 — "A Bill to amend and reenact §5-16-5 of the Code of West Virginia, 1931, as amended, relating to the allocation of premiums for employers and employees in the Public Employees Insurance Agency; establishing contribution levels of seventy-five percent for employers and twenty-five percent for employees with respect to health insurance premiums for the plan year commencing July 1, 2017, and each plan year thereafter"; to the Committee on Banking and Insurance then Finance.

By Mr. Speaker (Mr. Armstead), and Delegate Miley

[By Request of the Executive]:

H. B. 4305 — "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17-29-1, §17-29-2, §17-29-3, §17-29-4, §17-29-5, §17-29-6, §17-29-7, §17-29-8, §17-29-9, §17-29-10, §17-29-11, §17-29-12, §17-29-13, §17-29-14, §17-29-15, §17-29-16, §17-29-17, §17-29-18 and §17-29-19, all relating to authorizing transportation network companies to operate in the state; providing that transportation network companies and transportation network company drivers are not common carriers or motor carriers; requiring a permit from the Division of Motor Vehicles to operate a transportation network company; setting forth requirements for obtaining a permit; requiring an agent for service of process; authorizing transportation network companies to charge a fare for services; setting forth requirements for fare collection; requiring identification of transportation network company vehicles and drivers; requiring an electronic receipt; requiring automobile insurance; requiring disclosures from the transportation network company to transportation network company drivers; providing terms, conditions, and allowable exclusions from insurance coverage; setting limitations on transportation network companies; providing a zero tolerance policy for drug and alcohol use while working as a transportation network company driver; setting minimum requirements to become a transportation network company driver; requiring transportation network company vehicles to pass state inspection; prohibiting solicitation and street hails; prohibiting cash payments; requiring a no cash payment policy; requiring a policy of nondiscrimination; requiring record keeping; providing for controlling authority to regulate transportation network companies; providing exemption from certain taxes, fees and licensing requirements; providing for limitations and restrictions; and defining terms"; to the Committee on Roads and Transportation then Finance.

By Delegates Rowan, Border, Fast, Stansbury, Moye, Campbell, Overington, Romine, Hamilton, Perry and Phillips:

H. B. 4306 — “A Bill to amend and reenact §61-2-10a of the Code of West Virginia, 1931, as amended, relating to prohibiting persons who have committed crimes against the elderly from performing any court ordered public service involving the elderly”; to the Committee on Senior Citizen Issues then the Judiciary.

By Delegates Summers, Mr. Speaker (Mr. Armstead), Blair, Azinger, Waxman, McGeehan, Overington, Ihle, Phillips and Eldridge:

H. B. 4307 — “A Bill to amend and reenact §20-2-5 of the Code of West Virginia, 1931, as amended, relating to carrying a firearm for self defense in a state park, state forest, state recreational area or state wildlife management area under the Division of Natural Resources”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Rowan, Border, Fast, Stansbury, Moye, Campbell, Overington, Romine, Duke, Phillips and Ferro:

H. B. 4308 — “A Bill to amend and reenact §36-1-20 of the Code of West Virginia, 1931, as amended; and to amend and reenact §42-4-2 of said code, all relating to barring persons who are convicted of certain criminal offenses from acquiring property from their victims through joint tenancy or inheritance; and creating exceptions”; to the Committee on Senior Citizen Issues then the Judiciary.

By Delegates Rowan, Border, Fast, Stansbury, Moye, Campbell, Overington, Romine, Duke, Pethel and Ferro:

H. B. 4309 — “A Bill to amend and reenact §61-2-29b of the Code of West Virginia, 1931, as amended, relating to increasing criminal penalties for conviction of certain offenses of financial exploitation of an elderly person, protected person or incapacitated adult; increasing the criminal penalty for the offense of financial exploitation of \$1,000 or more”; to the Committee on Senior Citizen Issues then the Judiciary.

By Delegates O'Neal, Anderson, Espinosa, E. Nelson, Arvon, Bates, Fleischauer, Frich, Statler, Kurcaba and Miley:

H. B. 4310 — “A Bill to repeal §18B-1E-1, §18B-1E-2, §18B-1E-3 and §18B-1E-4 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18B-1C-1 and §18B-1C-2 of said code, all relating to the West Virginia University Institute of Technology; finding that there is a need to maintain the valuable educational services provided by the West Virginia University Institute of Technology; finding that there are continued enrollment and facilities issues facing the West Virginia University Institute of Technology in Montgomery, West Virginia; finding that the West Virginia University Institute of Technology, West Virginia University, Marshall University, Concord University, Bluefield State College, and other private partners should collaborate; eliminating the requirement that the headquarters of the West Virginia University Institute of Technology remain in Montgomery, West Virginia; clarifying provisions relating to the West Virginia University Institute of Technology Board of Visitors; eliminating outdated provisions; and repealing provisions relating to the West Virginia University Institute of Technology Revitalization Project”; to the Committee on Education.

By Delegates Howell, Arvon, Blair, Phillips, Hartman, Ihle, Cadle, McGeehan, Moffatt, Atkinson and Morgan:

H. B. 4311 — “A Bill to amend and reenact §30-22-5 of the Code of West Virginia, 1931, as amended, relating to adding citizen members to the Board of Landscape Architects; and providing for the disqualification of citizen members who become licensees”; to the Committee on Government Organization.

By Delegates Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, R. Smith, Hamrick and Morgan:

H. B. 4312 — “A Bill to amend and reenact §30-9-3 of the Code of West Virginia, 1931, as amended, relating to adding citizen members to the Board of Accountancy; and providing for the disqualification of citizen members who become licensees”; to the Committee on Government Organization.

By Delegates Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Moffatt, Atkinson and Morgan:

H. B. 4313 — “A Bill to amend and reenact §30-12-1 and §30-12-11 of the Code of West Virginia, 1931, as amended, all relating to adding citizen members to the board of Architects; providing for the disqualification of citizen members who become licensees; and exempting certain nonpracticing architects from the prohibition against using certain titles”; to the Committee on Government Organization.

