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January 13, 2020

SIXTH DAY

Monday, January 13, 2020

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

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

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

The Clerk proceeded to read the Journal of Friday, January 10, 2020, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Speaker Hanshaw, Chair of the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration:

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

And reports the same back without recommendation, as to its adoption.

Bills Introduced

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

By Delegates Foster, Phillips, Jennings, Atkinson, Bibby, Steele, Butler, Waxman, Espinosa, Porterfield and Mandt:

H. B. 4020 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-12-5h, relating to prohibiting any municipality from requiring a municipal license to engage in an occupation within the municipality if licensure to engage in that occupation is required by the state"; to the Committee on Government Organization.

By Delegates Foster, Phillips, Bibby, Porterfield, Jennings, Anderson, Steele, Howell, Hanna, Fast and Shott:

H. B. 4104 - "A Bill to amend and reenact §21A-1A-16 of the Code of West Virginia, 1931, as amended; and to amend and reenact §23-2-1a of said code, relating to the definition of employee for the purposes of the unemployment compensation and workers compensation laws"; to the Committee on Industry and Labor then Government Organization.

By Delegates Atkinson, Higginbotham, Miller, J. Kelly, Lavender-Bowe, Ellington, Jennings, Cooper, D. Kelly, Waxman and Bibby:

H. B. 4105 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25c, relating to requiring that public schools have full-time trainers on staff; requiring rulemaking; and allowing exceptions"; to the Committee on Education then Finance.

By Delegates Rowe, Estep-Burton, Hansen, Robinson, Fleischauer and Walker:

H. B. 4106 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-15-1, §15-15-2, §15-15-3, §15-15-4, and §15-15-5 all relating to creating the biometric information privacy act; providing legislative findings and definitions; regulating the retention, collection, disclosure, and destruction of biometric identifiers or biometric information; providing a right of action for grievances; and construction of this article"; to the Committee on the Judiciary.

By Delegates Foster, Steele, Butler, Waxman, Cadle, J. Jeffries, Anderson, Fast, Kessinger, Lovejoy and Rowe:

H. B. 4107 - "A Bill to amend and reenact §49-4-112 of the Code of West Virginia, 1931, as amended, relating to requiring the Department of Health and Human Resources to pay the attorney fees of an adoptive parent in a subsidized adoption"; to the Committee on Health and Human Resources.

By Delegates Summers, Waxman, Porterfield, Fast, Householder, Jennings and Ellington:

H. B. 4108 - "A Bill to repeal §16-2D-11 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-2D-10 of said code, all relating generally to certificates of need for health care services; and changing those health care services that require approval from the West Virginia Health Care Authority to be exempt from a certificate of need to being exempt without approval"; to the Committee on Health and Human Resources.

By Delegates Butler, Fast, Kessinger, Foster, D. Jeffries, Bibby, Pack, P. Martin, D. Kelly, J. Jeffries and Graves:

H. B. 4109 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §2-1-3, relating to the preservation of rights guaranteed by the West Virginia Constitution and the United States Constitution when deciding the comity of a legal decision in a foreign country, the choice of law used for contractual interpretations and choice of forum; exempting businesses; making legislative findings; stating public policy; defining a term; and providing a severability provision"; to the Committee on the Judiciary.

By Delegates Foster, Waxman, Jennings, Porterfield, Steele, Hanna, Kessinger, Cowles and Wilson:

H. B. 4110 - "A Bill to repeal §21-1C-1, §21-1C-2, §21-1C-3, §21-1C-4, §21-1C-5, and §21-1C-6, of the Code of West Virginia, 1931, as amended, relating to repealing the West Virginia Jobs Act"; to the Committee on Government Organization.

By Delegates Miller, Lovejoy, D. Kelly, Lavender-Bowe, Tomblin, Atkinson, Maynard, Pack, Evans and Graves:

H. B. 4111 - "A Bill to amend and reenact §7-14D-14 of the Code of West Virginia, 1931, as amended, relating to awards and benefits for disability under the Deputy Sheriff Retirement Act"; to the Committee on Pensions and Retirement then Finance.

By Delegates Atkinson, J. Kelly, Westfall, D. Jeffries, Criss, Miller, Jennings, Higginbotham, Lavender-Bowe, Ellington and Cooper:

H. B. 4112 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-22e, relating to requiring county school boards to provide adequate mental health evaluations, services, and counseling services for pupils in the public schools; establishing minimum number of school psychologists by 2022-2023 school year; and authorizing alternative professional practitioners"; to the Committee on Education then Finance.

By Delegates Atkinson, Pack, Anderson, Cooper, Criss, Cowles, Maynard, Hardy, Steele, Ellington and Jennings:

H. B. 4113 - "A Bill to amend and reenact §11-14C-9 and §11-14C-30 of the Code of West Virginia, 1931, as amended, all relating to motor fuel excise taxes, providing exemption for fuel used in power take off unit of a fuel delivery truck; and allowing refunds of all motor fuel taxes if fuel lost through casualty"; to the Committee on Finance.

