

West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Fourth Legislature
Second Regular Session

Held at Charleston
Published by the Clerk of the House



January 8, 2020
FIRST DAY

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Charleston, Wednesday, January 8, 2020

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

This being the day fixed by Section 18, Article VI of the Constitution of the State of West Virginia for the annual assembly of the Legislature, the Members of the House of Delegates met in their Chamber in the Capitol Building in the City of Charleston, at 12:00 noon and were called to order for the Second Regular Session of the Eighty-Fourth Legislature by the Speaker, the Honorable Roger Hanshaw.

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

Delegate Summers arose to suggest the absence of a quorum, the Clerk opened the machine for the roll to be taken (**Roll No. 1**), and 96 Delegates having answered to their names, the Speaker declared the presence of a quorum. The absent being as follows:

Absent: Espinosa, Fleischauer, Hornbuckle and Skaff.

On motion of Delegate Summers, the Speaker was authorized to appoint a committee of three to notify the Senate that the House of Delegates had assembled for the Second Regular Session of the 84th Legislature, as provided by Section 18, Article VI of the Constitution of the State, with a quorum present, and was ready to proceed to the business of the session.

Whereupon,

The Speaker appointed as members of such committee the following:

Delegates Nelson, P. Martin and Campbell.

On motion of Delegate Summers, the Speaker was authorized to appoint a committee of three to join with a similar committee of the Senate to inform His Excellency, the Governor, that the Legislature had assembled in Regular Session as provided by Section 18, Article VI of the Constitution of the State, with a quorum of each house present, was ready to enter into the business of the session and to convey to him that it would be pleased to receive any communication he may desire to present.

Whereupon,

The Speaker appointed as members of such committee the following:

Delegates Jennings, Phillips and Byrd.

Resolutions Introduced

The following House Joint Resolutions from the First Regular Session of the 84th Legislature were reintroduced and referred to the various standing committees pursuant to House Rule 92a:

House Joint Resolutions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 20, 22, 24, 25, 26, 27, 28 and 29.

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

H. C. R. 2 - "Requesting the Division of Highways name a portion of WV 3, starting at the eastern city limits of Union and ending at the intersection with CR 11, Keenan Road, in Monroe County, the 'Vietnam Veterans Memorial Highway'."

Whereas, The members of Vietnam Veterans of America, Chapter 1108, of Union, West Virginia, seek to honor the service of Vietnam veterans from all branches of our nation's military; and

Whereas, The members of Vietnam Veterans of America, Chapter 1108, request that a portion of WV 3 be dedicated to the memory of these men and women; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a portion of WV 3, starting at the eastern city limits of Union and ending at the intersection with CR 11, Keenan Road, in Monroe County, the 'Vietnam Veterans Memorial Highway'; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to erect signs at both ends of the portion of road containing bold and prominent letters proclaiming the road as 'Vietnam Veterans Memorial Highway'; 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.

Delegate Cooper offered the following resolution, which was read by its title and referred to the Committee on Veterans' Affairs and Homeland Security then Rules:

H. C. R. 3 - "Requesting the West Virginia Department of Veterans Assistance to research and make recommendations regarding construction of a veterans' nursing home facility in Summers County."

Whereas, West Virginia has one of the highest proportions of its citizens in older age groups and many of these citizens have also served in the armed forces of our country; and

Whereas, There is only one nursing home facility dedicated to the care of veterans in this state and that facility is located in the northern half of the state at considerable distance from many of the state's communities and residents; and

Whereas, Aging veterans and their families benefit greatly by having access to a full-time residential care facility that is easily accessible in their own region; and

Whereas, The suitability of construction of such a facility in the southern portion of West Virginia is properly determined through an investigation of all relevant factors such as, but not limited to,

access to the state veterans' community, site geography, comparative costs for construction and administration of the facility, and the additional economic benefits to the local economy; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby requests the West Virginia Department of Veterans Assistance to research and make recommendations regarding construction of a veterans' nursing home facility in Summers County; and, be it

Further Resolved, That the Legislature hereby requests the department to submit a written report of its research and findings to the Legislature by December 31, 2019; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Secretary of the Department of Veterans Assistance.

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

By Delegates Cowles, Foster, Criss, Porterfield, Waxman, Espinosa, Hamrick and Householder:

H. J. R. 101 – “Proposing an amendment to the Constitution of the State of West Virginia amending sections three, six, and eight, article VIII, thereof, relating to the Judiciary; providing rulemaking oversight of the West Virginia Supreme Court of Appeals, circuit courts, and of rules governing the censure, temporary suspension, removal and retirement of justices, judges and magistrates; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on the Judiciary.

And,

By Delegates Espinosa, Bibby, Criss, Waxman, Porterfield, Cowles, Hamrick, Foster, Householder and Ellington:

H. J. R. 102 - “Proposing an amendment to the Constitution of the State of West Virginia amending section two, article XII thereof, relating to providing for rulemaking oversight of the West Virginia Board of Education; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on the Judiciary.

Delegate Hanshaw, Mr. Speaker, offered the following resolution, which was read by the Clerk as follows:

H. C. R. 1 – “Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor.”

WHEREAS, His Excellency, the Governor, has advised that he will be pleased to address a Joint Assembly of the Senate and House of Delegates at the convenience of the two houses; therefore, be it

Resolved by the Legislature of West Virginia:

That His Excellency, the Governor, be hereby invited to address a Joint Assembly of the Legislature at 7:00 o'clock postmeridian this day; and, be it

Further Resolved, That the President of the Senate and the Speaker of the House of Delegates appoint three members of each of the respective houses of the Legislature as a committee to wait upon His Excellency, the Governor, and escort him into the Hall of the House of Delegates at the time herein appointed for hearing the address.

At the respective requests of Delegate Summers, and by unanimous consent, reference of the resolution (H. C. R. 1) to a committee was dispensed with, and it was taken up for immediate consideration, and adopted.

Whereupon,

In accordance with the provisions of the resolution, the Speaker appointed as members of the committee to wait upon His Excellency, the Governor, the following:

Delegates Jennings, Phillips and Byrd.

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

Delegate Hanshaw, Mr. Speaker, offered the following resolution, which was read by the Clerk as follows:

H. R. 1 – “Authorizing the appointment of employees for this, the Second Regular Session of the Eighty-fourth Legislature, Two Thousand Twenty”.

Resolved by the House of Delegates:

That the Speaker of the House of Delegates be, and he is hereby, authorized to appoint employees to perform technical, clerical, stenographic, custodial and other services for this session of the Legislature to receive the per diems and salaries as herein provided, as follows:

(1) For per diem employees, the following rates:

Ten Legislative Assistants at \$65.00 - \$105.00

Four Committee Clerks at \$80.00 - \$115.00

Two Committee Assistant Clerks at \$80.00 - \$90.00

Three Analysts at \$100.00 - \$200.00

Eight Attorneys at \$200.00 - \$405.00

One Doorkeeper at \$155.00

Five Assistant Doorkeepers at \$85.00

One Sergeant-at-Arms at \$155.00

One Assistant Sergeant-at Arms at \$85

One Head Page at \$100.00

One Assistant Page at \$100.00

One Clerk Assistant at \$165.00

One Messenger at \$115.00

One Policy Analyst to the Committee on Education at \$250.00

One Paralegal to the Finance Committee at \$115.00

Three Receptionists at \$90.00 - \$115.00

One Copy Clerk at \$85

(2) For salaried full-time employees, the following employees at the following rates, in addition to and exclusive of any experience increment or pay in lieu of an experience increment as may be payable under Section 2, Article 5, Chapter 5 of the Code of West Virginia of 1931, as amended:

One Chief Clerk at ninety-three thousand five hundred and thirty dollars per year;

One Assistant Clerk/Parliamentarian at sixty-seven thousand five hundred and fifty-nine dollars per year;

One Bill Status Clerk at forty-seven thousand five hundred and thirty-four dollars per year;

One Journal Clerk forty-seven thousand five hundred and thirty-four dollars per year;

One Documents Clerk at forty-seven thousand five hundred and thirty-four dollars per year;

One Administrative Assistant to the Clerk's Office at forty-seven thousand five hundred and thirty-four dollars per year;

One Purchasing Agent at forty-seven thousand five hundred and thirty-four dollars per year;

One Communications Director to the House at sixty-eight thousand and thirty dollars per year;

One Chief of Staff at sixty-seven thousand three hundred and seventy dollars per year;

One Counsel to the Speaker at one hundred and nineteen thousand five hundred and twenty-nine dollars per year;

One Assistant to the Speaker at eighty-four thousand five hundred and thirty dollars per year;

One Director of Supplies at forty-seven thousand and thirty dollars per year;

One Maintenance Staff at forty-one thousand four hundred and forty-three dollars per year;

One Maintenance Staff at twenty-nine thousand six hundred and thirty-eight dollars per year;

One Maintenance Staff at twenty-eight thousand five hundred and sixty-five dollars per year;

One Chief Counsel to the Committee on the Judiciary at ninety-three thousand dollars per year;

One Counsel to the Committee on the Judiciary at ninety-two thousand three hundred and seventy dollars per year;

One Legislative Analyst to the Committee on the Judiciary at fifty-four thousand three hundred and seventy dollars per year;

One Administrative Assistant to the Committee on the Judiciary at forty-three thousand three hundred and seventy dollars per year;

One Chief Counsel to the Committee on Education at eighty-five thousand five hundred and thirty dollars per year;

One Legislative Assistant to the Committee on Education at forty-six thousand one hundred and ninety-three dollars per year;

One Chief Counsel to the Committee on Finance at one hundred and seven thousand four hundred and thirty dollars per year;

Two Budget Analysts to the Committee on Finance at fifty-five thousand three hundred and seventy dollars per year;

One Research Analyst to the Committee on Finance at fifty-two thousand three hundred and seventy dollars per year;

One Administrative Assistant to the Finance Committee at forty-seven thousand five hundred and thirty dollars per year;

One Budget Analyst to the Finance Committee at forty-two thousand three hundred and seventy dollars per year;

One Chief Counsel to the Committee on Government Organization at eighty thousand five hundred and thirty dollars per year;

One Administrative Assistant to the Committee on Government Organization at forty-one thousand and twenty-six dollars per year;

One Legislative Analyst to the Committee on Government Organization at forty-six thousand three hundred and thirty dollars per year;

One Chief Counsel to the Committee on Health and Human Resources at eighty-seven thousand three hundred and seventy dollars per year;

One Administrative Assistant to the Committee on Health and Human Resources at forty-one thousand six hundred and thirty dollars per year;

One Analyst to the Committee on Health and Human Resources at thirty-eight thousand three hundred and seventy dollars per year;

One Analyst to the Subject Matter Committees at forty-three thousand five hundred and thirty dollars per year;

One Chief Counsel to the Subject Matter Committees at ninety thousand dollars per year;

One Chief Counsel to the Energy Committee at eighty-three thousand three hundred and seventy dollars per year;

One Clerk to the Energy Committee at forty-three thousand nine hundred and fifty dollars per year;

One Policy Analyst to the Minority Leader at fifty thousand five hundred and forty-two dollars per year;

The Speaker is authorized to appoint or assign additional or present employees and to determine the rate of compensation therefor as he may deem necessary to expedite the work of the House of Delegates; and, be it

Further Resolved, That, in accordance with Chapter 4, Article 2A of the code, the Clerk of the House is hereby authorized to draw his requisitions upon the Auditor for travel expenses and compensation of members of the House of Delegates; and, be it