By Delegates Rohrbach, Stansbury, Bates, Ellington, Householder, Miller, Perdue, Waxman and B. White:

H. B. 4314 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §60-6-27; and to amend said code by adding thereto a new section, designated §61-10-33, all relating to prohibiting the sale of powdered or crystalline alcohol; defining terms; prohibiting the sale of pure caffeine products; providing exclusions and creating criminal penalties”; to the Committee on Health and Human Resources then the Judiciary.

**By Mr. Speaker (Mr. Armstead), and Delegate Miley
[By Request of the Executive]:**

H. B. 4315 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-8a, relating to air-ambulance fees for emergency treatment or air transportation; allowing providers of air ambulance services not under contract to collect an amount up to the equivalent paid for federal reimbursement for services rendered to employees or dependents; and requiring providers of air ambulance services that enter into a subscription service agreement with employees or dependents to accept the subscription fee as payment in full for services rendered”; to the Committee on Banking and Insurance then Finance.

By Delegates Espinosa, Ellington, Duke, Perry, Moye, Upson, Wagner, Ambler, Cooper, D. Evans and Kelly:

H. B. 4316 — “A Bill to amend and reenact §18A-4-2a of the Code of West Virginia, 1931, as amended, relating to reimbursement of certification fee for National Board for Professional Teaching Standards certification; and requiring the submission of satisfactory evidence to the West Virginia Department of Education for reimbursement”; to the Committee on Education then Finance.

Daily Calendar

Third Reading

Com. Sub. for H. B. 2130, Including law-enforcement officers among those professionals the assault or battery of which leads to enhanced criminal penalties; 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. 16**), and there were—yeas 91, nays 7, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Azinger, Border, Faircloth, Folk, McGeehan, Miller and Sobonya.

Absent and Not Voting: Flanigan and Manchin.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2130) passed.

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

H. B. 4005, Repealing prevailing hourly rate of wages requirements; on third reading, coming up in regular order, was read a third time.

Delegate Sponaugle was addressing the House when Delegate Sobonya arose to a point of order, regarding the content of the Gentleman's remarks, to which the Speaker replied point well taken and asked the Gentleman from the 55th to confine his remarks to the question before the House.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 17**), and there were—yeas 55, nays 44, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Bates, Blackwell, Boggs, Byrd, Campbell, Canterbury, Caputo, Eldridge, Ferro, Fleischauer, Fluharty, Guthrie, Hamilton, Hanshaw, Hartman, Hicks, Hornbuckle, Kelly, Longstreth, Lynch, Manchin, Marcum, Miley, Moore, Morgan, Moye, Perdue, Perry, Pethel, Phillips, Pushkin, Reynolds, Rodighiero, Rohrbach, Romine, Rowe, Shaffer, Skinner, P. Smith, Sponaugle, Storch, Trecost, Wagner and P. White.

Absent and Not Voting: Flanigan.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 4005) passed.

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

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. 4189, Expiring funds to the unappropriated balance in State Fund, General Revenue, from the Department of Revenue,

Com. Sub. for H. B. 4227, Adding citizen members to the Real Estate Appraiser Licensing and Certification Board,

Com. Sub. for H. B. 4230, Adding citizen members to the board of Registration for Professional Engineers,

Com. Sub. for H. B. 4238, Adding citizen members to the board of Professional Surveyors,

And,

Com. Sub. for H. B. 4241, Adding citizen members to the Real Estate Commission.

Leaves of Absence

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

Remarks of Members

Delegate Lane asked and obtained unanimous consent that the remarks of Delegates Boggs, Butler, Campbell, Caputo, Cowles, Deem, Ferro, Fluharty, Folk, Guthrie, Hicks, Hornbuckle, Householder, Howell, Ihle, Ireland, Manchin, Miley, Pethel, Pushkin, Reynolds, Shaffer, Skinner, Sponaule and Walters regarding the passage of H. B. 4005 be printed in the Appendix to the Journal.

Miscellaneous Business

Delegate Stansbury filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. B. 4177.

Delegate Pushkin filed a form with the Clerk's Office per House Rule 94b to be removed as a cosponsor of H. B. 4258.

Delegate Stansbury filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. B. 4258.

At 3:13 p.m., the House of Delegates adjourned until 11:00 a.m., Thursday, January 28, 2016.

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

HOUSE ABSTRACT

2016 Regular Session

CONTAINING

Active House Bills as of January 27, 2016

*Denotes Committee Substitutes

ACTIVE HOUSE BILLS

- *2130. By Del. Westfall, Espinosa, Hamrick, McCuskey, Stansbury, White, B. and Ihle - **Including law-enforcement officers among those professionals the assault or battery of which leads to enhanced criminal penalties** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/27/2016
- 2147. By Del. Folk, Hamilton, Frich, Shott, Householder, Ireland, Weld, Gearheart, Hanshaw and Azinger - **Requiring the circuit court, when appointing counsel for alleged protected persons, to make appointments from a listing of all interested attorneys in the circuit** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - Title amended - To Senate 1/27/2016 - To Judiciary
- 2584. By Del. Rohrbach, Sobonya, Shott, Miller, Hicks, Reynolds and Rowe - **Allowing a judge to excuse a potential juror from jury duty until a later date based on seasonal employment** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- *2588. By Del. Nelson, E., Lane, Kurcaba, O'Neal, Westfall, McCuskey, Byrd, Gearheart, Storch and Espinosa - **Relating to the filing of financial statements with the Secretary of State** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- 2796. By Mr. Speaker (Mr. Armstead) - **Providing paid leave for certain state officers and employees during a declared state of emergency** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Government Organization
- *2800. By Del. Miller, Ferro, Sobonya, Border, Rohrbach, Folk and Eldridge - **Adding law-enforcement officers' contact information and names of family members to the list of exemptions from public records requests** (original similar to SB 310) - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- 4005. By Del. Cowles, Duke, Foster, Gearheart, Miller, Overington, Shott, Walters, Waxman, Westfall and Householder - **Repealing prevailing hourly rate of wages requirements**

(original similar to SB2) - Introduced 1/13/2016 - To Government Organization - Laid over until 1/25/16 - Written motion to suspend Rule 95c rejected - Passed House 1/27/2016