By Delegate Steele:

H. B. 4114 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-3D-1, §16-3D-2, §16-3D-3, §16-3D-4, §16-3D-5, and §16-3D-6, all relating to informed consent for vaccinations; providing a short title; defining terms; prohibiting discrimination against patients for declining or delaying vaccines; establishing prohibited activities; creating rights for patients; and establishing monetary penalties and revocation of licensure for violations"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Steele, Graves and Pack:

H. B. 4115 - "A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended, relating to compulsory immunization of public school children; and removing references to private and parochial schools from compulsory immunization"; to the Committee on Education then Health and Human Resources.

By Delegates Steele and Pack:

H. B. 4116 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-5j; and amend and reenact §20-2-16 of said code, all relating to the permitting the tracking of wounded or injured deer or bear with leashed dogs; and providing that if the owner of a dog that has been used to hunt or chase deer cannot be ascertained, the natural resources police officer is to deliver the dog to the appropriate county humane officer or facility"; to the Committee on Agriculture and Natural Resources.

By Delegates Higginbotham, Ellington, Howell, Hamrick, Atkinson, J. Jeffries, Waxman, Barnhart, Dean, Jennings and Rohrbach:

H. B. 4117 - "A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to authorizing a special vehicle registration plate for '2nd Amendment' enthusiasts"; to the Committee on Technology and Infrastructure then Government Organization.

By Delegates Steele, Graves, Pack and Byrd:

H. B. 4118 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §12-3B-1, §12-3B-2, §12-3B-3, §12-3B-4, and §12-3B-5, all relating to creating a state-wide email address directory; requiring the database of state agencies' and state employees' email addresses be available online; providing that email addresses of citizens be voluntary; providing a tax credit; prohibiting disclosure of personal email addresses; providing a penalty; defining terms; and requiring rule-making"; to the Committee on the Judiciary then Finance.

By Delegates Steele, Graves, Pack and Byrd:

H. B. 4119 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-10c, relating to establishing the crime of torture; establishing criminal penalties; and defining terms"; to the Committee on the Judiciary.

By Delegates Williams, Summers, Miley, Caputo, Barrett, Householder, Fleischauer, Pyles, Walker, Zukoff and Hansen:

H. B. 4120 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17-30-1, §17-30-2, §17-30-3, §17-30-4, and §17-30-5, all relating to requiring the Commissioner of Highways to develop a formula for allocating road funds among districts, for the benefit of the counties; making legislative findings; requiring the commissioner to solicit and consider public comments; requiring the commissioner to include certain factors in the formula; and requiring the commissioner to submit the formula to the Legislature for approval as a legislative rule"; to the Committee on Government Organization.

By Delegates Foster, Jennings, Waxman, Cadle, J. Jeffries, Porterfield, Anderson, Mandt, Hanna, Phillips and Wilson:

H. B. 4121 - "A Bill to amend and reenact §30-1-10 of the Code of West Virginia, 1931, as amended, relating to state boards of examination or registration; and requiring Treasurer to transfer certain funds accumulated by the boards into the State General Fund"; to the Committee on Government Organization then Finance.

By Delegates D. Jeffries, Porterfield, Azinger, Tomblin, J. Jeffries, Hott, Cadle, Sypolt, Barnhart and Hamrick:

H. B. 4122 - "A Bill to amend and reenact §30-1-5 and §30-1-19 of the Code of West Virginia, 1931, as amended; to repeal §30-2-1, §30-2-2, §30-2-3, §30-2-4, §30-2-5, §30-2-5a, §30-2-6, §30-2-7, §30-2-8, §30-2-9, §30-2-10, §30-2-11, §30-2-12, §30-2-13, §30-2-14, §30-2-15 and §30-2-16 of said code; to repeal §30-6-1, §30-6-2, §30-6-3, §30-6-4, §30-6-5, §30-6-6, §30-6-7, §30-6-8, §30-6-9, §30-6-10, §30-6-11, §30-6-12, §30-6-13, §30-6-14, §30-6-15, §30-6-16, §30-6-17, §30-6-18, §30-6-19, §30-6-20, §30-6-21, §30-6-22, §30-6-22a, §30-6-23, §30-6-24, §30-6-25, §30-6-26, §30-6-27, §30-6-28, §30-6-29, §30-6-30, and §30-6-31 of said code; to repeal §30-9-1, §30-9-2, §30-9-3, §30-9-4, §30-9-5, §30-9-6, §30-9-7, §30-9-8, §30-9-9, §30-9-10, §30-9-11, §30-9-12, §30-9-13, §30-9-14, §30-9-15, §30-9-16, §30-9-17, §30-9-18, §30-9-19, §30-9-20, §30-9-21, §30-9-22, §30-9-23, §30-9-24, §30-9-25, §30-9-26, §30-9-27, §30-9-28, §30-9-29, §30-9-30, §30-9-31, §30-9-33 and §30-9-34 of said code; to repeal §30-12-1, §30-12-2, §30-12-3, §30-12-4, §30-12-5, §30-12-6, §30-12-7, §30-12-8, §30-12-9, §30-12-10, §30-12-11, §30-12-11a, §30-12-12, §30-12-13, and §30-12-14 of said code; to repeal §30-13-1, §30-13-2, §30-13-3, §30-13-4, §30-13-5, §30-13-6, §30-13-7, §30-13-8, §30-13-9, §30-13-10, §30-13-11, §30-13-12, §30-13-13, §30-13-13a, §30-13-14, §30-13-15, §30-13-16, §30-13-17, §30-13-18, §30-13-19, §30-13-20, §30-13-21, §30-13-22, §30-13-23, and §30-13-24; to repeal §30-13A-1, §30-13A-2, §30-13A-3, §30-13A-4, §30-13A-5, §30-13A-6, §30-13A-7, §30-13A-8, §30-13A-9, §30-13A-10, §30-13A-11, §30-13A-12, §30-13A-13, §30-13A-14, §30-13A-15, §30-13A-16, §30-13A-17, §30-13A-18, §30-13A-19, §30-13A-20, §30-13A-21, §30-13A-22, §30-13A-23, §30-13A-24, and §30-13A-25 of said code; to repeal §30-17-1, §30-17-2, §30-17-3, §30-17-4, §30-17-5, §30-17-6, §30-17-7, §30-17-8, §30-17-9, §30-17-10, §30-17-11, §30-17-12, §30-17-13, §30-17-14, §30-17-15, §30-17-16, §30-17-17, §30-17-18, and §30-17-19 of said code; to repeal §30-18-1, §30-18-2, §30-18-3, §30-18-4, §30-18-5, §30-18-6, §30-18-7, §30-18-8, §30-18-9, §30-18-10, §30-18-11, §30-18-12, and §30-18-13 of said code; to repeal §30-19-1, §30-19-2, §30-19-3, §30-19-4, §30-19-5, §30-19-6, §30-19-7, §30-19-8, §30-19-9, §30-19-10, §30-19-11, §30-19-12, §30-19-13, §30-19-14, §30-19-15, §30-19-16 and §30-19-17 of said code; to repeal §30-22-1, §30-22-2, §30-22-3, §30-22-4, §30-22-5, §30-22-6, §30-22-7, §30-22-8, §30-22-9, §30-22-10, §30-22-11, §30-22-12, §30-22-13, §30-22-14, §30-22-15, §30-22-16, §30-22-17, §30-22-18, §30-22-19, §30-22-20, §30-22-21, §30-22-22, §30-22-23, §30-22-24, §30-22-25, §30-22-26, §30-22-27, and