Further Resolved, That all appointments made under authority of the foregoing provisions of this resolution shall be certified to the Auditor and Treasurer by the Clerk of the House, and the Clerk of the House of Delegates is hereby authorized to draw his requisitions upon the Auditor in favor of the persons so appointed and the Auditor shall honor and pay such requisitions when presented and charge same to the "per diem of officers and employees" fund or "contingent" fund of the House of Delegates. The Clerk shall draw his requisitions in favor of employees for consecutive days or months from the date of their employment at the per diem or salary herein set out until such time as their services shall cease. The Speaker may remove any employee and appoint another in his or her place, and he shall require each of said employees to perform such duties as shall be assigned him or her, and he is hereby given authority to dispense with the services of any employee or employees for any such time or number of days as their services shall not be needed during the session, and they shall not be paid for such time, nor shall other persons be appointed into their places for any such time as they may be suspended when not needed; and, be it

Further Resolved, That the Speaker is hereby authorized to assign employees to such positions and duties as he may deem proper to secure the most efficient and expeditious work during the Session of the Legislature; and be it

Further Resolved, That no person appointed under authority of this resolution and receiving pay hereunder shall concurrently receive compensation from any other department or agency of state government and no person who availed himself or herself of early retirement under the provisions of Senate Bill 10, First Extraordinary Session, 1988, may be appointed under the provisions of this resolution. Notwithstanding designation of positions or duties herein prescribed, any employee may be assigned additional duties by the person by whom appointed, and may be assigned to such positions and duties, as may be deemed proper to serve the most efficient and expeditious work; and, be it

Further Resolved, That following the session, the Speaker is authorized until superseded by subsequent House Resolution, to remove or appoint any employee of the House, and establish such duties and compensation as is deemed appropriate for each employee; and, be it

Further Resolved, That any and all provisions of House Rule 9 in conflict with this resolution are hereby suspended.

At the respective requests of Delegate Summers, and by unanimous consent, reference of the resolution (H. R. 1) to a committee was dispensed with, and it was taken up for immediate consideration, and adopted.

Mr. Hanshaw, Mr. Speaker, offered the following resolution, which was read by the Clerk as follows:

H. R. 2 – “Authorizing printing and distribution of Acts of the Legislature and Journals of the House of Delegates.”

Resolved by the House of Delegates:

That under authority of section thirteen, article one, chapter four of the Code of West Virginia, the Clerk of the House of Delegates is hereby authorized to have printed not to exceed 150 copies of the Acts of the 2020 regular session of the Legislature, bound in buckram, and to include therein the Acts of any extraordinary session which may not have been printed.

The Clerk of the House of Delegates is also authorized to publish not to exceed 150 copies of the Journal of the House of Delegates for the second regular session of the 84th Legislature and to include therein the unpublished Journals of any extraordinary sessions. In addition, there shall be printed twelve official copies of any Journal published, properly bound and designated. A copy of the Journal and a copy of said Acts shall be furnished to each member of the Legislature, upon request of each such member. The Clerk shall retain sufficient copies of the buckram bound Acts to supply legislative offices and the remaining copies shall be retained by the Clerk, for sale by his department.

The Clerk of the House shall provide copies of said Acts for distribution as provided by section six, article eight, chapter fifty-one of the code insofar as such distribution is practicable.

Copies of the Acts of the Legislature or Journals of the House of Delegates may be provided in electronic format if requested or if demand exceeds the number of available printed volumes.

For the work required in indexing, printing and distributing said Acts and in the publication of said Journal of the House of Delegates and for completing other work of the session, the Speaker is hereby authorized to appoint such persons as he may deem necessary to perform technical, clerical, stenographic, custodial and other services required by the House of Delegates.

The Speaker shall certify a list of persons entitled to compensation under authority of this resolution to the Clerk of the House of Delegates, and the Clerk shall draw his requisition in favor of such persons at per diems or at monthly salaries, which shall be paid from the Per Diem of Officers and Employees Fund or the Contingent Fund of the House of Delegates.

At the respective requests of Delegate Summers, and by unanimous consent, reference of the resolution (H. R. 2) to a committee was dispensed with, and it was taken up for immediate consideration, and adopted.

Mr. Hanshaw, Mr. Speaker, offered the following resolution, which was read by the Clerk as follows:

H. R. 3 – “Amending the Rules of the House of Delegates, relating to remarks by members.”

Resolved by the House of Delegates:

That House Rule 65 be amended to read as follows:

“Daily

65. The daily order of business shall be as follows:

- I. To read, correct, and approve the Journal.
- II. Introduction of guests.
- III. To receive and consider reports of standing committees.
- IV. To receive and consider reports of select committees.
 - V. To receive and consider messages from the Executive, state officials, and other communications and remonstrances.
 - VI. To receive messages from the Senate, and consider amendments proposed by the Senate to bills passed by the House.
- VII. To receive (a) resolutions, (b) petitions, (c) motions.
 - VIII. Bills introduced on motion for leave and referred to appropriate committees.
 - IX. To act on unfinished business of the preceding day, and resolutions lying over from previous day, but no resolution shall lose its place on the calendar by not being acted upon on the day following that on which it was offered.
 - X. House and Senate Bills on third reading.
 - XI. House and Senate Bills on second reading.
 - XII. House and Senate Bills on first reading.
 - XIII. To act upon leave of absence for members.
 - XIV. ~~Remarks by members of the House.~~
- ~~Item XIV, Remarks by members of the House, shall not be operative after the forty-seventh day of the session.~~
- ~~XV.~~ Introduction of guests.
- ~~XVI~~ XV. Miscellaneous business.”

And that the Rules of the House of Delegates be amended by adding thereto a new rule, designated Rule 65b, as follows:

“Remarks by Members

65b. On each day the House meets in actual session prior to the forty-seventh day of the session, the Speaker shall announce a time when the chamber of the House shall be available for remarks by members of the House. The House shall convene at such time to receive such remarks, and the

Speaker or a designee of the Speaker shall preside. No quorum is necessary to proceed with the receipt of remarks by members of the House, and nothing herein shall prohibit committees from meeting when the House convenes solely for the purpose of remarks by members. Any member desiring to speak shall seek recognition, and upon recognition by the Presiding Officer, may speak for up to five minutes upon any topic of interest to the House. The Presiding Officer shall preserve order and decorum while the House is in session for the duration of remarks. During this designated time for receipt of remarks by members, no motion shall be in order save for a motion to adjourn remarks by members. Remarks made during the pendency of remarks by members may be entered into the appendix to the journal as provided for herein. The time allotted for remarks by members shall expire:

(A) After all member desiring to speak have exhausted their allotted time; or

(B) After six hours; or

(C) At the close of the legislative day, whichever occurs first.”

The Speaker referred the resolution to the Committee on Rules.

At the request of Delegate Summers, and by unanimous consent, the applicable provisions of House Rule 136, relating to privileges of the floor, were suspended for the Joint Assembly, and approved activities during the Session to permit invited guests the privileges of the floor.

Bills Introduced

The following House Bills from the First Regular Session of the 84th Legislature were reintroduced and referred to the various standing committees pursuant to House Rule 92a:

House Bills 2002, 2007, 2008, 2012, 2013, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2037, 2039, 2040, 2041, 2043, 2044, 2045, 2046, 2047, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2062, 2063, 2064, 2065, 2066, 2068, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2080, 2085, 2086, 2087, 2088, 2091, 2093, 2094, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2117, 2118, 2119, 2120, 2122, 2123, 2124, 2125, 2126, 2127, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2147, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2176, 2177, 2180, 2185, 2186, 2187, 2188, 2192, 2194, 2195, 2197, 2198, 2199, 2201, 2202, 2203, 2207, 2208, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2221, 2222, 2224, 2227, 2228, 2303, 2306, 2308, 2309, 2310, 2312, 2314, 2315, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2325, 2327, 2328, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2344, 2345, 2347, 2348, 2350, 2353, 2367, 2368, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2380, 2381, 2382, 2383, 2386, 2387, 2392, 2393, 2394, 2395, 2397, 2401, 2402, 2403, 2404, 2406, 2417, 2418, 2419, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2438, 2442, 2443, 2444, 2445, 2447, 2448, 2453, 2454, 2455, 2456, 2457, 2458, 2460, 2461, 2463, 2464, 2465, 2468, 2471, 2473, 2477, 2478, 2487, 2488, 2489, 2491, 2494, 2495, 2496, 2497, 2502, 2505, 2508, 2512, 2517, 2519, 2520, 2526, 2527, 2528, 2529, 2535, 2537, 2542, 2543, 2544, 2548, 2549, 2551, 2552, 2553, 2555, 2556, 2561, 2562, 2563, 2565, 2568, 2569, 2570, 2571, 2573, 2574, 2575, 2576, 2577, 2578, 2580, 2581, 2582, 2586, 2588, 2590, 2593, 2595, 2596, 2599, 2602, 2604, 2605, 2606, 2610, 2611, 2613, 2615, 2616, 2620, 2623, 2625, 2627, 2628, 2629, 2630, 2631, 2633, 2634, 2636, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2649, 2650, 2652, 2653, 2656, 2659, 2660, 2663, 2664, 2669, 2672, 2678, 2679, 2681, 2682, 2683, 2684, 2685, 2689, 2696, 2705, 2710, 2711, 2712, 2713, 2719, 2722, 2723, 2724, 2725, 2729, 2732, 2733, 2735, 2741, 2742, 2747, 2748, 2749, 2752, 2753,

2754, 2756, 2757, 2758, 2762, 2763, 2764, 2765, 2766, 2769, 2774, 2775, 2776, 2778, 2784, 2785, 2794, 2796, 2797, 2802, 2808, 2810, 2812, 2814, 2817, 2818, 2820, 2822, 2824, 2832, 2835, 2836, 2840, 2842, 2847, 2851, 2852, 2858, 2859, 2860, 2862, 2863, 2869, 2870, 2871, 2873, 2876, 2877, 2881, 2883, 2887, 2888, 2892, 2893, 2896, 2897, 2898, 2899, 2902, 2903, 2904, 2911, 2915, 2916, 2919, 2920, 2922, 2923, 2924, 2927, 2928, 2930, 2932, 2935, 2938, 2939, 2941, 2942, 2944, 2948, 2950, 2957, 2959, 2961, 2963, 2967, 2972, 2973, 2974, 2978, 2981, 2983, 2985, 2987, 2988, 2989, 2990, 2996, 2997, 2999, 3004, 3006, 3008, 3009, 3010, 3011, 3013, 3015, 3019, 3023, 3026, 3028, 3029, 3030, 3032, 3033, 3034, 3035, 3036, 3038, 3039, 3040, 3041, 3042, 3043, 3046, 3048, 3049, 3051, 3052, 3053, 3055, 3056, 3058, 3060, 3062, 3063, 3064, 3066, 3069, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3080, 3081, 3082, 3089, 3092, 3094, 3097, 3098, 3099, 3114, 3117, 3118, 3119, 3120, 3124, 3125, 3127, 3128, 3129, 3130, 3133, 3134, 3136, 3137, 3138 and 3149.