4009. By Del. Statler, Ambler, Cooper, Ellington, Evans, D., Moffatt, Romine, Storch, Wagner, Weld and Zatezalo - **Letting Our Counties Act Locally Act** (original similar to SB12, SB135) - Introduced 1/13/2016 - To Roads and Transportation then Finance - To House Finance 1/27/2016
- *4038. By Del. Ellington, Summers, Bates, Faircloth, Householder, Rohrbach and Stansbury - **Relating to insurance requirements for the refilling of topical eye medication** - Introduced 1/18/2016 - To Health and Human Resources - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Health and Human Resources
4064. By Del. Sobonya, Frich and Moffatt - **Department of Health and Human Resources, rule relating to child care licensing requirements** (original similar to SB196) - Introduced 1/18/2016 - To Health and Human Resources then Judiciary - To House Judiciary 1/27/2016
4065. By Del. Sobonya, Frich and Moffatt - **Department of Health and Human Resources, rule relating to family child care facility licensing requirements** (original similar to SB197) - Introduced 1/18/2016 - To Health and Human Resources then Judiciary - To House Judiciary 1/27/2016
4110. By Del. Sobonya, Frich and Moffatt - **Department of Health and Human Resources, rule relating to farmers market vendors** (original similar to SB191) - Introduced 1/18/2016 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 1/27/2016
4117. By Del. Sobonya, Frich and Moffatt - **Department of Health and Human Resources, rule relating to family child care home registration requirements** (original similar to SB198) - Introduced 1/18/2016 - To Health and Human Resources then Judiciary - To House Judiciary 1/27/2016
4138. By Del. Sobonya, Frich and Moffatt - **Department of Transportation, rule relating to rail fixed guideway systems state safety oversight** (original similar to SB243) - Introduced 1/18/2016 - To Roads and Transportation then Judiciary - To House Judiciary 1/27/2016
4141. By Del. Sobonya, Frich and Moffatt - **Human Rights Commission, rule relating to the Pregnant Workers' Fairness Act** (original similar to SB216) - Introduced 1/18/2016 - To Industry and Labor then Judiciary - To House Judiciary 1/27/2016
4142. By Del. Sobonya, Frich and Moffatt - **Board of Examiners for Speech-Language Pathology and Audiology, rule relating to speech-language pathology and audiology assistants** (original similar to SB240) - Introduced 1/18/2016 - To Health and Human Resources then Judiciary - To House Judiciary 1/27/2016
4163. By Del. Howell, Arvon, Moffatt, Westfall, McCuskey, Miller, Cadle, Walters, Zatezalo, Kelly and Ellington - **Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes** - Introduced 1/20/2016 - To Political Subdivisions then Judiciary - To House Political Subdivisions 1/20/2016 - To House Judiciary 1/27/2016

4170. By Del. Ambler, Evans, D., Cooper, Lynch, Trecost, Upson, Rowan, White, B., McCuskey, Eldridge and Stansbury - **Removing restrictions for hunting or trapping on private lands on Sundays** - Introduced 1/20/2016 - To Agriculture and Natural Resources then Judiciary - To House Agriculture and Natural Resources 1/20/2016 - To House Judiciary 1/27/2016
4189. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Expiring funds to the unappropriated balance in State Fund, General Revenue, from the Department of Revenue** - Introduced 1/20/2016 - To Finance - To House Finance 1/20/2016 - On 2nd reading, House Calendar 1/28/2016
4200. By Del. Gearheart, Householder, Ellington, Ambler, Cooper, Azinger, McGeehan, Wagner, Shott, Hamrick and Westfall - **Eliminating courtesy patrol programs** - Introduced 1/21/2016 - To Roads and Transportation then Finance - To House Finance 1/27/2016
4218. By Del. Miley and Cowles [By Request of the Executive] - **Expanding the definition of “underground facility” in the One-Call System Act** - Introduced 1/21/2016 - To Energy then Judiciary - To House Judiciary 1/27/2016
- *4227. By Del. Howell, Arvon, Zatezalo, Border, Phillips, Hartman, Ihle, Cadle, Moffatt, Atkinson and Morgan - **Adding citizen members to the Real Estate Appraiser Licensing and Certification Board** - Introduced 1/22/2016 - To Government Organization - On 2nd reading, House Calendar 1/28/2016
- *4230. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Smith, R., Hamrick and Morgan - **Adding citizen members to the board of Registration For Professional Engineers** - Introduced 1/22/2016 - To Government Organization - On 2nd reading, House Calendar 1/28/2016
4235. By Del. Shott - **Relating to the publication requirements of the administration of estates** - Introduced 1/22/2016 - To Judiciary - On 1st reading, House Calendar 1/28/2016
- *4238. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Smith, R., Hamrick and Morgan - **Adding citizen members to the board of Professional Surveyors** - Introduced 1/22/2016 - To Government Organization - On 2nd reading, House Calendar 1/28/2016
- *4241. By Del. Howell, Arvon, Zatezalo, Border, Phillips, Hartman, Ihle, Cadle, Moffatt, Atkinson and Morgan - **Adding citizen members to the Real Estate Commission** - Introduced 1/22/2016 - To Government Organization - On 2nd reading, House Calendar 1/28/2016
4282. By Del. Howell, Hamrick, Hill, Ihle, Hartman, Phillips, Moffatt, Atkinson, Faircloth, Morgan and Zatezalo - **Reorganizing certain code provisions that organize the executive branch of state government** - Introduced 1/26/2016 - To Government Organization then Judiciary - To House Judiciary 1/27/2016