§30-22-28 of said code; to repeal §30-25-1, §30-25-2, §30-25-3, §30-25-4, §30-25-5, §30-25-6, §30-25-7, §30-25-8, §30-25-9, §30-25-10, §30-25-11, §30-25-12, §30-25-13, §30-25-14, §30-25-15, §30-25-16, §30-25-17, and §30-25-18 of said code; to repeal §30-27-1, §30-27-2, §30-27-3, §30-27-4, §30-27-5, §30-27-6, §30-27-7, §30-27-8, §30-27-8a, §30-27-8b, §30-27-9, §30-27-10, §30-27-11, §30-27-11a, §30-27-12, §30-27-13, §30-27-14, §30-27-15, §30-27-16, §30-27-17, §30-27-18, §30-27-19, §30-27-20, §30-27-21, §30-27-22, §30-27-23, and §30-27-24 of said code; to repeal §30-29-1, §30-29-2, §30-29-3, §30-29-4, §30-29-5, §30-29-6, §30-29-7, §30-29-8, §30-29-9, §30-29-10, §30-29-11, §30-29-12, and §30-29-13 of said code; to repeal §30-38-1, §30-38-2, §30-38-3, §30-38-4, §30-38-5, §30-38-6, §30-38-7, §30-38-8, §30-38-9, §30-38-10, §30-38-11, §30-38-12, §30-38-13, §30-38-14, §30-38-15, §30-38-16, §30-38-17, §30-38-18, and §30-38-19 of said code; to repeal §30-38A-1, §30-38A-2, §30-38A-3, §30-38A-4, §30-38A-5, §30-38A-6, §30-38A-7, §30-38A-8, §30-38A-9, §30-38A-10, §30-38A-11, §30-38A-12, §30-38A-13, §30-38A-14, §30-38A-15, §30-38A-16, and §30-38A-17 of said code; to repeal §30-39-1, §30-39-2, §30-39-3, §30-39-4, §30-39-5, §30-39-6, §30-39-7, §30-39-8, §30-39-9, §30-39-10, §30-39-11, §30-39-12, §30-39-13, §30-39-14, §30-39-15, §30-39-16, §30-39-17, §30-39-18, §30-39-19, §30-39-20, and §30-39-21 of said code; to repeal §30-40-1, §30-40-2, §30-40-3, §30-40-4, §30-40-5, §30-40-6, §30-40-7, §30-40-8, §30-40-9, §30-40-10, §30-40-11, §30-40-12, §30-40-13, §30-40-14, §30-40-15, §30-40-16, §30-40-17, §30-40-18, §30-40-19, §30-40-20, §30-40-21, §30-40-22, §30-40-23, §30-40-24, §30-40-25, §30-40-26, and §30-40-27 of said code; to amend said code by adding thereto a new article, designated §30A-1-1, §30A-1-2, §30A-1-3, §30A-1-4, §30A-1-5, §30A-1-6, §30A-1-7, §30A-1-8, §30A-1-9, §30A-1-10, §30A-1-11, §30A-1-12, §30A-1-13, §30A-1-14, §30A-1-15, §30A-1-16, §30A-1-17, §30A-1-18, §30A-1-19, §30A-1-20, §30A-1-21, §30A-1-22, §30A-1-23, §30A-1-24, §30A-1-25, §30A-1-26, §30A-1-27, §30A-1-28, and §30A-1-29; to amend said code by adding thereto a new article, designated §30A-2-1, §30A-2-2, §30A-2-3, §30A-2-4, §30A-2-5, §30A-2-6, §30A-2-7, §30A-2-8, §30A-2-9, §30A-2-10, §30A-2-11, §30A-2-12, §30A-2-13, §30A-2-14, §30A-2-15, §30A-2-16, §30A-2-17, §30A-2-18, §30A-2-19, §30A-2-20, §30A-2-21, §30A-2-22, §30A-2-23, §30A-2-24, §30A-2-25, §30A-2-26, §30A-2-27, §30A-2-28, §30A-2-29, §30A-2-30, §30A-2-31, §30A-2-32, and §30A-2-33; to amend said code by adding thereto a new article, designated §30A-3-1, §30A-3-2, §30A-3-3, §30A-3-4, §30A-3-5, §30A-3-6, §30A-3-7, §30A-3-8, §30A-3-9, §30A-3-10, §30A-3-11, §30A-3-11a, §30A-3-12, §30A-3-13, and §30A-3-14; to amend said code by adding thereto a new article, designated §30A-4-1, §30A-4-2, §30A-4-3, §30A-4-4, §30A-4-5, §30A-4-6, §30A-4-7, §30A-4-8, §30A-4-9, §30A-4-10, §30A-4-11, §30A-4-12, §30A-4-13, §30A-4-13a, §30A-4-14, §30A-4-15, §30A-4-16, §30A-4-17, §30A-4-18, §30A-4-19, §30A-4-20, §30A-4-21, §30A-4-22, §30A-4-23, and §30A-4-24; to amend said code by adding thereto a new article, designated §30A-5-1, §30A-5-2, §30A-5-3, §30A-5-4, §30A-5-5, §30A-5-6, §30A-5-7, §30A-5-8, §30A-5-9, §30A-5-10, §30A-5-11, §30A-5-12, §30A-5-13, §30A-5-14, §30A-5-15, §30A-5-16, and §30A-5-17, to amend said code by adding thereto a new article, designated §30A-6-1, §30A-6-2, §30A-6-3, §30A-6-4, §30A-6-5, §30A-6-6, §30A-6-7, §30A-6-8, §30A-6-9, §30A-6-10, §30A-6-11, §30A-6-12, §30A-6-13, §30A-6-14, §30A-6-15, §30A-6-16, §30A-6-17, §30A-6-18, §30A-6-19, §30A-6-20, §30A-6-21, §30A-6-22, §30A-6-23, §30A-6-24, and §30A-6-25; to amend said code by adding thereto a new article, designated §30A-7-1, §30A-7-2, §30A-7-3, §30A-7-4, §30A-7-5, §30A-7-6, §30A-7-7, §30A-7-8, §30A-7-9, §30A-7-10, §30A-7-11, §30A-7-12, §30A-7-13, §30A-7-14, §30A-7-15, §30A-7-16, §30A-7-17, §30A-7-18, §30A-7-19, §30A-7-20, §30A-7-21, §30A-7-22, §30A-7-23, §30A-7-24, §30A-7-25, §30A-7-26, §30A-7-27, and §30A-7-28; to amend said code by adding thereto a new article, designated §30A-8-1, §30A-8-2, §30A-8-3, §30A-8-4, §30A-8-5, §30A-8-6, §30A-8-7, §30A-8-8, §30A-8-9, §30A-8-10, §30A-8-11, §30A-8-12, §30A-8-13, §30A-8-14, §30A-8-15, §30A-8-16, §30A-8-17, §30A-8-18, and §30A-8-19; to amend said code by adding thereto a new article, designated §30A-9-1, §30A-9-2, §30A-9-3, §30A-9-4, §30A-9-5, §30A-9-6, §30A-9-7, §30A-9-8, §30A-9-9, §30A-9-10, §30A-9-11, §30A-9-12, §30A-9-13, §30A-9-14, §30A-9-15, §30A-9-16, §30A-9-17, and §30A-9-18; to amend said code by adding thereto a new article, designated §30A-10-1, §30A-10-2, §30A-10-3, §30A-10-4, §30A-10-5, §30A-10-6, §30A-10-7, §30A-10-8, §30A-10-9, §30A-10-10, §30A-10-11, §30A-10-12, §30A-10-13, §30A-10-14, §30A-10-15, §30A-10-16, §30A-10-17, §30A-10-18, §30A-10-19, §30A-10-20, §30A-10-21, §30A-10-22, §30A-10-22a, §30A-10-23, §30A-