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

By Delegates Hanshaw (Mr. Speaker), Mandt, Atkinson, Toney, Pack, Linville and Espinosa:

H. B. 4001 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §12-6E-1, §12-6E-2, §12-6E-3, §12-6E-4, §12-6E-5, §12-6E-6, §12-6E-7, §12-6E-8, §12-6E-9, §12-6E-10, and §12-6E-11, all relating to creating West Virginia Impact Fund, Investment Committee and Mountaineer Impact Office to invest funds in certain projects with the goal of furthering economic development, infrastructure development and job creation in the State of West Virginia, generally; providing definitions; creating West Virginia Impact Fund; providing for the transfer of funds to Investment Committee and the purposes for the expenditure of the funds; creating Investment Committee and providing for its membership, appointments; terms; removals; vacancies and quorums; providing for powers and duties of Investment Committee; requiring disclosures of interest, standard of care, and nonliability for debts or obligations; creating Mountaineer Impact Office and providing for powers, duties, staffing, management and processes for proposing and administering investments in projects approved by Investment Committee; providing for audits and reports; providing for review and professional advice relating to investments from the West Virginia Investment Management Board; providing for immunities and exemptions; prohibiting political activities; and providing for confidentiality of information”; to the Committee on Finance.

By Delegates Mandt, Waxman, Hanna, D. Kelly, Householder and Sypolt:

H. B. 4002 - “A Bill to amend and reenact §60A-4-416 of the Code of West Virginia, 1931, as amended, relating to creating a felony crime of negligently with reckless disregard of the safety of others delivering a controlled substance or a counterfeit controlled substance for an illicit purpose and the use thereof causes death”; to the Committee on the Judiciary.

By Delegates Maynard, Toney, Linville, Porterfield, Householder, Sypolt and Westfall:

H. B. 4003 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-4-24, relating to telehealth insurance requirements; defining terms; requiring insurance coverage of certain telehealth services; providing an effective date; and providing limitation of applicability”; to the Committee on Health and Human Resources.

By Delegates D. Kelly, Waxman, Hanna and Mandt:

H. B. 4004 - “A Bill to amend and reenact §15-9-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §15-9C-1, §15-9C-2, §15-9C-3, §15-9C-4, and §15-9C-5, all relating to creating the West Virginia Sentencing Commission; establishing the commission as a standing subcommittee of the Governor’s Committee on Crime, Delinquency and Correction; authorizing the commission to seek and use funding and grants; setting forth legislative findings; setting forth the purpose of the commission; establishing composition and membership of commission; setting forth the powers and duties of the commission; setting forth objectives for the commission; directing commission provide annual assessment and

recommendations to the Legislature; and authorizing the commission to make additional recommendations to the Legislature”; to the Committee on the Judiciary.

By Delegates Linville, Hanshaw (Mr. Speaker), Barnhart, Mandt, Porterfield, Waxman, Howell, Graves, Espinosa and Householder:

H. B. 4005 - “A Bill to repeal §47-22-9 and §47-22-10 of the Code of West Virginia, 1931, as amended; and to amend and reenact §47-22-1, §47-22-2, §47-22-3, §47-22-4, §47-22-6, §47-22-7, and §47-22-8 of said code, all relating to the protection of intellectual property and trade secrets; changing the ‘Uniform Trade Secrets Act’ to the ‘West Virginia Intellectual Property and Trade Secrets Act’; providing for definitions; setting forth criminal penalties for certain acts associated with the misappropriation of intellectual property and trade secrets; providing for injunctive and civil relief; allowing for punitive damages and attorney’s fees in certain circumstances; and clarifying applicability of amendments”; to the Committee on the Judiciary.

By Delegates Kump, Higginbotham, Mandt, Waxman, Espinosa and Householder:

H. B. 4006 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §55-7L-1, §55-7L-2, and §55-7L-3, all related to limiting civil liability for employers hiring an employee or independent contractor who has been convicted of a nonviolent, nonsexual offense; prohibiting a civil action against a general contractor, premises owner, or other third party solely for hiring an employee or independent contractor who has been convicted of a nonviolent, nonsexual offense; prohibiting the introduction of evidence of an employee or independent contractor’s prior criminal record in a negligent hiring civil action; clarifying that this section does not preclude a cause of action for adequate supervision of an employee; providing an exception for admission of evidence that the employee or independent contractor has been convicted of a nonviolent, nonsexual criminal offense where the employer knew of the conviction or was grossly negligent in not knowing of the conviction, the conviction was directly related to the nature of the employee’s or independent contractor’s work, and the conduct that gave rise to the alleged injury that is the basis of the suit; establishing that protections provided to an employer, general contractor, premises owner, or third party under certain conditions do not apply in a suit concerning discharging a fiduciary responsibility in the management of funds or property; establishing that protections provided to an employer, general contractor, premises owner, or third party under certain conditions do not apply in a suit concerning misappropriation of funds or a violent offense; and providing there is no implication of liability in situations not covered by this article”; to the Committee on the Judiciary.

By Delegates Rowan, D. Jeffries, Pack, Maynard, Porterfield, Foster, Waxman, Bibby, Hanna, Barnhart and Kump:

H. B. 4007 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-2P-1, relating to providing reasonable medical care to a child born alive during an abortion”; to the Committee on Health and Human Resources.

By Delegates Foster, Kump, Summers, Higginbotham, Toney, Waxman, D. Kelly, Fast, Espinosa, Maynard and Householder:

H. B. 4008 - “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 and permitting a prosecuting attorney to bring a motion to set cash or surety bond”; to the Committee on the Judiciary.

By Delegates Westfall, Higginbotham, Mandt, Atkinson, Toney, Pack, Linville and Espinosa:

H. B. 4009 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §27-5-2a, relating to permitting an authorized staff physician, after examination, to order the involuntary hospitalization of an individual whom the physician believes is addicted or mentally ill and likely to cause serious harm to himself or herself or other individuals;

setting forth a procedure; defining terms; providing for payment for services; limiting liability; and requiring the West Virginia Supreme Court of Appeals to produce information to hospitals regarding contact information for mental hygiene commissioners, designated county magistrates, and circuit judges”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Howell, Mandt, Little, Higginbotham and Cowles:

H. B. 4010 - “A Bill to amend and reenact §29-22C-2, §29-22C-3, §29-22C-4, §29-22C-6, §29-22C-13, §29-22C-14, §29-22C-15, §29-22C-16, §29-22C-17, §29-22C-18, §29-22C-19, §29-22C-29, and §29-22C-31 of the Code of West Virginia, 1931, as amended; and to amend and reenact §29-25-2, §29-25-3, §29-25-8, §29-25-12, §29-25-13, §29-25-14, §29-25-15, §29-25-16, §29-25-17, §29-25-18, §29-25-22, §29-25-25, and §29-25-27 of said code, all relating to changing the licensing requirement for certain casino employees from a licensure to a registration; and granting emergency rule-making authority”; to the Committee on Government Organization.

By Delegates Ellington, Hanna, Hamrick, Higginbotham and Espinosa:

H. B. 4022 - “A Bill to amend and reenact §18B-1B-5 of the Code of West Virginia, 1931, as amended, clarifying the qualifications of the Chancellor of the Higher Education Policy Commission, retitling the Vice Chancellor for Health Sciences, and abolishing the statutory position of Vice Chancellor for State Colleges”; to the Committee on Education.

By Delegate Howell:

H. B. 4023 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-20-2a, relating to allowing county commissions to require the registration of cats; and removing head tax on dogs when registration of cats is required”; to the Committee on Political Subdivisions then Finance.

By Delegate D. Jeffries:

H. B. 4024 - “A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended, relating to removing the condition requiring any person 21 years of age or older possess a valid permit to possess a concealed handgun in a motor vehicle in a parking lot, traffic circle, or other areas of vehicular ingress and egress to a public school”; to the Committee on the Judiciary.

By Delegates Steele and Paynter:

H. B. 4025 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6-15-1, §6-15-2, and §6-15-3, all relating to requiring the State Auditor to establish a website centralizing access to all postings of legal advertisements required by law”; to the Committee on the Judiciary.

By Delegate D. Jeffries:

H. B. 4026 - “A Bill to amend and reenact §24A-1-3 of the Code of West Virginia, 1931, as amended, relating to exempting businesses relating to transporting scrap tires, waste tires, or other used tires to storage, disposal, or recycling locations from certain statutory Public Service Commission provisions; and exempting motor vehicles operated under a contract with the West Virginia Department of Environmental Protection exclusively for cleanup and transportation of waste tires and solid waste generated from state authorized waste tire remediation or cleanup projects from those statutory Public Service Commission provisions”; to the Committee on Government Organization.

By Delegate Steele:

H. B. 4027 - “A Bill to amend and reenact §8-13-13 of the Code of West Virginia, 1931, as amended, relating to providing that a municipal services user fee may not be imposed on employees

of the state because of their employment status”; to the Committee on Political Subdivisions then Finance.

By Delegate J. Kelly:

H. B. 4028 - “A Bill to amend and reenact §16-5B-2 of the Code of West Virginia, 1931, as amended, relating to licensure of hospitals”; to the Committee on the Judiciary.

By Delegate Porterfield:

H. B. 4029 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-46g, relating to creating a Class VI hunting permit to safely accommodate visually impaired hunters; setting forth Class VI permit requirements; requiring that a Class VI permittee and his or her assistant must also hold the underlying hunting licenses or otherwise be exempt; and authorizing rulemaking”; to the Committee on Agriculture and Natural Resources.

By Delegates J. Jeffries, Wilson, Maynard, Waxman, Summers, Kessinger, Graves and D. Jeffries:

H. B. 4030 - “A Bill to amend and reenact §8-15-17 of the Code of West Virginia, 1931, as amended, relating to increasing the age limit of an honorably discharged veteran of the United States Armed Forces or National Guard to 40 years of age for an application for original appointment”; to the Committee on Fire Departments and Emergency Medical Services.

By Delegate Steele:

H. B. 4031 - “A Bill to amend and reenact §6-7-2 of the Code of West Virginia, 1931, as amended, relating to increasing the salaries of the Secretary of State, Auditor, Treasurer, and Attorney General to \$125,000”; to the Committee on Finance.

By Delegates J. Jeffries, Bibby, Waxman, J. Kelly, Cadle and Fast:

H. B. 4032 - “A Bill to amend and reenact §29-3E-8 of the Code of West Virginia, 1931, as amended, relating to requiring the State Fire Marshal to create a procedure that allows a fireworks retailer to combine and pay all applicable fees in a single payment”; to the Committee on Finance.

By Delegates Howell, Bibby, J. Jeffries, Waxman, J. Kelly, Cadle and Fast:

H. B. 4033 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto three new sections, designated §11-21-25, §11-21-26, and §11-21-27 all relating to creating three refundable tax credits for volunteer fire fighters, emergency medical responders, emergency medical services practitioners, and ambulance drivers for qualifying service, training expenses and mileage expenses”; to the Committee on Fire Departments and Emergency Medical Services then Finance.

By Delegates Pack and Cooper:

H. B. 4034 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-3tt, relating to prohibiting outdoor amphitheaters from holding outdoor concerts later than 11:00 p.m. if the amphitheater is located within 500 feet of a residential dwelling”; to the Committee on Political Subdivisions then the Judiciary.

By Delegates Howell, Bibby, J. Jeffries, Fast, Waxman, J. Kelly and Cadle:

H. B. 4035 - “A Bill to amend and reenact §47-10-6a of the Code of West Virginia, 1931, as amended, relating to posting of the alcoholic content of gasoline; requiring a warning label when the ethanol content exceeds 10 percent; requiring Commissioner of Labor to create and distribute

warning and enforce posting requirement; and providing criminal penalty for failure to post labels”; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegate Porterfield:

H. B. 4036 - “A Bill to amend and reenact §18-2-7c, of the Code of West Virginia, 1931, as amended, relating to requiring the State Board of Education to develop curriculum content for a semester-long financial literacy course; requiring all county boards of education implement the financial literacy course in all high schools in the particular county; and require all students to satisfactorily complete a course in financial literacy as a graduation requirement”; to the Committee on Education.