BILLS INTRODUCED AND REFERRED

Wednesday, January 27, 2016

4288. By Del. McGeehan, Hill, Faircloth, Ihle and Nelson, J. - **Save the Hospitals Act** - Introduced 1/27/2016 - To Health and Human Resources then Finance
4289. By Mr. Speaker (Mr. Armstead), Del. Miley, Bates, Lane and Shott - **Relating to grand juries** (original similar to HB4206, SB343) - Introduced 1/27/2016 - To Judiciary
4290. By Del. Marcum and White, P. - **Relating to the Laurel Lake Wildlife Management Fund** (original similar to HB4247) - Introduced 1/27/2016 - To Agriculture and Natural Resources then Finance
4291. By Del. Nelson, J., Phillips, Moffatt, Espinosa, Westfall, Perdue, Upson, Lane, Moye, Mr. Speaker (Mr. Armstead) and Del. Miley - **Increasing penalties for teachers who commit sexual offenses against children** - Introduced 1/27/2016 - To Education then Judiciary
4292. By Del. Marcum, Phillips, Hamilton, Hicks, Rodighiero, Westfall, Sobonya, Smith, R., White, P., Moye and Byrd - **Increasing criminal incarceration penalties for the transportation of controlled substances into the state** (original similar to HB4240) - Introduced 1/27/2016 - To Select Committee on Prevention and Treatment of Substance Abuse then Judiciary
4293. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to the West Virginia Controlled Substances Monitoring Program database** - Introduced 1/27/2016 - To Select Committee on Prevention and Treatment of Substance Abuse then Judiciary
4294. By Del. Miley [By Request of the Executive] - **Eliminating the consumers sales and service tax exemption on purchases of certain materials by a second party in construction or maintenance of a highways project** (original similar to SB356) - Introduced 1/27/2016 - To Roads and Transportation then Finance
4295. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to the School Innovation Zones Act** - Introduced 1/27/2016 - To Education then Finance
4296. By Del. Rowan, Cooper, Evans, D., Moye, Perry, Ambler, Wagner, Fast, Duke, Campbell and Ferro - **Permitting county boards of education to accumulate instructional days and use them when needed** (original similar to HB4167) - Introduced 1/27/2016 - To Education then Finance
4297. By Del. Cadle, Foster, Border, Statler, McCuskey, Upson, Zatezalo, Blair, Stansbury, Hill and Kessinger - **Increasing penalties for destruction or theft of election campaign advertising** - Introduced 1/27/2016 - To Judiciary
4298. By Del. Rohrbach, Upson, Sobonya, Miller, Reynolds, Campbell and Cooper - **Changing the age effective date of children for whom county boards of education must provide kindergarten programs** (original similar to HB4028, HB4171) - Introduced 1/27/2016 - To Education then Finance

4299. By Del. Nelson, J., Phillips, Moffatt, Smith, R., McCuskey, Wagner, Bates, Eldridge, Stansbury, Arvon and Miley - **Increasing the amount volunteer fire companies or paid fire departments may charge for reimbursement** - Introduced 1/27/2016 - To Political Subdivisions then Finance
4300. By Del. Espinosa, Upson, Householder, Blair, Faircloth, Folk, Duke, Howell, McGeehan, Zatezalo and Overington - **Relating to changes in distribution of net terminal income, excess net terminal income and excess lottery fund** (original similar to HB4148) - Introduced 1/27/2016 - To Judiciary then Finance
4301. By Del. Espinosa, Westfall, Ambler, Cooper, Evans, D., Statler, Hamrick, Kurcaba, Rohrbach, Upson and Householder - **Relating to a framework for initiating comprehensive transformation of school leadership** - Introduced 1/27/2016 - To Education then Finance
4302. By Mr. Speaker (Mr. Armstead), Del. Bates, Miley, Lane and Shott - **Relating to the Commission on Special Investigations** (original similar to SB344) - Introduced 1/27/2016 - To Judiciary
4303. By Del. Cooper, Evans, D., Ambler and Rowan - **Providing a salary increase for special education teachers** - Introduced 1/27/2016 - To Education then Finance
4304. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to the allocation of premiums for employers and employees in the Public Employees Insurance Agency** (original similar to SB353) - Introduced 1/27/2016 - To Banking and Insurance then Finance
4305. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Authorizing transportation network companies to operate in the state** - Introduced 1/27/2016 - To Roads and Transportation then Finance
4306. By Del. Rowan, Border, Fast, Stansbury, Moye, Campbell, Overington, Romine, Hamilton, Perry and Phillips - **Prohibiting persons who have committed crimes against the elderly from performing any court ordered public service involving the elderly** (original similar to SB361) - Introduced 1/27/2016 - To Senior Citizen Issues then Judiciary
4307. By Del. Summers, Mr. Speaker (Mr. Armstead), Blair, Azinger, Waxman, McGeehan, Overington, Ihle, Phillips and Eldridge - **Clarifying that a firearm may be carried for self defense in state parks, state forests and state recreational areas** (original similar to SB122) - Introduced 1/27/2016 - To Agriculture and Natural Resources then Judiciary
4308. By Del. Rowan, Border, Fast, Stansbury, Moye, Campbell, Overington, Romine, Duke, Phillips and Ferro - **Barring persons who are convicted of certain criminal offenses from acquiring property from their victims** - Introduced 1/27/2016 - To Senior Citizen Issues then Judiciary
4309. By Del. Rowan, Border, Fast, Stansbury, Moye, Campbell, Overington, Romine, Duke, Pethel and Ferro - **Increasing criminal penalties for conviction of certain offenses of financial exploitation of an elderly person** (original similar to HB4306, SB362) - Introduced 1/27/2016 - To Senior Citizen Issues then Judiciary

4310. By Del. O'Neal, Anderson, Espinosa, Nelson, E., Arvon, Bates, Fleischauer, Frich, Statler, Kurcaba and Miley - **Relating to the West Virginia University Institute of Technology** (original similar to SB386) - Introduced 1/27/2016 - To Education
4311. By Del. Howell, Arvon, Blair, Phillips, Hartman, Ihle, Cadle, McGeehan, Moffatt, Atkinson and Morgan - **Adding citizen members to the Board of Landscape Architects** - Introduced 1/27/2016 - To Government Organization
4312. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Smith, R., Hamrick and Morgan - **Adding citizen members to the Board of Accountancy** (original similar to SB271) - Introduced 1/27/2016 - To Government Organization
4313. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Moffatt, Atkinson and Morgan - **Adding citizen members to the board of Architects** (original similar to HB4311) - Introduced 1/27/2016 - To Government Organization
4314. By Del. Rohrbach, Stansbury, Bates, Ellington, Householder, Miller, Perdue, Waxman and White, B. - **Prohibiting the sale of powdered or crystalline alcohol** - Introduced 1/27/2016 - To Health and Human Resources then Judiciary
4315. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to air-ambulance fees for emergency treatment or air transportation** - Introduced 1/27/2016 - To Banking and Insurance then Finance
4316. By Del. Espinosa, Ellington, Duke, Perry, Moye, Upson, Wagner, Ambler, Cooper, Evans, D. and Kelly - **Relating to reimbursement of certification fee for National Board for Professional Teaching Standards certification** - Introduced 1/27/2016 - To Education then Finance