10-24, §30A-10-25, §30A-10-26, §30A-10-27, §30A-10-28, §30A-10-29, §30A-10-30, and §30A-10-31; to amend said code by adding thereto a new article, designated §30B-1-1, §30B-1-2, §30B-1-3, §30B-1-4, §30B-1-5, §30B-1-6, §30B-1-7, §30B-1-8, §30B-1-9, §30B-1-10, §30B-1-11, §30B-1-12, §30B-1-13, §30B-1-14, §30B-1-15, §30B-1-16, §30B-1-17, §30B-1-18, §30B-1-19, §30B-1-20, §30B-1-21, §30B-1-22, §30B-1-23, §30B-1-24, §30B-1-25, §30B-1-26, §30B-1-27, and §30B-1-28; to amend said code by adding thereto a new article, designated §30B-2-1, §30B-2-2, §30B-2-3, §30B-2-4, §30B-2-5, §30B-2-6, §30B-2-7, §30B-2-8, §30B-2-8a, §30B-2-8b, §30B-2-9, §30B-2-10, §30B-2-11, §30B-2-11a, §30B-2-12, §30B-2-13, §30B-2-14, §30B-2-15, §30B-2-16, §30B-2-17, §30B-2-18, §30B-2-19, §30B-2-20, §30B-2-21, §30B-2-22, §30B-2-23, and §30B-2-24; to amend said code by adding thereto a new article, designated §30B-3-1, §30B-3-2, §30B-3-3, §30B-3-4, §30B-3-5, §30B-3-6, §30B-3-7, §30B-3-8, §30B-3-9, §30B-3-10, §30B-3-11, §30B-3-12, and §30B-3-13; to amend said code by adding thereto a new article, designated §30B-4-1, §30B-4-2, §30B-4-3, §30B-4-4, §30B-4-5, §30B-4-6, §30B-4-7, §30B-4-8, §30B-4-9, §30B-4-10, §30B-4-11, §30B-4-12, and §30B-4-13; to amend said code by adding thereto a new article, designated §30B-5-1, §30B-5-2, §30B-5-3, §30B-5-4, §30B-5-5, §30B-5-6, §30B-5-7, §30B-5-8, §30B-5-9, §30B-5-10, §30B-5-11, §30B-5-12, §30B-5-13, §30B-5-14, §30B-5-15, §30B-5-16, §30B-5-17, §30B-5-18, and §30B-5-19; to amend said code by adding thereto a new article, §30B-6-1, §30B-6-2, §30B-6-3, §30B-6-4, §30B-6-5, §30B-6-6, §30B-6-7, §30B-6-8, §30B-6-9, §30B-6-10, §30B-6-11, §30B-6-12, §30B-6-13, §30B-6-14, §30B-6-15, §30B-6-16, and §30B-6-17; to amend said code by adding thereto a new article, designated §30B-7-1, §30B-7-2, §30B-7-3, §30B-7-4, §30B-7-5, §30B-7-6, §30B-7-7, §30B-7-8, §30B-7-9, §30B-7-10, §30B-7-11, §30B-7-12, §30B-7-13, §30B-7-14, §30B-7-15, §30B-7-16, §30B-7-17, §30B-7-18, §30B-7-19, §30B-7-20, §30B-7-21, §30B-7-22, §30B-7-23, §30B-7-24, §30B-7-25, §30B-7-26, and §30B-7-27; and to amend said code by adding thereto a new article, designated §30B-8-1, §30B-8-2, §30B-8-3, §30B-8-4, §30B-8-5, §30B-8-6, §30B-8-7, §30B-8-8, §30B-8-9, §30B-8-10, §30B-8-11, §30B-8-12, §30B-8-13, §30B-8-14, §30B-8-15, §30B-8-16, §30B-8-17, §30B-8-18, §30B-8-19, §30B-8-20, and §30B-8-21, all relating to reorganizing various boards and authorities for the licensing and oversight of trades, occupations, and professions; dividing current articles and practice acts from one chapter into three chapters, organized by occupational subject matter, education criteria, and other common requirements; repealing provisions relating to administrative licensing of attorneys; retaining articles for the licensing authorities for all medically-related professions and occupations in Chapter 30; requiring any licensing board with knowledge of violations of the practice acts in any of the three chapters to report this information to the appropriate licensing authority; authorizing licensing authorities to combine administrative functions with any other licensing authority, regardless of the chapter of the code; placing articles for the licensing authorities for non-medical occupations that require a minimum of a baccalaureate degree in a new Chapter 30A and making no substantive changes in these relocated articles; adding a new article conforming the authorities, duties, restrictions, and procedural requirements of these articles with those in the original Chapter 30; placing articles for the licensing authorities for non-medical occupations that do not require a minimum of a baccalaureate degree in a new Chapter 30B and making no substantive changes in in these relocated articles; and adding a new article conforming the authorities, duties, restrictions, and procedural requirements of these articles with those in the original Chapter 30"; to the Committee on Government Organization.