By Delegate Porterfield:

H. B. 4037 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-2P-1, §16-2P-2, §16-2P-3, §16-2P-4, §16-2P-5, §16-2P-6, §16-2P-7, §16-2P-8, §16-2P-9, §16-2P-10, and §16-2P-11; to amend and reenact §16-5-22 of said code; to amend and reenact §30-3-14 of said code; and to amend and reenact §30-14-11 of said code, all relating to examination procedures to detect fetal heartbeat prior to an abortion; declaring legislative findings; defining terms; requiring an examination to detect fetal heartbeat prior to performing an abortion; requiring documentation of procedure and results; requiring proposal of legislative rule; prohibiting performance of abortion without conducting heartbeat examination; prohibiting performance of abortion to terminate life of unborn human individual when heartbeat has been detected; providing certain exceptions; requiring documentation when abortion is performed; maintaining legal availability of contraceptive drugs and devices; mandating certain actions if provisions of this act are suspended, or invalidated, or if state action is authorized through judicial proceedings; declaring severability of provisions; providing criminal penalties; requiring certain reports to be filed with State Registrar for Vital Statistics; and establishing grounds for disciplinary action against medical doctors and doctors of osteopathy who violate provisions of this act”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Graves, D. Jeffries, Hanna, Phillips, C. Martin, Waxman, Householder and Cadle:

H. B. 4038 - “A Bill to amend and reenact §8-29A-3 of the Code of West Virginia, 1931, as amended, all relating to prohibiting county airport authorities from making or adopting rules prohibiting possession of firearms in public, nonsecure areas”; to the Committee on Political Subdivisions then the Judiciary.

By Delegates Howell, Bibby, J. Jeffries, Waxman, J. Kelly and Cadle:

H. B. 4039 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-32, relating to providing limitations on nuisance actions against fire department and emergency medical services fixed sirens under certain circumstances”; to the Committee on Fire Departments and Emergency Medical Services then the Judiciary.

By Delegate Foster:

H. B. 4040 - “A Bill to amend and reenact §29-3D-2 of the Code of West Virginia, 1931, as amended, relating to reducing the number of hours of experience needed to qualify as a journeyman sprinkler fitter from 10,000 to 3,000”; to the Committee on Government Organization.

By Delegate Steele:

H. B. 4041 - “A Bill to amend and reenact §48-13-201 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §48-13-403a, all relating to allowing as a deduction to determine adjusted gross income for either parent student loan

payments and mortgage payments not to exceed 25 percent of gross income”; to the Committee on Senior, Children, and Family Issues then the Judiciary.

By Delegates Howell, Bibby, J. Jeffries, Waxman, J. Kelly and Cadle:

H. B. 4042 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-3-62, relating to requiring agencies exempt from some or all of state purchasing requirements to adopt procedural rules establishing their purchasing procedures”; to the Committee on Government Organization.

By Delegate Steele:

H. B. 4043 - “A Bill to amend and reenact §5-16-13 of the Code of West Virginia, 1931, as amended, relating to preventing state, county and municipal agencies from covering any portions of Public Employee Insurance Act premiums for an employee’s spouse”; to the Committee on Banking and Insurance then Finance.

By Delegate Steele:

H. B. 4044 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §6-7-9, relating to prohibiting payroll deductions to electioneering organizations”; to the Committee on the Judiciary.

By Delegate Steele:

H. B. 4045 - “A Bill to amend and reenact §61-11-18 and §61-11-19 of the Code of West Virginia, 1931, as amended, all relating to provisions of the ‘Habitual Offender’ statute; and modifying provisions addressing eligibility of certain crimes for consideration, expiration of sentence prior to being considered, ineligibility for good time calculation, and eligibility for dual treatment under section allowing enhanced sentencing for second or subsequent offenses”; to the Committee on the Judiciary.

By Delegate Steele:

H. B. 4046 - “A Bill to amend and reenact §48-8-101 of the Code of West Virginia, 1931, as amended; and to repeal §48-8-102, §48-8-103, §48-8-104, §48-8-105, and §48-8-106 of said code, all relating to abolishing spousal support”; to the Committee on the Judiciary.

By Delegates Howell, Bibby, J. Jeffries, Fast, Waxman, J. Kelly and Cadle:

H. B. 4047 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8A-11-3, relating to prohibiting zoning ordinances from disallowing automotive collecting activities under certain circumstances”; to the Committee on Political Subdivisions then Government Organization.

By Delegates Howell, Bibby, J. Jeffries, Waxman and Cadle:

H. B. 4048 - “A Bill to amend §30-27-8 of the Code of West Virginia, 1931, as amended, relating to barber certification; eliminating history of barbering course from certification requirements”; to the Committee on Government Organization.

By Delegates Howell, Bibby, J. Jeffries, Waxman, Cadle and Fast:

H. B. 4049 - “A Bill to amend and reenact §24-6-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section designated §24-6-15; all relating to establishing Next Generation 911 services in this state; providing for expanded definitions; establishing a commission to study Next Generation 911 services; providing for commission membership; providing for travel expense reimbursement under certain conditions; establishing the commission’s duties; requiring a preliminary report to the Joint Committee on Government and Finance; requiring a final report to the Joint Committee on Government and Finance and to the

Governor; and establishing an effective date and termination date of the commission”; to the Committee on Technology and Infrastructure then Government Organization.

By Delegates Howell, Bibby, J. Jeffries, Waxman, Cadle and Fast:

H. B. 4050 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-2-26, relating to establishing requirements for a Division of Motor Vehicles office or Division of Motor Vehicles Now kiosk to be present in a county; providing definitions; establishing conditions for a Division of Motor Vehicles office location to be within a county; establishing exemptions under certain conditions; establishing requirements for a Division of Motor Vehicles Now kiosk to be located in a county; establishing how the maximum number of Division of Motor Vehicle Now kiosks are to be determined; and requiring implementation by July 1, 2022”; to the Committee on Government Organization.

By Delegates Howell, Bibby, J. Jeffries, Fast, Waxman, J. Kelly and Cadle:

H. B. 4051 - “A Bill to amend and reenact §5B-21-4 of the Code of West Virginia, 1931, as amended, relating to authorizing the West Virginia Tourism Office to enter into an agreement with the Division of Highways to provide staff at the welcome centers and highway rest areas; and to create displays promoting in state tourism at the welcome centers and rest areas”; to the Committee on Technology and Infrastructure then Finance.

By Delegate Kump:

H. B. 4052 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-15F-1, §33-15F-2, §33-15F-3, §33-15F-4, §33-15F-5, §33-15F-6, §33-15F-7, and §33-15F-8, all relating to creating the Persistent Symptoms Act; making findings; setting forth the rights of health insurance providers and patients; establishing the access to approved and indicated or investigational drugs, biological products and devices for patients who suffer from persistent symptoms; limiting causes of action; setting forth the effect on health care coverage; and defining terms”; to the Committee on Banking and Insurance then the Judiciary.

By Delegate Steele:

H. B. 4053 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-24a, relating to granting tax credits for parents and legal guardians whose children are in a home schooling program or private school; and providing rule-making authority”; to the Committee on Finance.

By Delegate Pyles:

H. B. 4054 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-9A-11, relating to the use of vapor products; requiring posting of a warning notice relating to the hazards of vapor products at all businesses where vapor products are sold; providing requirements for signage; requiring the Bureau for Public Health to make notices available; providing criminal penalties for failure to post the notice; and authorizing the Bureau for Public Health to update the signage”; to the Committee on Small Business, Entrepreneurship and Economic Development then Health and Human Resources.

By Delegate Kump:

H. B. 4055 - “A Bill to amend and reenact §60-3-9d of the Code of West Virginia, 1931, as amended; and to amend and reenact §60-3A-21 of said code, all relating to allowing Class IV municipalities to receive proceeds from taxes on the purchase of liquor from retail licensees and on the purchase of intoxicating liquor from state stores or other agencies of the Alcohol Beverage Control Commissioner that are outside of but within one mile of the corporate limits of the Class IV municipalities”; to the Committee on Political Subdivisions then Finance.

By Delegate Kump:

H. B. 4056 - "A Bill to amend and reenact §3-1-31 of the Code of West Virginia, 1931, as amended, relating to requiring all local and state special elections to be held on the days and hours of general or primary or state elections; and providing an exception for run-off elections"; to the Committee on the Judiciary.

By Delegate Steele:

H. B. 4057 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-31, relating to creating a cause of action for injuries suffered in a gun-free zone; legislative findings; definitions; damages recoverable; exception; and no crime created"; to the Committee on the Judiciary.

By Delegates Hill, Pack and Fleischauer:

H. B. 4058 - "A Bill to amend and reenact §33-51-8 and §33-51-10 of the Code of West Virginia, 1931, as amended, all relating to pharmacy benefit managers; civil penalties; rules required"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Hill, Pack, Bates and Fleischauer:

H. B. 4059 - "A Bill to repeal §16-2B-3 and 16-2B-4 of the Code of West Virginia, 1931, as amended; and to amend and reenact §16-2B-1 of said code, all relating to increasing access to long acting reversible contraception"; to the Committee on Health and Human Resources.

By Delegate Pack:

H. B. 4060 - "A Bill to amend and reenact §17A-10-3c of the Code of West Virginia, 1931, as amended, relating to removing the registration fee for a vehicle operating on a combination of electricity and petrochemical fuels"; to the Committee on Technology and Infrastructure then Finance.

By Delegates Hill, Pack, Bates and Fleischauer:

H. B. 4061 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-53-1, §33-53-2, §33-53-3, §33-53-4, §33-53-5, §33-53-6, §33-53-7, §33-53-8, §33-53-9, §33-53-10, §33-53-11, §33-53-12 and §33-53-13, all relating to health plan benefit networks; and creating the Health Benefit Plan Network Access and Adequacy Act"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Pack, Hill, Bates and Fleischauer:

H. B. 4062 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated, §33-51-11, relating to reducing the cost of prescription drugs; and requiring certain compensation received from a pharmaceutical manufacturer, developer or labeler to be used for benefit of covered persons"; to the Committee on Health and Human Resources.

By Delegate Steele:

H. B. 4063 - "A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended, relating to compulsory immunizations"; to the Committee on Health and Human Resources.

By Delegates Hill, Pack, Bates, D. Jeffries, Jennings and Fleischauer:

H. B. 4064 - "A Bill to amend and reenact §6B-3-1, §6B-3-3b, §6B-3-7, and §6B-3-9 of the Code of West Virginia, 1931, as amended, all relating to lobbyist; requiring notification of potential conflict of interests; and providing penalties"; to the Committee on the Judiciary.

