

West Virginia Legislature

JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Fourth Legislature  
First Regular Session

Held at Charleston  
Published by the Clerk of the House



January 16, 2019  
EIGHTH DAY



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Wednesday, January 16, 2019

**EIGHTH DAY**

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

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

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

The Clerk proceeded to read the Journal of Tuesday, January 15, 2019, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Committee Reports**

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

Your Committee on the Judiciary has had under consideration:

**H. B. 2190**, Modifying bail requirements,

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

**Com. Sub. for H. B. 2190** - "A Bill to amend and reenact §62-1C-1a of the Code of West Virginia, 1931, as amended, relating to the authorization to release a defendant or a person arrested upon his or her own recognizance; requiring a court or magistrate to release a person charged with certain misdemeanor offenses on his or her own recognizance except for good cause shown,"

With the recommendation that the committee substitute do pass.

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

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

**H. B. 2077**, Prohibiting smoking in an enclosed motor vehicle when a child under the age of eight is present,

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. 2077) 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. 2319**, Creating a state-administered wholesale drug importation program,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2319) 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. 2311**, Exempting short-term license holders to submit information to the State Tax Commission once the term of the permit has expired,

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

### **Resolutions Introduced**

Delegates Rowe, Robinson and Estep-Burton offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 6** - "Requesting the Division of Highways name bridge number 20-60-36.23 (20A160), locally known as U. S. 60 Cedar Grove Overpass 3565 Bridge, carrying U. S. 60 over County Route 81, Kanawha County, the 'U. S. Army PFC Earl Russell Cobb, SPC4 Carl Bradford Goodson, and SSGT George T. Saunders Jr. Memorial Bridge'."

Whereas, Earl Russell Cobb, known throughout his life as "Russell", was born on October 24, 1946, and grew up in Kanawha County, West Virginia; and

Whereas, Russell Cobb graduated from Cedar Grove High School in the Class of 1966; and

Whereas, Russell Cobb entered the United States Army to serve as a Private First Class in the 22nd Infantry Regiment of the 25th Infantry Division; and

Whereas, Private First Class Cobb was killed in action on September 4, 1967, just five months into his tour of duty and is now listed on panel 25E, line 96, of the Vietnam Veterans Memorial in Washington, D.C.; and

Whereas, Carl Bradford "Punkin" Goodson was born on October 14, 1948, and grew up in Kelly's Creek outside of Cedar Grove, West Virginia; and

Whereas, Carl Bradford Goodson graduated from Cedar Grove High School in the Class of 1967 and was a member of the Church of God at Ward, West Virginia; and

Whereas, Carl Bradford Goodson served in the United States Army, Light Weapons Infantry, 101st Airborne Division with the rank of Specialist 4; and

Whereas, Specialist Goodson was killed in action on April 6, 1970, just five months into his tour of duty and is now listed on panel 12W, line 101, of the Vietnam Veterans Memorial in Washington, D.C., and is buried in the Ward Cemetery at Ward, West Virginia; and

Whereas, George Thomas Saunders Jr. was born on February 28, 1942, and grew up in the community of Cedar Grove, West Virginia; and

Whereas, George Thomas Saunders Jr. graduated from Cedar Grove High School in the Class of 1959; and

Whereas, George Thomas Saunders Jr. joined the United States Army, served six years, and attained the rank of Staff Sergeant; and

Whereas, Staff Sergeant Saunders was posted to the First Military Police Company in the First Infantry Division in the Republic of Vietnam in 1965; and

Whereas, Staff Sergeant Saunders was killed in hostile fire on October 31, 1965, less than two weeks into his tour of duty and is now listed on panel 3E, line 10, of the Vietnam Veterans Memorial in Washington, D.C., and is buried at Woodland Cemetery in Cedar Grove, West Virginia; and

Whereas, It is fitting that an enduring, local memorial be established to commemorate the service of Private Cobb, Specialist Goodson, and Sergeant Saunders and the sacrifice of three young men from the community of Cedar Grove, West Virginia; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 20-60-36.23 (20A160), locally known as U. S. 60 Cedar Grove Overpass 3565 Bridge, carrying U. S. 60 over County Route 81, Kanawha County, the "U. S. Army PFC Earl Russell Cobb, SPC4 Carl Bradford Goodson, and SSGT George T. Saunders Jr. Memorial Bridge"; and, be it

*Further Resolved,* That the Commissioner of the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U. S. Army PFC Earl Russell Cobb, SPC4 Carl Bradford Goodson, and SSGT George T. Saunders Jr. Memorial Bridge"; and, be it

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

Delegates Rowe, Robinson and Estep-Burton offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 7** - "Requesting the Division of Highways name bridge number 20-83-8.49 (20A266), locally known as Standard Bridge, carrying County Route 83 Spur over Paint Creek in Kanawha County, the 'Kidd Brothers Bridge'."