By Delegates Staggers, Evans, Higginbotham, Lavender-Bowe, Walker, Caputo, S. Brown, Estep-Burton, Swartzmiller and Maynard:

H. B. 4123 - "A Bill to amend and reenact §15-5-2 of the Code of West Virginia, 1931, as amended; and to amend and reenact §24-6-5 of said code, all relating to clarifying that 911 telecommunication workers are included in the definition of those individuals who perform 'emergency services' during a disaster; providing that emergency telephone systems be staffed with individuals who have been professionally trained and certified in the proficient handling of emergency calls, including, but not limited to, giving medical advice, instructing callers regarding remaining safe in difficult situations and disasters, and promptly and knowingly dispatching the appropriate emergency

service providers to those persons in need or to the affected area; and providing that those individuals shall, for all purposes, be considered first responders and professionals in the performance of their duties”; to the Committee on Fire Departments and Emergency Medical Services then Health and Human Resources.

By Delegate Worrell:

H. B. 4124 - “A Bill to amend and reenact §16-2D-8 and §16-2D-10 of the Code of West Virginia, 1931, as amended, all relating to exempting certain health services from certificate of need”; to the Committee on Health and Human Resources.

By Delegate Byrd:

H. B. 4125 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-10c, relating to creating a felony penalty of life without mercy for the first degree murder of a law-enforcement officer”; to the Committee on the Judiciary.

By Delegate Byrd:

H. B. 4126 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12j, relating to providing taxpayers repaying their own student loans a modification reducing federal adjusted gross in the amount of the interest paid, for personal income tax purposes”; to the Committee on Finance.

By Delegates Foster and Waxman:

H. B. 4127 - “A Bill to amend and reenact §20-2-5 of the Code of West Virginia, 1931, as amended, relating generally to hunting and fishing; permitting trotlines, droplines and minnow traps to be lawful if certain conditions are met; and permitting jug fishing”; to the Committee on Agriculture and Natural Resources.

By Delegates Hill, Summers, Hanna, Mandt, Rowan, Worrell, Estep-Burton, Lavender-Bowe and C. Thompson:

H. B. 4128 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-6-29; to amend and reenact §30-30-16 of said code; to amend said code by adding thereto a new section, designed §30-30-30; and to amend and reenact §49-2-802 of said code, all relating to child protective caseworkers; classifications; registrations; qualifications; grievances; and returning foster children back to this state”; to the Committee on Health and Human Resources.

By Delegates Summers, Hill, Pack, Espinosa, Hanna, Rowan, Worrell, Estep-Burton, Fleischauer, C. Thompson and Walker:

H. B. 4129 - “A Bill to amend and reenact §48-22-201 and §48-22-501 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §49-2-111c, all relating to adoption; providing that if a minor child to be adopted has been removed from a prior home due to an abuse or neglect, the petition for adoption may be filed in the same county as the original abuse and neglect proceeding; eliminating a 45-day waiting period; and requiring the Department of Health and Human Services to pay for adoption services”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates D. Jeffries and Hanna:

H. B. 4130 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §5-22-1a, relating to competitive bidding for government construction contracts arising out of declared states of emergency; allowing contacts for construction projects to be procured through competitive bidding on an open-ended basis as to quantity or by unit pricing on estimated quantities; allowing the establishment of multiple award construction contracts; eliminating

need for emergency construction contract to specify the exact location of construction involved in the solicitation for bids; making the requirement that the entity to whom the contract is awarded furnish payment or performance bonds discretionary; and making the award of such contracts subject to other competitive bidding requirements of said code"; to the Committee on the Judiciary.

By Delegate Byrd:

H. B. 4131 - "A Bill to amend and reenact §17A-3-23 of the Code of West Virginia, 1931, as amended, relating to authorizing municipal fire departments specialized license plates"; to the Committee on Technology and Infrastructure then Government Organization.

By Delegate Byrd:

H. B. 4132 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-6-1c, relating to authorizing certain motor vehicle manufacturers to operate as new car dealers"; to the Committee on Small Business, Entrepreneurship and Economic Development then the Judiciary.

By Delegates Criss, Hamrick, Atkinson, Foster, Kump, Pack, Little, Barnhart and Mandt:

H. B. 4133 - "A Bill to amend and reenact §17B-2-8 of the Code of West Virginia, 1931, as amended, relating to clarifying display of the name on the face of a driver's license, and to clarify that all documents acceptable under federal law for proof of identity, lawful presence and residency are acceptable for licensing purposes in West Virginia"; to the Committee on Technology and Infrastructure then Government Organization.

By Delegates Maynard, Jennings, Bibby, J. Jeffries, Miller, Pack and Worrell:

H. B. 4134 - "A Bill to amend and reenact §23-2-1a of the Code of West Virginia, 1931, as amended, relating to exempting nonpaid volunteers at a volunteer fire department or emergency medical services organization who volunteer for the purpose of fundraising, or other administrative capacity, from workers' compensation benefits"; to the Committee on Fire Departments and Emergency Medical Services then Government Organization.