ALL HOUSE JOINT RESOLUTIONS OFFERED

2. By Del. Romine, Walters and Rowan - **Super-Majority Required for Passage of Tax Bill Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
3. By Del. Lane - **Homestead Exemption Increase Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
4. By Del. Caputo, Manchin and Longstreth - **The "Homestead Exemption Increase Amendment"** - Introduced 1/13/2016 - To Judiciary then Finance
5. By Del. Rodighiero, Hicks, Perdue, Marcum, Reynolds, Eldridge and Moye - **The "Homestead Exemption Increase Amendment"** - Introduced 1/13/2016 - To Judiciary then Finance
8. By Del. Overington, Walters, Deem, Gearheart, Householder, Sobonya, Moffatt, Cadle, Foster, Frich and Blair - **The "Initiative, Referendum, and Recall Amendment"** - Introduced 1/13/2016 - To Judiciary

9. By Del. Overington, Walters, Householder, Moffatt, Butler, Frich, Gearheart, Blair, Deem, Phillips and Foster - **The Super-Majority Required for Passage of Tax Bill Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
10. By Del. Overington, Walters, Householder, Kelly, Foster, Gearheart, Upson, Deem, Phillips and Shott - **Prohibiting the Governmental Taking of Private Property for Private Use Amendment** - Introduced 1/13/2016 - To Judiciary
12. By Del. Sponaule, Longstreth, Hartman, Marcum, Hicks, Byrd, Hamilton, Perdue, Guthrie and Phillips - **The Right to Hunt and Fish in West Virginia Amendment** - Introduced 1/13/2016 - To Judiciary
13. By Del. Overington, Householder, Moffatt, Espinosa, Upson, Frich, Phillips, Perdue, Hanshaw, Border and Miller - **The Homestead Exemption Increase Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
14. By Del. Hamrick, Sobonya, Miller, Butler, Rohrbach and Nelson, J. - **The School Board Election Amendment** - Introduced 1/13/2016 - To Judiciary
16. By Del. Kurcaba, Hill, Faircloth, Wagner and Ihle - **The Term Limitations Amendment.** - Introduced 1/13/2016 - To Judiciary
18. By Del. Reynolds, Pushkin, Perry, Hornbuckle, Campbell, Byrd, Rohrbach and Bates - **The Removal of Governor's veto power for education spending in budget and appropriations bills.** - Introduced 1/13/2016 - To Finance then Judiciary
20. By Del. Reynolds, Moffatt, Rodighiero, Hicks, Lynch, Trecost and Bates - **Term Limitation Amendment** - Introduced 1/13/2016 - To Judiciary
21. By Del. Rodighiero - **The Citizens' Redistricting Commission Amendment** - Introduced 1/13/2016 - To Judiciary
22. By Del. Hamilton, O'Neal, Hanshaw, Kessinger, Blair, Weld, Foster, Hill, Ireland, Campbell and Marcum - **The Right to Hunt, Fish and Harvest Wildlife Amendment** - Introduced 1/13/2016 - To Judiciary
23. By Del. Sponaule, Perdue, Hornbuckle, Marcum, Pushkin, Lynch, Hartman, Phillips and Campbell - **The Volunteer Emergency Service Personnel Property Tax Exemption Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
24. By Del. Sponaule, Perdue, Fluharty, Hornbuckle, Trecost, Marcum, Pushkin, Byrd and Lynch - **The Veteran's Property Tax Exemption Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
25. By Del. Cowles - **The Disabled Veteran Exemption From Ad Valorem Property Taxation Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
26. By Del. Lane and Shott - **The Constitutional Officers Term Limit Amendment** - Introduced 1/13/2016 - To Judiciary

27. By Del. Stansbury, Householder, Summers, Ellington, Perdue, Phillips, Nelson, J., Ambler, White, B., Rohrbach and Westfall - **Right to hunt, fish and harvest wildlife** - Introduced 1/18/2016 - To Agriculture and Natural Resources then Judiciary
28. By Del. Deem - **Relating to the creation of a Citizens Redistricting Commission to redistrict Senate, House of Delegates and Congressional Districts** - Introduced 1/20/2016 - To Judiciary - To House Judiciary 1/20/2016
29. By Del. Campbell, Cooper, Ferro, Kurcaba, Perry, Morgan, Pethtel, Kessinger, Statler, Wagner and Romine - **Reducing the length of terms for members of the West Virginia Board of Education** - Introduced 1/20/2016 - To Education then Judiciary - To House Education 1/20/2016
30. By Del. Foster - **Exemption from ad valorem taxation of manufacturing inventory and equipment** - Introduced 1/21/2016 - To Finance then Judiciary
31. By Del. Howell, Mr. Speaker (Mr. Armstead), Espinosa, Stansbury, Frich, Butler, Cadle, Blair, Cooper, Hamrick and Waxman - **Property tax limitation and homestead exemption amendment of 1982** - Introduced 1/21/2016 - To Finance then Judiciary
32. By Del. Deem and Overington - **Redistricting of Senate, House of Delegates and Congressional Districts** - Introduced 1/26/2016 - To Judiciary
33. By Del. Sobonya, Moffatt, Miller, Frich, Rohrbach, Butler, Cowles, Householder, Kurcaba and Summers - **Supervision of Free Schools** - Introduced 1/26/2016 - To Education then Judiciary
34. By Del. Sobonya, Moffatt, Miller, Rohrbach, Cadle, Summers, Cowles, Nelson, J., Kurcaba, Ihle and Frich - **Supervision of Free Schools** - Introduced 1/27/2016 - To Education then Judiciary
35. By Del. Shaffer, Smith, R., Lynch, Smith, P., Blackwell, Faircloth, Byrd and Ireland - **Senior Citizen Homestead Valuation Amendment** - Introduced 1/27/2016 - To Finance then Judiciary