By Delegates Cooper, Pack and R. Thompson:

H. B. 4065 - "A Bill to amend and reenact §17A-2-12a of the Code of West Virginia, 1931, as amended, relating to allowing persons to donate to the West Virginia Farm Bureau, the West Virginia 4 H Program, or the West Virginia Future Farmers of America Education Foundation when renewing a driver's license or vehicle registration; and permitting a processing fee"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Rowe:

H. B. 4066 - "A Bill to amend and reenact §16-9A-1, §16-9A-2, §16-9A-3, §16-9A-7, and §16-9A-8 of the Code of West Virginia, 1931, as amended, all relating to raising the legal age for the purchase of tobacco, tobacco products, tobacco derived products, alternative nicotine products, vapor products, and smokable hemp to 21"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Pack, Steele, Cooper, Hill and Bates:

H. B. 4067 - "A Bill to amend and reenact §61-3-24 of the Code of West Virginia, 1931, as amended, relating to crimes against property; specifying that theft of rental equipment services is theft of services"; to the Committee on the Judiciary.

By Delegate Rowe:

H. B. 4068 - "A Bill to amend and reenact §21-5C-2 of the Code of West Virginia, 1931, as amended, relating to incrementally increasing the state minimum wage over a five-year period to \$15 per hour in 2025"; to the Committee on Industry and Labor then the Judiciary.

By Delegates Howell, D. Kelly, Sypolt, Miller, Pack, Atkinson, Hill, Butler, Boggs, Rowan and Summers:

H. B. 4069 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-33-1, §18-33-2, §18-33-3, §18-33-4, §18-33-5, §18-33-6, §18-33-7, and §18-33-8, all relating to creating the West Virginia Student Religious Liberties Act"; to the Committee on Education.

By Delegates Little and Householder:

H. B. 4070 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto six new sections, designated §20-1B-1, §20-1B-2, §20-1B-3, §20-1B-4, §20-1B-5, and §20-1B-6, compensating counties for state-owned lands through payments in lieu of taxes; describing purpose; defining terms; establishing formula for payment; setting forth procedure for payment; and establishing date payments be made to eligible counties"; to the Committee on Political Subdivisions then Finance.

By Delegate Little:

H. B. 4071 - "A Bill to amend and reenact §7-1-3cc of the Code of West Virginia, 1931, as amended; and to amend and reenact §24-6-6b of said code, all relating to the authority of county commissions to establish enhanced emergency telephone systems and change the fee charged to consumers from the telephone service to the electric service, and to the wireless enhanced 911 fee; eliminating portions of the wireless enhanced 911 fee that are disbursed to state agencies; establishing the public safety wireless fee; and providing for the collection and disbursement of the public safety wireless fee"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

At 12:19 p.m., on motion of Delegate Summers, the House of Delegates recessed until 6:50 p.m.

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Evening Session

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Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, without amendment, of a concurrent resolution of the House of Delegates as follows:

H. C. R. 1, Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor.

JOINT ASSEMBLY

The Speaker respectfully recognized the Sergeant-at-Arms for the following announcements:

The Sergeant-at-Arms announced Congressional Medal of Honor recipient Hershel "Woody" Williams.

The Sergeant-at-Arms then announced members of the Board of Public Works, who took the seats reserved for them.

The Sergeant-at-Arms next announced Chief Justice Armstead and the Justices of the Supreme Court, who entered the Hall of the House of Delegates and took the seats reserved for them.

The Sergeant-at-Arms, then announced the Honorable Mitch Carmichael, President, and the members of the Senate, who entered the Hall of the House of Delegates.

The Speaker invited the President to a seat to his right and the other members took the places reserved for them in the Well of the House.

The Sergeant-at-Arms then announced the special committee to wait upon His Excellency, the Governor, and escort him into the Chamber.

Delegate Jennings then announced that, pursuant to the invitation of the Legislature, His Excellency, the Governor, was present for the purpose of addressing the Joint Assembly of the Legislature.

The Committee escorted His Excellency, the Governor, to the Clerk's Desk. (Applause, the members and guests rising in ovation)

The Speaker then presented the Honorable Jim Justice, who addressed the Joint Assembly as follows:

Address by the Governor

GOVERNOR JUSTICE: If you don't want to be here all night, sit down.

They got me wired every way you can wire somebody up, which is good.

You know, the first thing I would tell you, it's a great, great evening in the State of West Virginia. And I bless you in every way, and I thank you in every way for being here.

You know, today is a great day, a great day in our state. You know, before we go any further I would like to recognize my family.

You know, I haven't seen, Jay, you and Catherine since you got here.

But my beautiful wife Cathy, daughter Jill, and her husband Adam, daughter-in-law Catherine, and our son Jay. (APPLAUSE)

Without going long, you know, I would surely introduce my cabinet. And I'm just going to say "my cabinet" without going through everybody.

And now I'd like to move on to our constitutional officers. You know, these people that are sitting over to my left have done something that is unbelievable, in my opinion. They have restored honor and integrity to our court when the storm was pretty rough.

And so if I can introduce our Chief Justice Tim Armstead, Justice Margaret Workman, Justice Elizabeth Walker, Justice Evan Jenkins, and Justice John Hutchison. I have had the opportunity — which is so unbelievably rare it's off the chart — I had the opportunity to appoint three of these judges. They're good people. They've done lots and lots and lots of great stuff for our state, as has our other two justices.

And so at the end of the day I salute you. I can never thank you enough. I mean, really and truly, we were in a storm and you're pulling us out of it very proudly. Thank you so much. (APPLAUSE)

Now, because I don't know the seating chart here, our Attorney General is somewhere, Patrick Morrissey. And before I'd have him stand, I'd just like to just say this. You know, our citizens of this state deserve good stuff. One of the things they surely deserve is affordable health care coverage. Which is why today I'm asking the legislature to advance initiative that he has championed, and that is to ensure that the people with preexisting conditions in this state, even though you may have loved Obamacare, or maybe you didn't, surely all of us can agree on one thing, and that is just this. West Virginians should be protected against preexisting conditions.

So please do that. And if Patrick Morrissey can stand, wherever Patrick is — over here. (APPLAUSE)

Our Secretary of State Mac Warner is here. And Mac has made a mission to insure the integrity of West Virginia's elections and to protect them from cybersecurity threats. Matt is a champion at that, and we know that.

So if our Secretary of State Matt Warner could stand, please.
(APPLAUSE)

Our auditor J. B. McCuskey. J.B. has made one thing for sure, and that is us to be transparent — transparent with all the State's finances. We don't need to hide anything. And J.B. secures the fact that we won't do that. So give him a big round of applause. (APPLAUSE)

Commissioner Kent Leonhardt. We have so many potential opportunities within agriculture in this state, and we know it. And he's after it. One thing that Kent is, is he is stick on "on" all the time. And every time I see him, he is just striving to do more and more and more. Bring opportunities to our farmers within the state to where we can consume more of their products within our state.

So please give a big round of applause to Kent Leonhart. (APPLAUSE)

And our Treasurer John Perdue. John is a friend. He's been a friend a long time. John is the guy that looks after our money. It is hard to believe the magnitude of the money. \$13 billion. It's unbelievable. He's done the job forever. He's done a great job. I'm very proud to call him a friend. John?
(APPLAUSE)

Now, I'm looking real hard, and I can't find Craig Blair. But I really wouldn't have been a bit surprised to have seen him here. I mean, he is a tough nut, that's for sure. You know, just like all of us that are exposed all the time to different things. He had a bad, bad traffic accident. He could have no longer been with us. He's a tough guy. And I'm really proud to call him my friend.

And Craig, if you're watching and everything, just know that everybody here just can't wait until you get back and they're waiting on you. Craig Blair.
(APPLAUSE)

All of those that are either really smart or maybe they just got a little tired or maybe the circumstances or whatever it may be, all of those that have decided not to run for reelection, if you would please stand. I surely would like us all to give you your due and give you a round of thanks and a round of applause for all of the effort that you've made for nothing other than your love for this state. Please stand, all of those. (APPLAUSE)

Well, before I get into all the nitty-gritty, I want to just tell you just a little quick story that's more about me. You know, it's easy to figure Jim out. I'm not a politician. I really don't want anything.

Now, I know this is probably not going to be real popular with some, but really it is so easy. It is so easy to just watch me. You know, I do stand like a rock with our President in regard to things that he stands for, like legal — and I say legal — immigration. I absolutely believe that sanctuary cities do not have a place here in West Virginia, and I hope and pray they never come. I can tell you that without any question whatsoever, I stand with the unborn, I'm a sportsman, I love the outdoors. The second amendment is ingrained in me forevermore. There is no question about it, whether you love me or don't love me. It's just simple fact.

The other thing I would tell you is just this. We had a thing happen within Corrections. And in all honesty, what happened was not good. We had — We have had lots and lots and lots of great things going on within Corrections, and we've got a lot of really good people. But I will promise you to God above: On my watch, there is no place for hate and there is no place for antisemitism on my watch — (APPLAUSE)

So let me show you this. And you're going to say, oh, my gosh, Justice is doing it again. Do you remember this?

Hold on now. I hope it won't slide. And do you remember this?

Let me tell you, the reason I brought these is just this. I gave an inaugural address a long time ago. At that inaugural address, prior to that on Memorial Day, I was at a cemetery for my grandparents in Jessie, West Virginia. A little hillside nothing. And we went to the gravesite, Cathy and I, and we were leaving. For those of you that have forgotten, there was a lady standing at the bridge. There is guardrail there. She had leaning up against that guardrail several fishing rods, some Carhartt coveralls, some reflector tape Carhartt coveralls. She had absolutely this tackle box and this axe. The little daughter standing beside her didn't know where to turn.

I stopped. I gave her a hundred dollars for that axe and a hundred dollars for this tackle box, and I put them in my car. Everywhere I've gone, even down here tonight, they rode right with me.

Now, I'm telling you, that lady looked at me and she said, "Mister, you'll never know how much I appreciate this, but you have no idea how bad I'm hurting."

Now, let me just say this. When I walked in the door — and if I could just drop this, so don't jump — pretty tough, and I'm not patting myself on the back in any way. We've gone through lots and lots of stuff. And I want to say without any question whatsoever, nobody — nobody does anything alone. Sure we've argued from time to time, but you have been great, and you should be very, very proud of what you have accomplished in all honesty. The biggest thing that I cling to is maybe, just maybe, I was maybe the catalyst that brought hope. And that, to me, means everything.

So, before we go any further, let's remember that lady, remember her little daughter, and just remember how good and how strong we are today. You deserve so much credit. I could never thank you enough. And I would say as profoundly as I know how to say, ladies and gentlemen, the state of our State is strong. And it's growing stronger every single day. (APPLAUSE)

Now, imagine. Personal income last year in 2019 grew 3 billion — that's with a B — \$3 billion in this state. Unbelievable. Revenue growth went up \$511 million. It's off the chart. Off the chart. The biggest revenue growth surely by far. But in addition to all of that, enough revenue growth that it was one and a half times the previous ten years put together. It's unbelievable.

Now, think about it. Since we've walked in the door we've been able to put \$113 million in the Rainy Day Fund. We've put \$100 million in PEIA. It's unbelievable. We're going the way we ought to go.

Now, I've got to show you just this. When I walked in the door, I said I was going to take you on a rocket ship ride — like that. And we've been on this

rocket ship ride. Now, I want you to be really smart. The one thing that I am is a business guy. And I'm going to tell you nothing that remains on straight up or straight down is healthy.

So at the end of the day now, what I want you to do is change, and I want you to come on this lightning bolt ride with us. Because that's where we will go. We are underfilling and we're building in what should be built in.

So that's why tonight you're going to see that the budget that I propose to you is very, very conservative. Very conservative. Because nothing goes just like this. That 511 million, where we are today, where we are today with our budget? We're okay. We're not knocking it out of the park in one way, but if you feel — if you look at it and you say we're comparing apples to what we did last year — and last year was an all-time record beyond belief — then we are knocking it out of the park.