Whereas, Charles Edward Kidd was born on March 26, 1918, and served in the U. S. Army in World War II; and

Whereas, Having arrived at Pearl Harbor on December 6, 1941, Charles Edward Kidd was awakened the following morning, December 7, 1941, by the infamous Japanese air attack; and

Whereas, Howard Clifford Kidd was born on April 25, 1920, and served in the U. S. Air Force in World War II; and

Whereas, Frank James Kidd was born on January 20, 1922, and served in the U. S. Army in World War II; and

Whereas, Frank James Kidd was a medic on the beach during the Allied invasion of Normandy on June 6, 1944; and

Whereas, Fred Alfred Kidd was born on February 11, 1924, and served in the U. S. Air Force in World War II; and

Whereas, Mark Edgar Kidd was born on November 7, 1925, and served in the U. S. Marine Corps in World War II; and

Whereas, Mark Kidd was in the Iwo Jima and Okinawa invasions, and during the latter invasion he saw the bomb drop on Hiroshima, saying, "It gave us a pretty good jar."; and

Whereas, While on Iwo Jima, Mark Kidd also witnessed another momentous event, the raising of the flag, which Joe Rosenthal memorialized in his iconic photograph; and

Whereas, Narry Wesley Kidd Jr. was born on October 31, 1934, and served in the U. S. Navy in the Korean War; and

Whereas, The six Kidd brothers were the sons of Wesley and Annie Kidd, who also had seven daughters; and

Whereas, Narry Wesley Kidd Jr. remembers that when his five brothers served during World War II, his mother placed a miniature flag and a star on the front window of their home in Standard for each of them while they were in the service; and

Whereas, The five Kidd brothers were among the 54 men from Standard who served their country during World War II, and were among the 52 who returned home; and

Whereas, Of the six brothers, only Narry Wesley Kidd, Jr, is still living; and

Whereas, The Kidd family remembers that the brothers never discussed among themselves their service in the armed forces; and

Whereas, It is appropriate to name this bridge to honor the six Kidd brothers' service to their state and; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Commissioner of the Division of Highways is hereby requested to name bridge number 20-83-8.49 (20A266), locally known as Standard Bridge, carrying County Route 83 Spur over Paint Creek in Kanawha County, the "Kidd Brothers Bridge"; and, be it

*Further Resolved,* That the Division of Highways is requested to have made and be placed signs identifying the bridge as the "Kidd Brothers Bridge"; and, be it

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

### Petitions

Delegate Rowe presented a petition signed by citizens of the State supporting implementation of the Make a Plan (MAP) for Alzheimer's disease; which was referred to the Committee on Finance.

### Bills Introduced

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

**By Delegate Pushkin:**

**H. B. 2445** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §1-2-2a, creating the Independent Redistricting Commission of the Joint Committee on Government and Finance; establishing the Redistricting Commission's purpose and composition; providing qualifications and appointment procedure for commission members; establishing a process for filling commission vacancies; establishing that commission members are not to receive compensation; providing for approved reimbursement of commission member expenses; providing for payment of necessary equipment and materials; requiring the commission to acquire appropriate information; requiring the commission to develop programs and procedures to draw congressional and legislative redistricting plans on the basis of the federal census; to prepare congressional and legislative redistricting; requiring the commission plan and propose congressional and legislative districts; providing specific criteria that the redistricting office must observe in proposing district mappings; requiring the redistricting office to advertise a proposed draft map of districts to the public; requiring a period for public comment on the proposed redistricting plan; providing for members of the legislature to make inquiries about the commission's methodology or proposed redistrict mapping; requiring the commission to publish a report and final proposals for district boundaries; requiring a recommended redistricting plan to the Legislature including identical bills for consideration by the House and Senate; requiring the full Legislature to vote on plan ratification; providing for subsequent submissions of plans and vote by Legislature; requiring that commission certify to the Secretary of State that its final proposal for district boundaries is in accordance with Constitutional and legal requirements; and prohibiting certain persons from influencing or attempting to influence district mapping proposals of the redistricting office; and providing for completion of the commission's work with certain exceptions"; to the Committee on the Judiciary then Finance.