ALL HOUSE CONCURRENT RESOLUTIONS OFFERED

1. By Mr. Speaker (Mr. Armstead) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016 - To Senate 1/13/2016 - Committee reference dispensed - Adopted by Senate 1/14/2016
2. By Del. Rowan and Cowles - **U.S. Army PV2 William Frederick Kump Memorial Bridge** - Introduced 1/14/2016 - To Roads and Transportation then Rules
3. By Del. Rowan and Cowles - **North River Mills Historic Trace** - Introduced 1/14/2016 - To Roads and Transportation then Rules
4. By Del. Rowan - **CSA LTG Thomas J. "Stonewall" Jackson Bridge** - Introduced 1/14/2016 - To Roads and Transportation then Rules

5. By Del. Ambler, Canterbury and Cowles - **U.S. Army PV2 Eskridge A. Waggoner Memorial Bridge** - Introduced 1/15/2016 * - To Roads and Transportation then Rules
6. By Del. Phillips, Marcum, Eldridge, Moffatt and White, P. - **U.S. Army CPL F. Lee Noel Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
7. By Del. Miller, Morgan, Moffatt, Hornbuckle, Reynolds, Sobonya and Rohrbach - **U.S. Army PFC Cecil Ray Ball Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
8. By Del. Westfall, McCuskey, White, B., Atkinson, Stansbury, Blair, Foster, Ihle, Butler and Storch - **Harry Ripley Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
9. By Del. Kelly, Kessinger, Azinger, Statler, Evans, D., Zatezalo, Weld, McGeehan, Ireland, Border and Nelson, J. - **Navy Chief Petty Officer Nicholas Heath Null Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
10. By Del. White, P., Phillips, Marcum and Eldridge - **U.S. Marine Corps GySgt Lionel Collins Memorial Road** - Introduced 1/21/2016 - To Roads and Transportation then Rules
11. By Del. Campbell, Moye, Rowan, Espinosa, Wagner, Hornbuckle, White, P., Marcum, Phillips, Stansbury and Hamilton - **World Autism Awareness Day** - Introduced 1/21/2016 - To Rules
12. By Del. Campbell, Hartman, Sponaugle, Espinosa, Wagner, White, P., Stansbury, Perry and Hamilton - **Cheat Mountain Salamander as the State symbol of conservation** - Introduced 1/21/2016 - To Agriculture and Natural Resources then Rules
13. By Del. Cooper and Ambler - **U.S. Army SPC 4 Everette R. Johnson Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
14. By Del. Howell, Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Azinger, Border, Butler, Cadle, Cooper, Cowles, Duke, Ellington, Espinosa, Evans, D., Frich, Hamrick, Hanshaw, Hill, Householder, Ihle, Ireland, Kelly, Kessinger, Kurcaba, McGeehan, Miller, Moffatt, O'Neal, Overington, Rowan, Shott, Smith, R., Sobonya, Stansbury, Statler, Storch, Walters, Waxman and Zatezalo - **Second Friday in July as West Virginia Collector Car Appreciation Day** - Introduced 1/21/2016 - To Roads and Transportation then Rules
15. By Mr. Speaker (Mr. Armstead) - **U.S. Marine Corps PFC Clayton Andrew Craft Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
16. By Del. Morgan, Perdue, Hornbuckle, Sobonya, Rohrbach, Miller, Reynolds and Hicks - **U.S. Army PFC John Ira Pinkerman Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules

17. By Del. Phillips, Marcum, Rodighiero and White, P. - **SGT Larry Joseph Whitt Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
18. By Del. Phillips, Marcum, Rodighiero and White, P. - **U.S. Air Force Staff Sergeant William Henry 'Bill' Whitman Memorial Highway** - Introduced 1/21/2016 - To Roads and Transportation then Rules
19. By Del. Waxman, Trecost, Miley and Hamrick - **H. Laban White Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
20. By Del. Cooper, Evans, D., Nelson, J., Fleischauer, Longstreth, Rowan and Weld - **Funding for the West Virginia National Guard** - Introduced 1/21/2016 - To Veterans' Affairs and Homeland Security then Rules
21. By Del. Howell, Blair, Cowles, Duke, Espinosa, Evans, A., Faircloth, Fleischauer, Folk, Frich, Householder, Kurcaba, Flanigan, Overington, Rowan, Shaffer, Skinner, Smith, R., Statler and Upson - **Study impact of reimbursing the State of Maryland for the use of its helicopter Maryland Trooper Five for runs into West Virginia** - Introduced 1/22/2016 - To Finance then Rules
22. By Del. White, B., Miller, Lane, Cowles, Evans, A., Kessinger, Shott, McCuskey, Sobonya, Stansbury, Byrd, Mr. Speaker (Mr. Armstead), Atkinson, Azinger, Blackwell, Blair, Deem, Ellington, Faircloth, Fleischauer, Folk, Hamrick, Householder, Ireland, Kelly, Kurcaba, McGeehan, Nelson, E., Overington, Pushkin, Rohrbach, Rowan, Rowe, Shaffer, Smith, P., Smith, R., Statler, Storch, Upson, Waxman, Weld, Westfall and Zatezalo - **U. S. Army SGT Gary Lee DeBoard Memorial Intersection** - Introduced 1/25/2016 - To Roads and Transportation then Rules
23. By Del. Marcum, Rodighiero, Phillips, White, P., Moffatt, Eldridge, Westfall and McGeehan - **Ingram's Way** - Introduced 1/25/2016 - To Roads and Transportation then Rules
24. By Del. Marcum, Phillips, Hamrick, White, P., Nelson, J., Smith, R., Arvon and Howell - **Cpl. Ronald Duke Varney Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
25. By Del. Howell, Evans, A., Rowan and Smith, R. - **Frosty the Snowman Day** - Introduced 1/26/2016 - To Rules
26. By Del. Romine, Rowan, Pethtel and Hamilton - **Corporal Gary Wayne Weekley Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
27. By Del. Hamrick, Trecost, Waxman and Miley - **Michael Angiulli Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules

ALL HOUSE RESOLUTIONS OFFERED

1. By Mr. Speaker (Mr. Armstead) - **Authorizing the appointment of employees for this, the Second Regular Session of the 82nd Legislature, 2016** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016

2. By Mr. Speaker (Mr. Armstead) - **Authorizing printing and distribution of Acts of the Legislature and Journals of the House of Delegates** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
3. By Mr. Speaker (Mr. Armstead) - **Creating a Select Committee on Prevention and Treatment of Substance Abuse** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
4. By Del. O'Neal, Cooper, Moye, Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Azinger, Bates, Blackwell, Blair, Boggs, Border, Butler, Byrd, Cadle, Campbell, Canterbury, Caputo, Cowles, Deem, Duke, Eldridge, Ellington, Espinosa, Evans, A., Evans, D., Faircloth, Fast, Ferro, Fleischauer, Fluharty, Folk, Foster, Frich, Gearheart, Guthrie, Hamilton, Hamrick, Hanshaw, Hartman, Hicks, Hill, Hornbuckle, Householder, Howell, Ihle, Ireland, Kelly, Kessinger, Kurcaba, Lane, Longstreth, Lynch, Manchin, Marcum, McCuskey, McGeehan, Miley, Miller, Moffatt, Moore, Morgan, Nelson, E., Nelson, J., Overington, Perdue, Perry, Pethtel, Phillips, Pushkin, Reynolds, Rodighiero, Rohrbach, Romine, Rowan, Rowe, Shaffer, Shott, Skinner, Smith, P., Smith, R., Sobonya, Sponaugle, Stansbury, Statler, Storch, Summers, Trecost, Upson, Wagner, Walters, Waxman, Weld, Westfall, White, B., White, P. and Zatezalo - **Memorializing the life of the Honorable Arnold W. Ryan** - Introduced 1/18/2016 - Reference dispensed - Adopted by House 1/18/2016
5. By Del. Howell, Arvon, Atkinson, Cadle, Canterbury, Fast, Folk, Foster, Gearheart, Hamrick, Ihle, Ireland, Kessinger, Flanigan, Overington, Phillips, Wagner, Waxman and Zatezalo - **Expressing concern of the House of Delegates to the growth of the federal government's power over the individual states of the United States** - Introduced 1/25/2016 - To Rules
6. By Del. Howell, Evans, A., Rowan and Smith, R. - **Honoring the town of Piedmont's 160th anniversary** - Introduced 1/26/2016 - To Rules
7. By Del. Sobonya, Arvon, Azinger, Rohrbach, Deem, Duke, Espinosa, Evans, A., Faircloth, Fast, Fleischauer, Folk, Frich, Hamilton, Hamrick, Hicks, Hill, Howell, Ihle, Kelly, Kessinger, Marcum, McCuskey, Moffatt, Morgan, Moye, Pushkin, Rodighiero, Romine, Rowan, Rowe, Shaffer, Smith, P., Stansbury, Statler, Storch, Waxman, Weld, Westfall, Zatezalo, Mr. Speaker (Mr. Armstead) and Del. Blackwell - **Designating that the month of April be proclaimed as Sarcoidosis Awareness Month beginning in 2016.** - Introduced 1/26/2016 - To Rules

HOUSE BILLS PASSED HOUSE AND COMMUNICATED TO SENATE

- *2101. By Del. Morgan, Caputo, Faircloth, Folk, Howell and Smith, R. - **Eliminating obsolete government entities** - Introduced 1/13/2016 - To Government Organization - Passed House 1/21/2016 - To Senate 1/25/2016 - To Government Organization
- *2130. By Del. Westfall, Espinosa, Hamrick, McCuskey, Stansbury, White, B. and Ihle - **Including law-enforcement officers among those professionals the assault or battery of which leads to enhanced criminal penalties** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/27/2016

2147. By Del. Folk, Hamilton, Frich, Shott, Householder, Ireland, Weld, Gearheart, Hanshaw and Azinger - **Requiring the circuit court, when appointing counsel for alleged protected persons, to make appointments from a listing of all interested attorneys in the circuit** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - Title amended - To Senate 1/27/2016 - To Judiciary
2584. By Del. Rohrbach, Sobonya, Shott, Miller, Hicks, Reynolds and Rowe - **Allowing a judge to excuse a potential juror from jury duty until a later date based on seasonal employment** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- *2588. By Del. Nelson, E., Lane, Kurcaba, O'Neal, Westfall, McCuskey, Byrd, Gearheart, Storch and Espinosa - **Relating to the filing of financial statements with the Secretary of State** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
2796. By Mr. Speaker (Mr. Armstead) - **Providing paid leave for certain state officers and employees during a declared state of emergency** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Government Organization
- *2800. By Del. Miller, Ferro, Sobonya, Border, Rohrbach, Folk and Eldridge - **Adding law-enforcement officers' contact information and names of family members to the list of exemptions from public records requests** (original similar to SB 310) - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- *4002. By Del. Howell, Anderson, Mr. Speaker (Mr. Armstead), Faircloth, Frich, Hanshaw, McCuskey, Rohrbach, Summers, Shott and Walters - **Relating to rule making under the state Administrative Procedures Act** (original similar to SB3) - Introduced 1/13/2016 - To Judiciary - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - Title amended - To Senate 1/26/2016 - To Government Organization
4005. By Del. Cowles, Duke, Foster, Gearheart, Miller, Overington, Shott, Walters, Waxman, Westfall and Householder - **Repealing prevailing hourly rate of wages requirements** (original similar to SB2) - Introduced 1/13/2016 - To Government Organization - Laid over until 1/25/16 - Written motion to suspend Rule 95c rejected - Passed House 1/27/2016
- *4007. By Del. Rohrbach, Weld, Espinosa, Cooper, Butler, Waxman, Moffatt, Arvon, Cowles, Hill and Anderson - **Relating generally to appointment of attorneys to assist the Attorney General** (original similar to SB8) - Introduced 1/13/2016 - To Judiciary - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - To Senate 1/26/2016 - To Judiciary
- *4031. By Del. Frich, Sobonya, Howell, Moffatt, Hanshaw, McCuskey, Shott, Overington, Mr. Speaker (Mr. Armstead), Rowe and Fleischauer - **Requiring agencies to respond to public comments received during the rule-making process** - Introduced 1/15/2016 - To Government Organization - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - Title amended - To Senate 1/26/2016 - To Government Organization
4033. By Del. Ellington, Summers, Householder, Rohrbach, Stansbury, Waxman, Perdue and Rodighiero (Originating in House Health and Human Resources) - **Adding criminal**

penalties for the unauthorized practice of pharmacists care - Introduced 1/15/2016 - Passed House 1/20/2016 - To Senate 1/21/2016 - To Health and Human Resources then Judiciary - To Health and Human Resources 1/21/2016