By Delegates Hanshaw (Mr. Speaker) and Miley

[By Request of the Executive]:

H. B. 4135 - "A Bill to amend and reenact §11-21-9 of the Code of West Virginia, 1931, as amended, relating to updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act; and specifying effective dates"; to the Committee on Finance.

By Delegates Higginbotham, Ellington, Summers, Hamrick, Barnhart, Dean and Hanna:

H. B. 4136 - "A Bill to amend and reenact §7-14D-24 of the Code of West Virginia, 1931, as amended, relating to deputy sheriff retirement system act, service as sheriff"; to the Committee on Pensions and Retirement then Finance.

By Delegates Higginbotham, Hamrick, Barnhart and Hanna:

H. B. 4137 - "A Bill to amend and reenact §3-2-4 of the Code of West Virginia, 1931, as amended, relating to allowing counties to store and maintain voter registration records in a digital format"; to the Committee on Political Subdivisions.

By Delegates Higginbotham, Anderson, Staggers, Ellington, Hamrick, Barnhart, Toney and Hanna:

H. B. 4138 - "A Bill to amend and reenact §9A-1-10 of the Code of West Virginia, 1931, as amended, relating to requiring the Secretary of the Department of Veterans' Assistance to prescribe methods of support for families of veterans to attend funeral services for deceased veterans, such as

payment for travel expenses for members of the immediate family; and requiring rule-making”; to the Committee on Veterans’ Affairs and Homeland Security then Finance.

By Delegates Butler, Cadle, Kessinger, D. Jeffries, Fast, Bibby, Pack, McGeehan, P. Martin, D. Kelly and J. Jeffries:

H. B. 4139 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-7-18, relating to creating the ‘Firearm Protection Act’; providing that any federal law which attempts to ban semiautomatic firearms or to limit the size of a magazine of a firearm or other limitation on firearms in this state is unenforceable in West Virginia; and providing an effective date”; to the Committee on the Judiciary.

By Delegates Butler, Fast, Kessinger, D. Jeffries, Bibby, McGeehan, P. Martin, J. Jeffries and Graves:

H. B. 4140 - “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 Education then Finance.

By Delegates Butler, Fast, Kessinger, D. Jeffries, Bibby, Pack, McGeehan, P. Martin, J. Jeffries, Graves and Bates:

H. B. 4141 - “A Bill to amend and reenact §5A-2-33 of the Code of West Virginia, 1931, as amended, relating to requiring the Department of Administration to publish its comprehensive annual financial report by the end of December of the calendar year in which the fiscal year reported upon ended”; to the Committee on Government Organization.

By Delegates Higginbotham, Hamrick, Cowles and Barnhart:

H. B. 4142 - “A Bill to amend and reenact §5B-1-2 of the Code of West Virginia, 1931, as amended, relating to providing that the Jobs Investment Trust Board be part of the Department of Commerce”; to the Committee on Government Organization.

By Delegates Higginbotham, Ellington, Summers, Lavender-Bowe, Atkinson, Evans, Hamrick, Toney and Hanna:

H. B. 4143 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18C-7-8, relating to creation of the Business PROMISE+ Scholarship; establishing the scholarship under the management of the Higher Education Policy Commission; creating a special revenue account; explaining funding for the scholarship; authorizing the issuance of tax credits for certain businesses; authorizing legislative rules by the Higher Education Policy Commission and the Tax Commissioner; setting student eligibility; noting business benefits and requirements; creating a process for awarding a specific amount of funds; detailing student requirements upon receipt of the scholarship; and requiring the creation of a deferral and waiver program for certain requirements”; to the Committee on Education then Finance.

By Delegates Higginbotham, Summers and Hanshaw (Mr. Speaker):

H. B. 4144 - “A Bill to amend and reenact §3-10-7 of the Code of West Virginia, 1931, as amended, relating to requiring vacancies in the office of county commissioner be made from a list of three legally qualified persons submitted by the appropriate party’s county executive committee”; to the Committee on the Judiciary.

By Delegates Foster, Little, Mandt, Phillips, D. Jeffries, Bartlett, Jennings and Hardy:

H. B. 4145 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-3tt; to amend said code by adding thereto a new section, designated §8-12-20; and to amend said code by adding a new section, designated §30-1-25, all relating to

prohibiting the regulation and licensing of occupations by local government; declaring state authority to regulate trades, occupations, and professions; prohibiting regulation of occupations by county commissions; prohibiting municipalities from enacting or enforcing laws regulating trades, occupations, and professions; and preserving the authority of local governments to regulate certain projects, construction, and modifications"; to the Committee on Government Organization.

By Delegates Westfall and Nelson:

H. B. 4146 - "A Bill to amend and reenact §33-4-15a of the Code of West Virginia, 1931, as amended, relating to credit for reinsurance; allowing a credit on an insurer's annual statement when reinsurance is ceded to an assuming insurer and the assuming insurer is licensed in a reciprocal jurisdiction; defining reciprocal jurisdiction; setting forth the criteria required regarding the credit for reinsurance; and requiring the Insurance Commissioner to create and publish a list of reciprocal jurisdictions and assuming insurers"; to the Committee on Banking and Insurance.