**By Delegate Hollen:**

**H. B. 2446** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-3C-1, §15-3C-2, §15-3C-3, §15-3C-4, §15-3C-5, §15-3C-6, and §15-3C-7 of said code, all relating to the establishment of an alert system for law-enforcement officers missing in the line of duty or person suspected of killing or inflicting life threatening injuries upon a law-enforcement officer who remain at large; providing legislative findings and declarations relative to the Blue Alert plan; establishment of a Blue Alert program; definitions; activation of a Blue Alert; notice to participating media; broadcasting of a Blue Alert; notification to the Department of Transportation, the Division of Highways and the West Virginia Turnpike Commission of the Blue Alert; termination of the Blue Alert; immunity from criminal or civil liability; and authorization to promulgate guidelines and procedural rules"; to the Committee on the Judiciary.

**By Delegates Kump, Householder, McGeehan and Cooper:**

**H. B. 2447** - "A Bill to amend and reenact §49-2-113 of the Code of West Virginia, 1931, as amended, relating to exempting kindergartens, preschools and school education programs that are operated by a private school whose accreditation includes its preschool classes and is recognized by

the State Department of Education under Policy 2330 from state licensure requirements”; to the Committee on Education then Finance.

**By Delegates Robinson, Dean, Martin, P., Rohrbach, Campbell, Cooper, Pack, Atkinson, Miller, Canestraro and Lovejoy:**

**H. B. 2448** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-42; and to amend said code by adding thereto a new section, designated §18-2B-9; 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 §18-33-1, §18-33-2, §18-33-3, and §18-33-4, all relating to vocational and technical education programs; requiring State Board and Commerce Department create lists of apprenticeships and certifications and credentials to provide students; providing for Governor’s Workforce Credential initiative; creating a career and technical education pilot program to introduce middle school students career and technical education opportunities in the state and requiring county school districts to provide certain information to students; establishing the Governor’s Workforce Credential; establishing requirements for the Governor’s Workforce Credential; mandating graduation recognition for recipients of credential; and creating monetary incentive for schools who graduate recipients of credential”; to the Committee on Education then Finance.

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

**H. B. 2449** - “A Bill to amend and reenact §18-2-6 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §18-2E-11; to amend and reenact §18-9A-2 of said code; and to amend said code by adding thereto a new article, designated §18C-9-1, §18C-9-2, §18C-9-3, §18C-9-4, §18C-9-5, and §18C-9-6, all relating generally to increasing access to career education and workforce training; establishing Advanced Career Education (ACE) programs and pathways; providing that certain high school graduates shall be considered adults enrolled in regular secondary programs for funding purposes; requiring community and technical colleges establish partnerships with career technical education centers, county boards of education, or both that provide for ACE programs; providing requirements for ACE programs and pathways; requiring the Board of Education (Board) and the West Virginia Council for Community and Technical College Education (Council) promulgate joint guidelines; requiring the division of vocational education and the Council maintain and annually report certain information; providing that community and technical colleges and career technical education centers shall participate in one or more ACE partnership in order to receive certain funding; establishing the WV Invests Grant Program; defining terms; authorizing the Council to award WV Invests Grants under certain terms and conditions; requiring the Council to report certain information on the WV Invests Grant Program; requiring the Council to promulgate rules; providing eligibility and renewal requirements for a WV Invests Grant; requiring applicants enter into certain agreements; establishing the WV Invests Fund”; to the Committee on Education then Finance.