We still have got a lot of people to help. We're still lots and lots and lots of stuff to do. So, I would say to you, let's take off with the people that may very well be hurting the most.

Our Medicaid fund has grown way beyond belief. We're on a pace to have an excess in the Medicaid fund of \$309 million by year-end. If we don't watch out, we'll spend it. We'll come up with any way and every way to spend and spend and spend because that's what all of us do.

What I'm proposing tonight is something that is maybe not never done before, but is surely seldom done. I am proposing tonight that I want to announce legislation to establish the Medicaid Families First Reserve Fund. And I want to lock away \$150 million to insure that always those that are the most vulnerable — and I have a hard time with that word, my secretary Executive Assistant Pam would tell you that — but I want to lock away those dollars to be sure that we will always have vital services for those that are the most exposed and need the most help.

If I could turn the table real quickly to jobs. Jobs in this state are good. There's no question that they're moving in the right direction and they're good. Here's something that I want everyone, just as I did last year, to know. The business inventory and machinery tax is holding us back in some areas. We need to try — we need to try to find a solution to where we can either get on a glide path or quickly get on a better glide path to eliminate that tax if we can. (APPLAUSE)

We have to be careful. There's counties to consider, the school boards, there's people that we absolutely want to protect. We've got to be careful. We've got to be careful with where we are with our general overall finances. We have to be careful and we got to be smart. But I don't want there to be anyone to doubt that I would like it gone. I would like it gone. At least gone in time.

Now, we have 20,000 new jobs today in the State of West Virginia. One of the reasons we have those jobs is a guy sitting behind me that's working that every day, and that is President Carmichael, that came up with the idea, you know, to let our kids go to college for free. It's working. It's one of the ideas that's just working. Today we have an all-time high employment. All-time. It just gets better and better and better.

Now, Brother Mitch, we've got to have those kids, and you know we've got to have them. We've got to get them trained, and we've got to get them prepared for the workforce. We need more and more and more of them.

The reason — If I were to say to you this — let's just be fair and be real. What if I were to say to you — and this is nowhere in my notes. This is nowhere at all. And normally I wouldn't have any notes unless I was sweating and going to take a long time.

But here's the thing. What if I were to say to you in the State of West Virginia your severance tax dollars are going to be the lowest, the lowest that they've been in the last 25 years. And then I would say to you: How do you think you're doing? Think about it. Think about it. From the standpoint of the general revenue, the percentage of general revenue, we are the lowest in comparison to one another we've been in 25 years. Nowhere on these notes. I just know it. And yet our state is doing better and better and better.

Tell you why. I'll tell you exactly why. We've diversified. We're on the move. We've changed our image. There is all kinds of things happening within the State of West Virginia. Now, do we want to do any and everything we can possibly do to create another coal job? Absolutely. Do we want to do anything and everything we can do to promote more and more gas and everything? Absolutely we do.

With the constraints — and remember, I said early on, I'm a sportsman. I love the outdoors more than good sense. The last thing on earth I would ever want to do is harm the water, harm the environment. We've got to be absolutely aware of that all the time.

Now, if, in fact, we have the best unemployment in a decade, there is a big reason for that. And a lot of that reason is up here. And I'm not going to call names right yet, but I just want you to just listen. Northrop Grumman is adding an initially 500 jobs. Proctor & Gamble is doing all kinds of great stuff. The Great Barrel Company is up and going in White Sulphur Springs, West Virginia. Toyota has done great stuff. Hino is doing great stuff. Mark West is doing unbelievable stuff. Pietro Fiorentini. How about that? Did I get that? Pretty close. Infor, and Chemours, and Cornerstone, and Ramaco. Unbelievable what you're doing.

If I could just touch just one second on one of them, Ramaco. Think about this just for a second. All of us think, well, we can't burn anymore coal because the world is rebelling in every way, shape, form and fashion against that. Ramaco would tell you that coal — now get this — that coal is too expensive to burn. You're wasting an opportunity when you burn it. I thought they were crazy when I was talking about that.

But nevertheless what they're saying is they can make carbon fiber out of coal that is — let me get this straight — is four times as light as steel and twice as strong. They absolutely have a way to do things with coal that can be an alternative use for coal that it would be so perfect for us it is unbelievable.

WVU right now — I am announcing tonight and I'm sure that everyone probably already knows — but they're going to develop and open a research facility at WVU to research just this. And not only that, Ramaco is looking at the possibility of bringing one of these plants to southern West Virginia. Imagine that we make — (APPLAUSE) imagine this just for a second.

Imagine, well, we understand you can do something extra with coal, but how much would you use?

Do you realize that in the State of West Virginia today we're probably on a run rate of West Virginia today of about 82, 85 million tons? Probably a third of that is metallurgical tons. So say we've got 50 million steam coal tons. Do you know how many tons are in America? 700 million. Do you know how many they can use in this process? 125 million tons. It's unbelievable. It's unbelievable.

If in fact it's real, it's unbelievable what the researchers are doing. And they're doing it. They're making it. They're absolutely doing it right now in Wyoming, and they're making it.

So now I'd like with HINO Motors, Steve Stalnaker to stand;

Mark West, Erwin Osleen from Pietro Fiorentini, Max Ambrosi;

Infor, Rhoda Stewart;

Chemours, Ed Sparks and Greg Zoglio — how about that? I got that one.

And with Ramaco, Randy Atkins.

And they are everywhere up here. And give them a monstrous round of applause, please. (APPLAUSE)

Okay. Now, if I can switch channels just a little bit and say just this. I believe airports are our Leonhardt. They're our Leonhardt. There is lots of things that make us really good, but the airports are everything to us.

I've got to brag just a second on an airport that's phenomenal what they're doing. We've put real dollars in Yeager, and they're doing great stuff. We've put real dollars in all kinds of different airports across our state and they're doing great stuff. But there is no place like North Central West Virginia Airport at Bridgeport. It is unbelievable the opportunities and what they're doing.

You know, they brought a presentation in to me and I immediately said: Go. They took that presentation and hit the ground running in building a new terminal, building another 50 acres onto it. Now get this. They've got 1200 employees from 22 of our counties up there right now, and they are going to grow and grow and grow and grow. They can't make a place fast enough that they don't have a tenant waiting to go. It's amazing.

Pratt and Whitney just announced a \$30 million expansion. They're going to build a new engine — I don't know what in the world it does, but it's a new, modern, a futuristic engine that is phenomenal. You know, Bombardier and Mitsubishi and Aurora, they're all just cooking. It's good stuff. It's great stuff.

So if we could now recognize Martin D'Eramo, I believe. David Hinkle, as the county commissioner in Harrison County, and Andy Lang is the mayor of Bridgeport. And, please, they're doing it. Give them a giant round of applause. (APPLAUSE)

I've got to pass the kudos back behind me again to a fellow Roger Hanshaw. Roger Hanshaw's team has come up with a concept called Mountain Impact. It's a Mountain Impact Fund. It's basically just this. It is —

You have a fund that becomes the bank that you can loan money and inspire people to invest within the State of West Virginia and you can give all kinds of great return on their money that they invest, and you can bring money to our state like you can't imagine. It is an ingenious idea, and I absolutely will fully support it.

And, Roger, I thank you for it.

Now, y'all can clap. That's a big thing, guys. (APPLAUSE)

I've been with our President many times. I'm looking for more and more and more and more jobs. At the end of the day, that's what you elected me for. That's what we're doing. I've been with our President on these occasions that we want to try to attract any federal agency that wants to get out of that craziness in DC and wants to find a good place to come to that has four unbelievable seasons, and absolutely has good people, and is within a rock's throw of DC, and has all the greatness that we have. It's right here waiting on them.

You see, this is true. We have changed ourselves from the state that was backward and having a tough time. Dingy and dark. We've changed ourselves to become the diamond in the rough. The diamond that they thought they missed. And really now they're trying to find us.

Now, let me tell you one more thing. There's a company from Wales. We talked about them before. They're an illumination company. They have a lighting concept that is unbelievable. The amount of energy it uses is almost nothing, and the amount of light that it kicks off? Off the chart. I have worked diligently on this, and I will not stop until we secure that commitment. They're looking at all kinds of different locations all over the country. But I am confident as I can be that we'll be making an announcement within 30 days that you will absolutely love. They're the real deal. And I hope and pray that they're coming.

Now, if I could switch channels one more time and say: Well, what about the roads? Well, the best thing I can tell you about the roads is I was getting my hair cut the other day, and this lady — her name is Cannette Kaufmann. She said — she turned to me and she said — I can't recall if she said it was a brother or a good friend, but Cannette said, "You know, I'm telling you, my brother — or this good friend — is a guy that loves to be way out in the boondocks." And he said to her, he said, "I'm telling you, I don't know how anybody in this state couldn't be happy today, because they're even driving the roads that I drive on."

Now, if that be the case — And so let me say this. And these guys are coming in the door —

Y'all hold on just a second. Just one second.

Two hundred eighty pieces of new equipment we have now. 27,000 miles of maintenance they've done. In 18 months, 500 projects and 1100 miles done. We just went through the second round of bonding and we have — we have, believe it or not, another \$146.5 million that we can just do anything we want with. And we're going to pour more and more and more money into our roads.

Now, what I want you to do, because we've got five guys right up there that bust their chop every day. They stand in the road. And it's dangerous. And they work hard every day. And we have the deputy secretary and the secretary right with them. Jimmy Wriston and Byrd White.

And I want us all to put one of these jackets on and then stand up and applaud them, and it will be something we'll remember forever. And then when you leave, I want the jacket back. (APPLAUSE)

Well, you got to help me — well, help me (donning jacket).

All right. Now, I want y'all to know this. That these people got me one that fits. And I also want you to know they're a bunch of smart alecks because it's got 7X on the back of it.

Nevertheless, guys, thank you. God bless you for all you do. Keep doing it. (APPLAUSE)

You know, at the end of the day, whether we're democrats, independents, republicans, or whatever we may be, we all drive on the roads, don't we? And we all appreciate our roads because they give us the pathways to go where we want to go.

So, again, guys, thank you. Thank you from all of us in every way, shape, form or fashion.

I would like to announce one thing. In our second bond go-round, the first letting we're doing right now, and it's just happened, and it is the Inwood bypass. It's from I-81 to Route 51 — (APPLAUSE)

You guys must like that.

And it came in to bid at 27-point — 22.7 million, which was \$3 million under estimate. So that's good too. Really good. (APPLAUSE)

Now, there is a couple of things, Brother White, that we're — that I am ordering you and Brother Jimmy to do, and that's just this. There is going to be a Trump infrastructure program. It's going to happen. There still may be some hacking up and things like that, but it's going to happen. And when it happens, \$2 trillion is a lot of money, guys, and we really need to get our fair share. And we will this go-round.

So Byrd and Jimmy, I am ordering you to be ready to start work now. Start work right now to where you'll be ready, you'll have dollars for matching, and you'll have so many different things that will give us the opportunity to instantaneously finish Corridor H, instantaneously finish the Coalfield Expressway, and on and on and on. (APPLAUSE)

Now, we've gone through a little quagmire and everything on the MARC Train. We needed to get it done. We needed to have the MARC Train. You know what we did have happen? And Craig, you know, you're not here with us, but you played a big role in it. We had the counties. We had Craig. We had others that are right here. We had many different sources. We had J. B. McCuskey step up to the plate like nobody's business. And then it fell right in my lap from contingency dollars. And I did it. Because it's important. It's really important to that neck of the woods that we absolutely need to do any and everything we always can.