- *4038. By Del. Ellington, Summers, Bates, Faircloth, Householder, Rohrbach and Stansbury - **Relating to insurance requirements for the refilling of topical eye medication** - Introduced 1/18/2016 - To Health and Human Resources - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Health and Human Resources

ALL SENATE BILLS PASSED BY SENATE AND COMMUNICATED TO HOUSE

1. By Sen. Cole (Mr. President), Blair, Boso, Ferns, Gaunch, Trump, Carmichael, Sypolt and Takubo - **Establishing WV Workplace Freedom Act** (original similar to HB4006) - Introduced 1/13/2016 - To Judiciary - Amended - Passed Senate 1/21/2016 - To House 1/25/2016 - To Judiciary
- *13. By Sen. Carmichael, Boso, Gaunch, Leonhardt, Trump, Walters, Blair, Takubo, Miller and Unger - **Increasing penalties for overtaking and passing stopped school buses** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate with amended title 1/26/2016 - To House 1/27/2016 - To Judiciary
32. By Sen. Palumbo, Beach and Miller - **Relating to withdrawal of candidates for office and filling vacancies** - Introduced 1/13/2016 - To Judiciary - Amended - Passed Senate 1/26/2016 - To House 1/27/2016 - To Judiciary
- *102. By Sen. Trump, Boso and Gaunch - **Conforming to federal Law-Enforcement Officers Safety Act** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate 1/26/2016 - To House 1/27/2016 - To Judiciary
107. By Sen. Trump - **Uniform Interstate Depositions and Discovery Act** - Introduced 1/13/2016 - To Judiciary - Passed Senate with amended title 1/27/2016
- *157. By Sen. Maynard - **Authorizing Department of Revenue to promulgate legislative rules** (original similar to HB4088) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate 1/27/2016 - Effective from passage
- *195. By Sen. Maynard - **Authorizing DHHR to promulgate legislative rules** (original similar to HB4114) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/21/2016 - Passed Senate 1/27/2016 - Effective from passage
- *263. By Sen. Blair and Snyder - **Allowing travel and other expense reimbursement for members of Municipal Home Rule Board** - Introduced 1/13/2016 - To Government Organization - Com. sub. reported 1/15/2016 - Passed Senate 1/20/2016 - To House 1/21/2016 - To Political Subdivisions then Finance
311. By Sen. Snyder, Romano, Gaunch, Kessler and Blair - **Allowing permanent exception for mortgage modification or refinancing loan under federal Making Home Affordable program** - Introduced 1/18/2016 - To Government Organization - Passed Senate 1/26/2016 - To House 1/27/2016 - To Banking and Insurance then Finance

323. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano and Williams - **Correcting statute subsection designations regarding trespassing on property** - Introduced 1/19/2016 - To Judiciary - Passed Senate with amended title 1/26/2016 - To House 1/27/2016 - To Judiciary
- *342. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Decreasing appropriations from State Fund, General Revenue to DHHR, Division of Human Services and Bureau of Senior Services** - Introduced 1/21/2016 - To Finance - Com. sub. reported 1/27/2016 - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage
357. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund** (original similar to HB4229) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage
360. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation to Division of Human Services** (original similar to HB4149) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage
364. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation expiring funds from General Revenue** (original similar to HB4189) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage

HOUSE CONCURRENT RESOLUTIONS ADOPTED BY BOTH HOUSES

1. By Mr. Speaker (Mr. Armstead) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor** - Adopted 1/13/2016

HOUSE CALENDAR

Thursday, January 28, 2016

16th Day

11:00 A. M.

SECOND READING

- H. B. 4189 - Expiring funds to the unappropriated balance in State Fund, General Revenue, from the Department of Revenue (E. NELSON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 4227 - Adding citizen members to the Real Estate Appraiser Licensing and Certification Board (HOWELL) (REGULAR)
- Com. Sub. for H. B. 4230 - Adding citizen members to the board of Registration For Professional Engineers (HOWELL) (REGULAR)
- Com. Sub. for H. B. 4238 - Adding citizen members to the board of Professional Surveyors (HOWELL) (REGULAR)
- Com. Sub. for H. B. 4241 - Adding citizen members to the Real Estate Commission (HOWELL) (REGULAR)

FIRST READING

- H. B. 4235 - Relating to the publication requirements of the administration of estates (SHOTT) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

THURSDAY, JANUARY 28, 2016

HOUSE CONVENES AT 11:00 A. M.

**PUBLIC HEARING – COMMITTEE ON THE JUDICIARY
8:30 A.M. HOUSE CHAMBER**

S. B. 1, ESTABLISHING WV WORKPLACE FREEDOM ACT

**PUBLIC HEARING – COMMITTEE ON THE JUDICIARY
9:30 A.M. HOUSE CHAMBER
H. B. 4012, WEST VIRGINIA RELIGIOUS FREEDOM RESTORATION ACT**

**COMMITTEE ON SMALL BUSINESS, ENTREPRENEURSHIP
9:00 A.M. – 215E**

**COMMITTEE ON BANKING & INSURANCE
10:00 A.M. – 215E**

**COMMITTEE ON SENIOR CITIZEN ISSUES
1:00 P.M. – 434M**

**COMMITTEE ON ENERGY
2:00 P.M. – 418M**

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

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

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