**By Delegate Rowe:**

**H. B. 2450** - “A Bill to amend and reenact §18-2-6 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §18-2E-11; to amend and reenact §18-9A-2 of said code; to amend and reenact §18C-1-5 of said code, and to amend said code by adding thereto a new article, designated §18C-9-1, §18C-9-2, §18C-9-3, §18C-9-4, §18C-9-5, and §18C-9-6, all relating generally to increasing access to career education and workforce training; establishing Advanced Career Education (ACE) programs and pathways; providing that certain individuals who have completed a secondary education program in a public, private, or home school shall be considered adults enrolled in regular secondary programs for funding purposes; altering the membership of the Higher Education Student Financial Aid Advisory Board; requiring community and technical colleges establish partnerships with career technical education centers,

county boards of education, or both that provide for ACE programs; providing requirements for ACE programs and pathways; requiring the Board of Education and the West Virginia Council for Community and Technical College Education promulgate joint guidelines; requiring the Division of Vocational Education and the council maintain and annually report certain information; providing that community and technical colleges and career technical education centers shall participate in one or more ACE partnership in order to receive certain funding; establishing the WV Invests Grant Program; defining terms; authorizing the council to award WV Invests Grants under certain terms and conditions; requiring the council to report certain information on the WV Invests Grant Program; requiring the council to propose legislative rules; providing eligibility and renewal requirements for a WV Invests Grant; requiring applicants enter into certain agreements; and establishing the WV Invests Fund”; to the Committee on Education then Finance.

**By Delegate Rowe:**

**H. B. 2451** - “A Bill to amend and reenact §18C-1-1, §18C-1-3 and §18C-1-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §18C-7A-1, §18C-7A-2, §18C-7A-3, §18C-7A-4, §18C-7A-5, §18C-7A-6, §18C-7A-7, and §18C-7A-8, all relating to creation of a merit-based scholarship program for tuition and fee payments for certain students attending state community and technical college education and public career and technical education centers programs; establishing the Katherine Johnson Hope Scholarship Program; providing that the program is merit based that provided funding up to four semesters of the equivalent for certain students; providing legislative findings and purpose; providing eligibility requirements and conditions; defining terms; providing that the West Virginia Higher Education Policy Commission administer the program; authorizing legislative rulemaking by the commission; authorizing the Commission to enter into contracts and take other necessary actions to implement and administer the program; and establishing a special revenue fund”; to the Committee on Education then Finance.

**By Delegate Hanshaw (Mr. Speaker) and Delegate Miley**

**[By Request of the Executive]:**

**H. B. 2452** - “A Bill to repeal §5A-6-4a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §5A-6B-1, §5A-6B-2, §5A-6B-3, §5A-6B-4, and §5A-6B-5, all relating to cybersecurity of state government; removing the requirements of the Chief Technology Officer to oversee security of government information; creating the Cybersecurity Office; defining terms; providing that the Chief Information Security Officer to oversee the Cybersecurity Office; authorizing the Chief Information Security Officer to create a cybersecurity framework, to assist and provide guidance to agencies in cyber risk strategy and setting forth other duties; providing rule-making authority; requiring agencies to undergo cyber risk assessments; establishing scope of authority; exempting certain state entities; designating reporting requirements; requiring agencies to address any cybersecurity deficiencies; and exempting information related to cyber risk from public disclosure”; to the Committee on Technology and Infrastructure then Government Organization.

**By Delegate Rowe:**

**H. B. 2453** - “A Bill to amend §62-12-13 of the Code of West Virginia, 1931, as amended, relating to eligibility for parole; providing that any inmate of a state correctional institution is eligible to petition for parole when good time credits and actual time served equal 30 years”; to the Committee on the Judiciary.

**By Delegates Rowe, Estep-Burton and Robinson:**

**H. B. 2454** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-23a, relating to allowing low income senior citizens to receive certain tax credits without filing a state income tax return”; to the Committee on Senior, Children, and Family Issues then Finance.

**By Delegates Paynter, Dean, Maynard, Cooper, C. Martin, McGeehan, Linville, Campbell, Storch, R. Thompson and Cadle:**

**H. B. 2455** - "A Bill to amend and reenact §11-19-2 of the Code of West Virginia, 1931, as amended, relating to redirecting excise tax revenue on bottled soft drinks from West Virginia University schools to the Public Employees Insurance Agency"; to the Committee on Banking and Insurance then Finance.

**By Delegates Kump and McGeehan:**

**H. B. 2456** - "A Bill to amend and reenact §3-1-8 of the Code of West Virginia, 1931, as amended, relating to the definition of a political party for all state and local elections; providing official ballot status to a political party that has received at least one percent of the votes in the preceding general election for a statewide office or has at least 5,000 voters registered as members of that party; and making the definition applicable to municipalities"; to the Committee on the Judiciary.