Let me switch channels again to the National Guard. The National Guard and the Challenge Academy stuff that they're doing is off chart. Now, they've graduated 4,663 kids. If you haven't ever been, you need to go. It is amazing. It is truly absolutely amazing. Now, we found enough money — and I would like for two people to stand. And I'll get to our general later on — but if David Turner and Sara Thomas could stand, these two are two of our graduates — two of our new graduates. So give them a phenomenal round of applause. (APPLAUSE)

We have also now in working with the Guard and in working with our budget in every way, we've now found the dollars — without increasing our budget we've now found the dollars to be able to start the Mountaineer Challenge Academy at Montgomery at West Virginia Tech. (APPLAUSE)

Good. Good stuff.

Now, if we could talk about drugs. The very thing that in my opinion if we don't watch out could cannibalize this state. But we're making progress. We're moving in a direction now, and we've still got a long ways to go, no question about that. There is great stuff that's going on in Huntington. There's great stuff that's going on at Marshall. There's great stuff that's going on in all the different areas of our state.

One of the things — I brought a thing like this last year called Jim's Dream. We put it up right here, and you were kind enough to fund it and everything, and lo and behold, it's off and going. Just think about this. We launched it in October. We've had 1200 referrals. There is all kinds of stuff that is happening. And it's working.

If you have never been, you should go. You're going to see people that are excited about getting their life back. You're going to see people that are on the track of really doing really great stuff. It's working. You know, it's like a great football team. When you run a play that works, I was always a believer: Keep running the play until the other side took it away from you. It's working.

I was at Camp Dawson not long ago for a graduation. There was six kids there, five guys and one girl. The one female was, you know, a relatively young girl. One of the guys was an older guy. You know, what they had just gotten trained on and just gone through a course on? They had gotten trained to run a grader. Now, one of the guys had been offered a job like two days before that. Another guy had just received his second offer for a job. And those guys and ladies, you know, you can read it all over their face.

There is nothing better — there's nothing better than touching a life and helping somebody turn it around. It's good stuff. Really, really good stuff. One of those is here with us, William Phillips. And his transition agent — and those transition agents are so vital it is off the chart. And wherever they are, if they would stand, you've got a guy on his way, and you've touched a life like you can't imagine. And before I think he got out of the room, he got his second job offer.

And we congratulate you in every way. (APPLAUSE)

And Shannon, I hope I said Shannon Carnes, but I can't see very well. So I'm doing the best I can do.

Like I said before, we're making progress. And I'm going to ask you for something. And I'm going to probably say something that some of you are going to say, I wish you wouldn't say it like that. But I don't know any other way to say it. You know, we have too many drugs that are just slipping in here. And people are taking advantage of our kids, and they're taking advantage of our weaknesses. And they come from any and everywhere. And we try. We try to catch them. They usually come through communities that don't have a whole lot of population, because they know you're soft and you can't catch them. You can't do anything to it.

So tonight I am ordering Secretary Jeff Sandy to form a new unit called a Narcotics Intelligence Unit. A new unit at the Fusion Center. It will be a strike force. I'm going to ask you for \$1.9 million. And I'm going to ask you to give us that to stop this terrible effort. And I'm going to ask you in this way. I will promise you — promise you — that if you are kind enough to give us that opportunity, and I want to say this as sincerely and as forcefully as a human being could ever say it, I want to look right in the camera and tell anybody, anybody, that is trying to come into our state with drugs: We are going to bust your ass. That's all there is to it. (APPLAUSE)

So I'd say y'all are with me on that, huh?

The IDD waivers. Can you imagine this? Can you imagine those that are having a life that is so difficult, and the caregivers, a life that is so difficult it is unbelievable. There's a 1,060 of them that have been on the wait list for a long time. Some of them four years. Six hundred of them are children. We have now found enough money. Tonight I'm so proud to announce that Secretary Crouch and Secretary Hardy have found a solution, and my budget will contain the funding to eliminate the wait list. (APPLAUSE)

Child welfare is right behind it —

Bless you. Bless you.

— child welfare is right with it. You know, when you think about a kid, and I have the opportunity when I'm coaching a basketball team to be with a bunch of kids, but I see all kinds of little rascals and everything.

Our little grandson the other day said — or Jill said to him, said, "JC, you've been eating the dog food again, haven't you?" He's two years old. And he said, "Nope." And she said, "Now, JC, at our house we tell the truth all the time. Now, you've been eating dog food, haven't you? And he always says "okay" for "yes." And he said, "Okay."

And then she said, "Well what did it taste like, JC?" And he said, "Cake."

Now, there is nothing that is as precious as a kid. There is no way.

We put a bunch of money and a bunch of people to work last year in child welfare. We don't have enough. We don't have enough. We've got a real problem. And we've got to own up to it and step up to the plate and do something about it.

So we're going to, within my budget again, you know, we're going to try to improve child welfare in the State of West Virginia until it is the very best in the country. We're going to hire another 87 people that are going to be out in the

field as child welfare people to be able to assist and help us in every way. (APPLAUSE)

Let me say something about communities and schools. A lot of you don't have one clue about communities and schools. I'm going to tell you that Cathy didn't know much and neither did I. Cathy needed some cause or whatever you want to call it to get really behind it and everything. In Greenbrier County, they had a phenomenal success story with communities and schools, but it wasn't linked to the state in any way. Cathy got educated. And then she got behind it. And now it is doing stuff.

And I would say — and I'm going to tell you this. This is how I believe our family should be. We should be honest with one another. We should be loving, but we should be honest. And sometimes honesty is not what the other would like to hear. But I'm going to tell you just this. Of every single program that I've been involved in or I've seen, there is nothing working like this. It's unbelievable. Un-flat-believable.

Today they're in 71 different schools and it is touching 28,000 kids. And you know what the teachers, do you know what absolutely the parents, do you know what the kids, do you know what they are saying? The very most disruptive kid in the classroom is now the model. Because maybe he just needed a toothbrush. Maybe he just needed somebody to just stand and help him. Maybe he needed enough food.

Absolutely it's working beyond belief. And I hope to goodness that every last one of you will get out and see how this program is really kicking it out of the park. It's really, really happening.

Now, we've got to recognize, and I'm very proud to, Kathy Brunty, and she is with us somewhere. And Deidra Crouse is also here. And let me talk a second. Kathy is a teacher at West Side High School in Wyoming County. She had 25 of these kids — 25 kids that were struggling. Not 25 naturally just picked out brainiacs, twenty-five of these kids were struggling, 25 out of 25 graduated. It's amazing. (APPLAUSE)

Deidra is one of those. And you know what she's on her way to do? To become a nurse. It's amazing. (APPLAUSE)

Good job.

I want to do a little more. We've got too many people out in all across the different regions of our state that are hungry. I want absolutely to commit a million dollars — a million dollars to create more food pantries, or be able to buy more food for people that are really out there and really hurting. (APPLAUSE)

In addition to that, I want to take \$2 million, 2 million additional dollars and go to the Department of Education and put that into their Backpack Program — and I am not terribly familiar with every one of these, but their Backpack Program will insure just this. And, gosh, I see it. I see it. Can you just imagine? Can you imagine going home on Friday and know you're going to be hungry? It's tough stuff, guys. It's really tough stuff. If we can't find \$2 million to help our kids and help the hungry, then we're not much of us. That's all there is to it.

So anyway, in my budget there is \$2 million going to that. (APPLAUSE)

We all know tourism in the state is really moving. We all know it's doing great stuff. Before I got here, we had four consecutive years of traveler spend declines. Boom, boom-boom, boom-boom. The lightning bolt going the wrong way.

Chelsea Ruby, wherever she is, is doing an incredible job. And get this number. Get this. Our growth — our growth surpassed the national average of growth by 58 percent. Unbelievable. Unbelievable.

Chelsea, where are you? (APPLAUSE)

I don't know where she is, but wherever she is, clap for her. (APPLAUSE)

The DNR is doing exciting stuff too. The DNR has been able since 2017 to acquire 78,000 acres of land. Twenty-four wildlife management areas have been established. The total from 2001 to 2016 was 30,000. 78,000 last year — or since 2017. They stocked 2.7 million trout since 2017. Now surely to goodness y'all can catch a few of them. I mean, for crying out loud.

Now, hunting and fishing licenses are up by 50 percent. Presales doubled. Our elk hurts doing great. We spent \$60 million in park upgrades. And you know where all of this is tying right back in is tourism, tourism, tourism, tourism, tourism. It's amazing.

So Steve McDaniel, thank you. And I am going to keep moving.

Our petrochemical industry has so many incredible potentials. Austin Caperton is heading up a task force, a downstream task force. It's unbelievable. If you'll just be patient. It is unbelievable what is going to happen to manufacturing in this state. And it's all going to flow — not all, but a lot of it is going to flow through the petrochemical side.

We want our oil and gas people to thrive. We want, like I said before, to try any and every way we possibly can to continue to manufacture one additional coal job. One additional gas job. It's happening. It's happening. It's tough. It's dog fight tough. The coal market — the thermal market was at \$78 a ton and now it's 35. There is no way. We just can't hardly compete. And it's really tough. The metallurgical market was at \$210 a ton; today it's 85. It's tough. But we got to keep trying to find solutions and ways to absolutely insure that our coal miners are going to have their jobs.

Now, one thing now that we've been able to work and compromise on from the gas side that I am absolutely supportive of is that — is our low pressure wells, and I believe with all in me that this is a real opportunity for a real by partisan effort. I believe there is support across the aisle on both sides. And I believe that this is what we need to get behind in an effort to try to plug the old wells and to give people a break in these low pressure wells.

There is something called Virgin Hyperloop. One of my little buddies in my tunnel is out of his mind about Virgin Hyperloop. And so am I. A lot of you wouldn't have any idea what in the world Virgin Hyperloop could possibly be. I didn't know either. But we went to Morgantown, and WVU is reaching out, and we're reaching out in every way, shape, form or fashion, and it's a possibility. It is an absolute possibility.

What it does is just this. There is a tube that is built over land and it is revamping the entire transportation system in any way that we may know it.

And you get in a pod in that tube, and you can go in excess of 600 miles an hour where you're going. You can't even feel the ripple of it at all.

I do believe that we are in on the finalists to have that research center at WVU. We have the terrain. We have the willingness from all of our people. I took every secretary head that we had there. We met with them. We went round and round and round with them. I talked to the president since then. And it's possible. It is so phenomenal, it's off the chart. I will do anything and everything I can.

And Jay — and Jay is the president. And Jay, if you hear me, know that you've got a governor here that's a big guy, that is absolutely willing to do anything that I possibly can within my power to try to get you here. Because it would be unbelievable.

Now, there is two people from WVU. There is a dean of the West Virginia College of Business and Economics, and there is a lady, Sarah Biller, and she is the executive director of WVU's Vantage Ventures. And the dean is Javier Reyes, I believe — now, I'm probably mispronouncing them. But please stand, and let's give them a great big round of applause. They have done unbelievable work on this project.

I know those chairs are getting hard, but I'm almost done.

I want to talk a second about education. I'm a real believer in this. And the first time you ever saw me, this is exactly what I said. I said we ought to make education our centerpiece. We have in a lot of ways. We've made a real commitment to education. And we've done lots and lots and lots of stuff. And I'm not going to go through all the blow-by-blow of what we've done, but absolutely we have changed the way the outside world thinks about us and thinks about education. We've got lots more to do. We've got lots and lots and lots more to do.