By Delegate Higginbotham:

H. B. 4147 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §56-4-72, relating to providing compensation to victims of abusive lawsuits; and providing that a party in a civil action is entitled to recover attorney's fees and costs after a court dismisses a claim as lacking any basis in law or fact"; to the Committee on the Judiciary.

By Delegates Higginbotham, Ellington, Hamrick and Hanna:

H. B. 4148 - "A Bill to amend and reenact §18A-2-8 of the Code of West Virginia, 1931, as amended, relating to authorizing the suspension or dismissal of school personnel who retaliate against a student or parent who has made a complaint against teacher or school personnel for inappropriate or abusive behavior"; to the Committee on Education.

By Delegates Westfall, Queen, Barrett, Waxman, Hott, Williams, D. Jeffries and Kessinger:

H. B. 4149 - "A Bill to amend and reenact §33-4-2 of the Code of West Virginia, 1931, as amended, relating to insurance; adding definitions"; to the Committee on Banking and Insurance.

By Delegates Butler, Fast, Kessinger, Foster, D. Jeffries, Bibby, Pack, McGeehan, P. Martin, D. Kelly and J. Jeffries:

H. B. 4150 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-2-11a, relating to preventing taxpayer subsidization of health insurance covering elective abortions; prohibiting all qualified health plans offered through a state exchange from including abortion coverage except to prevent the death of the mother; and preventing all other health plans, including health insurance contracts, plans, or policies, offered outside of the exchange, but within the state, from providing coverage for elective abortions except by optional separate supplemental coverage for abortion"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Butler, Fast, Kessinger, Foster, D. Jeffries, Bibby, Pack, McGeehan, D. Kelly and J. Jeffries:

H. B. 4151 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-32, relating to ensuring that, in all cases where state action is alleged to substantially burden the exercise of a First Amendment right, that a compelling interest test is mandated, and, strict scrutiny is applied"; to the Committee on the Judiciary.

By Delegates D. Jeffries, Waxman, Bartlett, Bibby, Foster, Kessinger, Campbell, Hanna, P. Martin, Wilson and Miller:

H. B. 4152 - "A Bill to amend and reenact §11-21-16 of the Code of West Virginia, 1931, as amended, relating to allowing a personal income tax deduction for a stillborn child"; to the Committee on Finance.

Special Calendar

First Reading

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

H. B. 3039, Relating to a court's consideration of the expression of a preference by a child in certain child custody matters,

Com. Sub. for H. B. 4004, Creating the West Virginia Sentencing Commission,

H. B. 4007, Born-Alive Abortion Survivors Protection Act,

H. B. 4022, Clarifying the qualifications of the Chancellor of the Higher Education Policy Commission,

And,

H. B. 4103, Relating to office of drug control policy.

Miscellaneous Business

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

- Delegate Walker during Remarks by Members

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

- Delegate Williams for H. B. 2046 and H. B. 3039

- Delegate Lovejoy for H. B. 2050, H. B. 2065, H. B. 2350 and H. B. 3072

- Delegate Porterfield for H. B. 2596 and H. B. 4030

Pursuant to House Rule 94b, a form was filed with the Clerk's Office to be removed as a cosponsor of the following:

- Delegate Butler for H. B. 4093

At 11:21 a.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, January 14, 2020.

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

SPECIAL CALENDAR

Tuesday, January 14, 2020

7th Day

11:00 A. M.

UNFINISHED BUSINESS

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

SECOND READING

H. B. 3039 - Relating to a court's consideration of the expression of a preference by a child in certain child custody matters (SHOTT) (REGULAR)

Com. Sub. for H. B. 4004 - Creating the West Virginia Sentencing Commission (SHOTT) (REGULAR)

H. B. 4007 - Born-Alive Abortion Survivors Protection Act (HILL) (REGULAR)

H. B. 4022 - Clarifying the qualifications of the Chancellor of the Higher Education Policy Commission (ELLINGTON) (REGULAR)

H. B. 4103 - Relating to office of drug control policy (ROHRBACH) (REGULAR)

House Calendar

Tuesday, January 14, 2019

7th Day

11:00 A. M.

NO BILLS

**WEST VIRGINIA
HOUSE OF DELEGATES**

TUESDAY, JANUARY 14, 2020

HOUSE CONVENES AT 11:00 A.M.

**COMMITTEE ON FINANCE
8:00 A.M. – ROOM 462 M**

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

**COMMITTEE ON EDUCATION
10:00 A.M. – ROOM 434 M**

**COMMITTEE ON RULES
10:45 A.M. – BEHIND CHAMBER**

**VETERANS AFFAIRS & HOMELAND SECURITY
2:30 P.M. – ROOM 215 E**

**COMMITTEE ON ENERGY
4:00 P.M. – ROOM 418 M**

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