**By Delegates Kump, Householder, McGeehan and Cooper:**

**H. B. 2457** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-24a, relating to creating the Educational Equality Act; authorizing a tax credit for parents and legal guardians whose children attend a nonpublic school; prohibiting the creation of additional regulations over the education of a child whose parent or legal guardian receives the tax credit; and authorizing rulemaking"; to the Committee on Education then Finance.

**By Delegates Kump, Householder, McGeehan, Cooper and Malcolm:**

**H. B. 2458** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17B-8-1, relating to providing that West Virginia will not participate in the REAL ID Act of 2005 enacted by the United States Congress in Public Law 109-13"; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegate Shott:**

**H. B. 2459** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-2-3a, relating to exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law"; to the Committee on the Judiciary.

**By Delegate Williams:**

**H. B. 2460** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §48-10A-101, §48-10A-102, §48-10A-201, §48-10A-202, §48-10A-203, §48-10A-204, §48-10A-301, §48-10A-401, §48-10A-402, §48-10A-403, §48-10A-501, §48-10A-502, §48-10A-601, §48-10A-602, §48-10A-701, §48-10A-702, §48-10A-801, §48-10A-802, §48-10A-901, §48-10A-902, §48-10A-1001, §48-10A-1002, §48-10A-1101, and §48-10A-1201; and to amend and reenact §51-2A-2 of said code, all relating to the creation of a statutory right to petition circuit and family courts in West Virginia for sibling visitation with minor children"; to the Committee on Senior, Children, and Family Issues then the Judiciary.

**By Delegate Williams:**

**H. B. 2461** - "A Bill to amend and reenact §61-8-19 of the Code of West Virginia, 1931, as amended, relating to cruelty to animals; defining food, water, shelter and treatment; providing specifics for tethering an animal; providing for seizure of an animal for violations; increasing criminal penalties; and providing that a person in violation of this statute for a second time shall be added to a state-wide, publicly available, do not adopt or sell, registry"; to the Committee on Agriculture and Natural Resources then the Judiciary.

**By Delegate Hollen:**

**H. B. 2462** - "A Bill to amend and reenact §15A-3-10 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of the Division of Corrections and Rehabilitation to issue a certificate to correctional employees to carry firearms in the course of their duties; establishing training requirements for the issuance of the certificate; establishing the form of the

certificate; and requiring the correctional employee to carry the certificate at all times when carrying a firearm or weapon in the course of his or her duties”; to the Committee on the Judiciary.

**By Delegate Williams:**

**H. B. 2463** - “A Bill to amend and reenact §21-5C-2 of the Code of West Virginia, 1931, as amended, relating to increasing the minimum wage based upon increases in the consumer price index”; to the Committee on Industry and Labor then Finance.

**By Delegate Williams:**

**H. B. 2464** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-22e, relating to county boards of education; and requiring boards to provide free feminine hygiene products in grades six through 12”; to the Committee on Education then Finance.

**By Delegate Fast:**

**H. B. 2465** - “A Bill to amend and reenact §24A-1-3 of the Code of West Virginia, 1931, as amended, relating to commercial motor carriers generally; providing an exemption from regulation by the Public Service Commission for motor vehicles used exclusively in the transportation of roll-off solid waste containers; and requiring the commission to propose rules for legislative approval to implement the amended provisions of this section”; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegates Pack, Steele, Graves, Worrell, Howell, Paynter, Caputo and C. Martin:**

**H. B. 2466** - “A Bill to amend and reenact §9A-1-10 of the Code of West Virginia, 1931, as amended, relating to providing for state employees to drive veterans to and from certain appointments”; to the Committee on Veterans’ Affairs and Homeland Security then Finance.

**By Delegates Howell, Hanna, Hott, Steele, Linville, Pack, Phillips, Cadle, Worrell, Hill and Wilson:**

**H. B. 2467** - “A Bill to amend and reenact §61-7-4 of this Code of West Virginia, 1931, as amended, relating to permitting nonresidents to obtain state licenses to carry a concealed deadly weapon; providing that concealed weapons licenses may only be issued for pistols and revolvers; establishing a fee; and providing how that fee is to be used”; to the Committee on the Judiciary.