And to make it better and better and better as we go forward, I hope we can do more and more and more and more. We want to make it better. We want to reward our people better. We want to make it better for our kids. We want to make the scores better. We want every part of it to be better.

So tonight, we have our Teacher of the Year. And, whew, am I going to have a time with this one. Jennifer Schwertfeger. How about that? Jennifer, where are you? Right there. (APPLAUSE)

Jennifer has transformed — now get this — transformed the way that science is being taught to our kids, and she is transforming the way we think it ought to be taught. She's done an incredible job. And her sponsor is Toyota and Highmark Blue Cross Blue Shield, and Horace Mann, are with us — and the West Virginia Lottery are somewhere. And you've got to give them a big round of applause too. (APPLAUSE)

Now, I'm with the State Police every day. I drive myself, because they don't drive very well.

And they scare me tee-totally to death. And I'm just teasing. They're really good. And it's amazing how dedicated they are and all the great stuff they've done.

You know, you go back to when things were really tough. You didn't have a class — a cadet class for four years. And we're about to enter March of 2020 and send our third class into action. Good stuff. (APPLAUSE)

They do work like you can't imagine. Absolutely. They protect us. And we should respect and love them every single solitary day.

You know, I'd like to talk just a second about our elderly, and in some ways I guess I'm talking about me. You know, but again, I thank you and congratulate you for what you did in removing or in the tiering of removing the income tax on the state income tax on our Social Security. It was a great move. It's a great move for our elderly.

You know, last year we committed a million dollars to the Bureau of Senior Services. It's not enough money, but it enabled us to purchase a bunch of new vehicles to supply hot meals to the homebound. Again, you know, it's a curse and it's a virtue. You know, I won't give up on trying to care for somebody. I won't. And whether you buy it or not buy it, I'm only here to care. And if you think about our elderly, the people that have been through their life and given us so much it's unbelievable, and maybe there is some and maybe — we know there are — that are sitting right out there and they'd just love a hot meal. You know, again, is that too much? I mean, is it really too much?

So this year there is \$3 million in my budget to buy another 43 vehicles and to supply all kinds more meals to the seniors that are out there that are looking for just a warm meal and a kind voice. (APPLAUSE)

Woody, don't sit down, you know. I don't know where you can stand here.

Let me tell you just this. I can't tell this story enough. But I was in Barboursville with the veterans, and I said, "What would you want if we could do whatever you could do?" And they said we'd like — Governor, we'd like our retirement exempt from state income tax. And I said, well, how much would that cost? And they said — I said, is there anybody here that knows? Because we were in session. And nobody really knew. But all of a sudden there is this one guy, who is a really sharp guy, and he stood up and said, Governor, I think it's somewhere between 2.7 and \$3.2 million. I couldn't believe it. I could not believe it.

Again, these people have given each and every one of you, and me, every single thing we have in this life. Everything. Everything. I don't care what it is. I don't care if you're going to Wendy's. I don't care what in the world you're doing, we owe every single thing in our life to them. Everything. It's all there is to it. Again, I say it over and over and over. They ask so little and they've given so much. It's unbelievable.

So we came back. And I set it up, and you were kind enough to get behind it, and boom, it was done just that quick. I thank you again. I thank you for all of them. I thank you for me. I thank you for my dad. I thank you for Cathy's dad. I thank you.

Now, in my budget you'll find \$5.5 million that's going to the nursing home in Clarksburg. You'll also find that we've been able to purchase more vans to be able to get our veterans to the hospitals. You'll see in my contingency fund I was able — because these people stood in the road, they did everything in the world to raise money for the Oceana Memorial Wall. And my dad is on that wall.

So we took a few contingency dollars and we were able to get them over the edge, and their wall is built. (APPLAUSE)

But let me tell you this. We've got a Metal of Honor recipient. It's unbelievable. You talk about a hero. I mean, you may think you're important. I may think I'm important. We can't hold a candle to this man. And not only is he that, but what he's doing all across this country for our Gold Star families is off the chart.

So I don't know how our thunderous applause could thank him any more, no way could it thank him any more, but please, Woody Williams, stand, and let's absolutely give him the applause that he deserves. (APPLAUSE)

MR. WILLIAMS: Governor, if I may be so bold —

GOVERNOR JUSTICE: Come on up here. You can come up here by my tackle box.

MR. WILLIAMS: If I may be so bold.

GOVERNOR JUSTICE: Please.

MR. WILLIAMS: We're going to do a monument on the Capitol grounds that will be two times the size of anybody else's in the country, because we are West Virginia.

(APPLAUSE)

GOVERNOR JUSTICE: Here. You come up here. You come right on up here. Move this out of the way. Come on over here and just talk. They'd rather hear from you than me.

MR. WILLIAMS: We're currently in 45 states — 45 states in this country — communities. We've lost count of those. But they have put up a Gold Star Family Memorial Monument to honor those families that gave more than any of us. They gave one of their loved ones so we can be free. We've got 63 more that are in the process somewhere in the country. West Virginia can be very, very proud. We already have seven communities in this state that have put up a Gold Star Family Memorial Monument to honor those in their communities. We have four more that are in the process and working every day, and in just a few months they will be on live.

So it's happening all over the country because of the big hearts and the love that people show for those who gave so much of a sacrifice.

We need \$12,000 to meet our goal for our Capitol monument. So I'm hoping we can get \$12,000 out of him. (APPLAUSE)

GOVERNOR JUSTICE: Well, I'll tell you what. You can keep that little orange jacket, and I'll give you the 12,000 tomorrow out of the contingency fund. And you stay away from my hatchet.

Listen, let me tell you something else. The good Lord gave you the ability to smile and to laugh. It's good stuff. This is an unbelievable hero right in our midst, and he is unreal. Unbelievable what he can do and say.

And I'd like to touch on just a couple other things really quick. The arts. And the funding of the arts is terribly important to our state. We don't want in any way to lose our identity of how great we really are. And you know that every dollar — every dollar that we pump into arts, we return back 23 almost instantaneously.

Brother Randall, where are you?

Oh, my goodness. Please stand. And we're going to — (APPLAUSE)

I mean, what a job he is doing. It's off the chart. Look at this. I love it. (APPLAUSE)

You didn't even let me, you know, recognize these two other people. There is a lady here, and her name is Chiho Feindler. How about that? And she's a senior director of programs and policy, and she heads up this effort called Save the Music. And absolutely there is packages of musical instruments in all 55 of our counties. It's unbelievable how important that is.

And hold on just one second.

And the other person that is here that we want to recognize is our senior advisor to the Office of Senior Deputy Chairman — good gracious — oh, no, wait a minute. This is the Chief Grant Coordinator. Oh. Forgive me. We need you really bad. This is Joshua Mauthe.

Where is he? If he would stand. Thank you, sir. (APPLAUSE)

Now, we're on the homestretch. Year 2020. An incredible, incredible anniversary year. One hundred years now — one hundred years the women have been able to vote. Absolutely 100 years. And please, let's all cheer in every way, shape, form, or fashion for that anniversary. (APPLAUSE)

Okay. Last year I came to you with the idea of an Intermediate Court of Appeals. I really truly believe that it is a part of putting us on our way to restore honor and integrity to our system even better. We need to do it. And I think we can get it across the finish line this year. It will help us in lots and lots of different ways.

You know, now, the other thing I would say about this is just this. With a follow-up of the Court we have right here, and the assistance that we can give in many different ways, we've got to get that across the finish line.

Last thing I would say. My very last page. I'd say just this. Cathy and I the other day, we went to the National Guard hangar, and at that hangar there was a plane that landed with a hundred plus of our bravest and best that came back from 11 months of duty all over the world — most of them in Iraq and Kuwait. Just think about it. Think about last night. Think about last night, if you would have been the parents, or the spouse of your child, that would have been in Iraq, one of those bases...just think about what I've said about how much we owe. How much we truly owe.

Cathy and I were there. And they got off the plane, and all their families were here and there and everything, and here they came. And Cathy kept saying, "Can you imagine? Can you imagine, really and truly, how tough and how good this really is?" We both walked around with tears running down our face. It was unbelievable how great it really, really truly was.

Now, but on that same day, that same day, we had seven being deployed that day.

Now, let me tell you. Tonight we have with us Mrs. Tiffany Holstein. Her — And her daughter Taylor. Her husband is a technical sergeant, Brandon Holstein. He's deployed with our 130th Airlift Wing.

If she would stand, please. Give her the love that absolutely all of us want to do. (APPLAUSE)

Tiffany, Brandon will be home soon. And that will be great stuff.

You know, I'd leave you with one thought. There may be people here that love West Virginia as much as me. But there is no way on earth there is anybody here that loves it more. I love you. I love this great state. I love all that we stand for. I love the fact that I've been able to be maybe a coach. I've been maybe working towards the fact that if we could just say that maybe, just maybe, I've been a coach that's been working to train you for the Olympics. And that's you, being West Virginia. And all I would say now is: Go win the gold.

God bless you. Thank you. (APPLAUSE)

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The committee to wait upon His Excellency, the Governor then escorted the Governor from the Chamber.

The business of the Joint assembly having been completed, the Speaker declared the Joint Assembly dissolved.

The Sergeant-at-Arms escorted the invited guests from the Chamber.

The members of the Senate retired from the Chamber.

The Speaker then called the House of Delegates to order and laid the following communication from His Excellency, the Governor before the House:

State of West Virginia
Jim Justice
Governor of West Virginia

January 8, 2020

EXECUTIVE MESSAGE NO. 1
FIRST REGULAR SESSION

The Honorable Roger Hanshaw, Speaker
West Virginia House of Delegates
State Capitol
Charleston, West Virginia 25305

Dear Speaker Hanshaw:

I herewith submit, pursuant to the Constitution of the State of West Virginia, a budget and budget bill for the fiscal year beginning July 1, 2020.

Sincerely,

Jim Justice,
Governor.

Whereupon,

In compliance with Subdivision (4), Subsection B, Section 51, Article VI of the Constitution, at the request of Delegate Summers and by unanimous consent, the House of Delegates returned to the Eighth Order of Business for the purpose of introducing the following bill, which was read by its title and referred to the Committee on Finance:

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

H. B. 4021 - "A Bill making appropriations of public money out of the Treasury in accordance with Section 51, Article VI of the Constitution."

Accompanying the Budget Bill was a document showing estimates of revenue, expenditures, etc., as required by Section 51, Article VI of the Constitution.

Leaves of Absence

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

Delegates Espinosa, Fleischauer and Skaff were absent during the quorum call but were present for parts of the floor proceedings.

At 8:29 p.m., on motion of Delegate Summers, the House of Delegates adjourned until 11:00 a.m., Thursday, January 9, 2020.

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

**WEST VIRGINIA
HOUSE OF DELEGATES**

THURSDAY, JANUARY 9, 2020

HOUSE CONVENES AT 11:00 A.M.

**COMMITTEE ON FINANCE
9:00 A.M. & 5:00 P.M. – ROOM 464 M**

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

**COMMITTEE ON EDUCATION
9:00 A.M. – ROOM 434 M**

**COMMITTEE ON RULES
10:30 A.M. – BEHIND CHAMBER**

**PREVENTION AND TREATMENT OF SUBSTANCE ABUSE
1:00 P.M. – ROOM 215 E**

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