**By Delegates Cooper, Hartman and R. Thompson:**

**H. B. 2468** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-1-4e; and to amend and reenact §19-12A-6a of said code, all relating to establishing and funding a special revenue fund to be known as the ‘Department of Agriculture Capital Improvements Fund’; creating the fund; providing for administration by Department of Agriculture; identifying sources of moneys for said fund; identifying expenditures that may be made from said fund; providing for funds to remain at end of each fiscal year; eliminating certain deposits in the General Revenue Account; permitting deposits into certain funds; and making technical corrections”; to the Committee on Agriculture and Natural Resources then Finance.

## Special Calendar

### Third Reading

**H. B. 2164**, Clarifying that appeals to the Supreme Court are a matter of right; 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. 1**), and there were—yeas 100, nays none, absent and not voting none.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2164) 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. 2351**, Relating to regulating prior authorizations; 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. 2**), and there were—yeas 100, nays none, absent and not voting none.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2351) passed.

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

### **Second Reading**

**Com. Sub. for H. B. 2028**, Limiting supervision of laying of lines on state rights-of-way; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Harshbarger, the bill was amended on page one, section nine-b, line one, by striking out the words “water or sewer lines” and inserting in lieu thereof the words “water lines, sewer lines, utilities or pipelines”.

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 2038**, Relating to the procedure to determine if an occupation or profession should be regulated; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for H. B. 2128**, Allowing state employees to take paid leave to attend parent-teacher conference for their children; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for H. B. 2183**, Clarifying where a charge of DUI may be brought against an individual; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

### **First Reading**

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

**H. B. 2185**, Relating to the removal of animals left unattended in motor vehicles,

And,

**Com. Sub. for H. B. 2307**, Relating to creating a provisional license for practicing barbering and cosmetology.

**Miscellaneous Business**

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

- Delegate Cadle for H. B. 2070
- Delegate Capito for H. B. 2408
- Delegate Cowles for H. B. 2203 and H. B. 2441
- Delegate Ellington for H. B. 2201
- Delegate Jennings for H. B. 2203
- Delegate Kump for H. B. 2445
- Delegate Lovejoy for H. B. 2340
- Delegate Rohrbach for H. B. 2345
- Delegate Westfall for H. B. 2421
- Delegates Fleischauer, Fluharty, D. Kelly, Pushkin and Wilson for H. B. 2190

At 11:35 a.m., the House of Delegates adjourned until 11:00 a.m., Thursday, January 17, 2019.

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



**SPECIAL CALENDAR**

**Thursday, January 17, 2019**

**9<sup>th</sup> Day**

**11:00 A. M.**

**THIRD READING**

- Com. Sub. for H. B. 2028 - Limiting supervision of laying of lines on state rights-of-way (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2038 - Relating to the procedure to determine if an occupation or profession should be regulated (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2128 - Allowing state employees to take paid leave to attend parent-teacher conference for their children (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2183 - Clarifying where a charge of DUI may be brought against an individual (SHOTT) (REGULAR)

**SECOND READING**

- H. B. 2185 - Relating to the removal of animals left unattended in motor vehicles (SHOTT) (REGULAR) (JUDICIARY COMMITTEE AMENDMENT PENDING)
- Com. Sub. for H. B. 2307 - Relating to creating a provisional license for practicing barbering and cosmetology (HOWELL) (REGULAR)

**FIRST READING**

- Com. Sub. for H. B. 2190 - Modifying bail requirements (SHOTT) (REGULAR)
- H. B. 2311 - Exempting short-term license holders to submit information to the State Tax Commission once the term of the permit has expired (HOWELL) (REGULAR)



# House Calendar

Thursday, January 17, 2019

9<sup>th</sup> Day

11:00 A. M.

**NO BILLS**



**WEST VIRGINIA  
HOUSE OF DELEGATES**

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**THURSDAY, JANUARY 17, 2019**

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**HOUSE CONVENES AT 11:00 A.M.**

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**SMALL BUSINESS, ENTREPRENEURSHIP AND ECONOMIC DEVELOPMENT  
9:00 A.M. – ROOM 215E**

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

**SENIOR, CHILDREN, AND FAMILY ISSUES  
1:00 P.M. – ROOM 215E**

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

**PREVENTION AND TREATMENT OF SUBSTANCE ABUSE  
3:30 P.M. – ROOM 215E**

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