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FIFTEENTH DAY



Wednesday, January 22, 2020

**FIFTEENTH DAY**

[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 Tuesday, January 21, 2020, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Reordering of the Calendar**

Pursuant to the action of the Committee on Rules, Delegate Summers announced that H. J. R. 102 and Com. Sub. for H. B. 4094, on second reading, Special Calendar, had been transferred to the House Calendar; and Com. Sub. for H. B. 4388, on first reading, Special Calendar, had been transferred to the House Calendar.

**Committee Reports**

Delegate Westfall, Chair of the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration:

**H. B. 4361**, Relating to insurance law violations,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4361) was referred to the Committee on the Judiciary.

Delegate Westfall, Chair of the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration:

**H. B. 4229**, Insurance Commission, Medicare supplement insurance,

And,

**H. B. 4297**, Insurance Commission, credit for reinsurance,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4229 and H. B. 4297) were each referred to the Committee on the Judiciary.

Delegate Nelson, Chair of the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration:

**H. B. 4410**, Permitting directors and executive officers of a banking institution to borrow from a banking institution with which he or she is connected,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4410) was referred to the Committee on the Judiciary.

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

Your Committee on the Judiciary has had under consideration:

**H. B. 4166**, Prohibiting certain sex offenders from being in a supervisory position over children,

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

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

Your Committee on the Judiciary has had under consideration:

**H. B. 4129**, Relating to adoption,

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

**Com. Sub. for 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, all relating to adoption; providing for the location of the adoption hearing; and eliminating a waiting period,"

With the recommendation that the committee substitute do pass.

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

Your Committee on the Judiciary has had under consideration:

**H. B. 4092**, Relating to foster care,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4092) was referred to the Committee on Finance.

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

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

**H. B. 4317**, Board of Pharmacy, Board of Pharmacy rules for registration of pharmacy technicians,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4317) was referred to the Committee on the Judiciary.

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

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

**H. B. 4246**, Board of Pharmacy, Board of Pharmacy rules for immunizations administered by pharmacists and pharmacy interns,

**H. B. 4247**, Board of Examiners for Registered Professional Nurses, requirements for registration and licensure and conduct,

**H. B. 4254**, Board of Acupuncture, auricular detoxification therapy certificate,

**H. B. 4301**, Medical Imaging and Radiation Therapy Technology Board of Examiners, rules relating to board,

**H. B. 4302**, Board of Medicine, licensure, disciplinary and complaint procedures, continuing education, physician assistants,

**H. B. 4312**, Board of Optometry, rules for the West Virginia Board of Optometry,

**H. B. 4313**, Board of Osteopathic Medicine, osteopathic physician assistants,

**H. B. 4315**, Board of Pharmacy, licensure and practice of pharmacy,

**H. B. 4316**, Board of Pharmacy, record keeping and automated data processing systems,

**H. B. 4318**, Board of Pharmacy, Board of Pharmacy rules for centralized prescription processing,

**H. B. 4319**, Board of Pharmacy, regulations governing pharmacy permits,

**H. B. 4320**, Board of Pharmacy, regulations governing pharmacists,

**H. B. 4322**, Board of Physical Therapy, general provisions for physical therapist and physical therapist assistants,

**H. B. 4323**, Board of Physical Therapy, fees for physical therapist and physical therapist assistant,

**H. B. 4324**, Board of Physical Therapy, general provisions for athletic trainers,

**H. B. 4325**, Board of Physical Therapy, fees for athletic trainers,

**H. B. 4335**, Board of Examiners for Registered Professional Nurses, request for waiver of initial licensing fees for certain individuals,

**H. B. 4336**, West Virginia Board of Respiratory Care, establishment of fees,

And,

**H. B. 4337**, West Virginia Board of Respiratory Care, student limited permit,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4246, H. B. 4247, H. B. 4254, H. B. 4301, H. B. 4302, H. B. 4312, H. B. 4313, H. B. 4315, H. B. 4316, H. B. 4318, H. B. 4319, H. B. 4320, H. B. 4322, H. B. 4323, H. B. 4324, H. B. 4325, H. B. 4335, H. B. 4336 and H. B. 4337) were each referred to the Committee on the Judiciary.

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

Your Committee on Energy has had under consideration:

**H. B. 4348**, Department of Environmental Protection, West Virginia surface mining reclamation rule,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4348) was referred to the Committee on the Judiciary.

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

Your Committee on Energy has had under consideration:

**H. B. 4221**, Department of Environmental Protection, groundwater protection rules for coal mining operations,

**H. B. 4223**, Department of Environmental Protection, voluntary remediation and redevelopment rule,

**H. B. 4233**, Office of Miner's Health, Safety and Training, substance abuse screening, standards and procedures,

**H. B. 4234**, Office of Miner's Health, Safety and Training, rules governing the certification, recertification and training of EMT-miners and EMT-M instructors,

And,

**H. B. 4311**, Oil and Gas Conservation Commission, rules of the commission,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4221, H. B. 4223, H. B. 4233, H. B. 4234 and H. B. 4311) were each referred to the Committee on the Judiciary.

Delegate Westfall, Chair of the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration:

**H. B. 4146**, Relating to credit for reinsurance,

And,

**H. B. 4149**, Relating to insurance,

And reports the same back with the recommendation that they each do pass.

Delegate Nelson, Chair of the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration:

**H. B. 4411**, Relating to the West Virginia Residential Mortgage Lender, Broker and Servicer Act,

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

Delegate Bibby, Chair of the Committee on Veteran's Affairs and Homeland Security, submitted the following report, which was received:

Your Committee on Veterans' Affairs and Homeland Security has had under consideration:

**H. C. R. 3**, Researching and making recommendations regarding construction of a veterans' nursing home facility in Summers County,

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

**Com. Sub. for 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,"

With the recommendation that the committee substitute be adopted, but that it first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolution (Com. Sub. for H. C. R. 3) was referred to the Committee on Rules.

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

Your Committee on Government Organization has had under consideration:

**H. B. 4011**, Reorganizing various boards and authorities for the licensing and oversight of trades, occupations, and professions,

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

**Com. Sub. for H. B. 4011** - "A Bill 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 the code of West Virginia, 1931, as amended; 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, and §30-17-18, §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 and reenact §30-1-5 and §30-1-19 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, §30A-1-29, and §30A-1-30; to amend said code by adding thereto a new article, designated §30A-1B-1, §30A-1B-2, §30A-1B-3, §30A-1B-4, §30A-1B-5, §30A-1B-6, §30A-1B-7, and §30A-1B-8; to amend said code by adding thereto a new article, designated §30A-1C-1, §30A-1C-2, §30A-1C-3, and §30A-1C-4; 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 §30A-11-1, §30A-11-2, §30A-11-3, §30A-11-4, §30A-11-5, §30A-11-6, §30A-11-7, §30A-11-8, §30A-11-9, §30A-11-10, §30A-11-12, §30A-11-13, §30A-11-14, §30A-11-15, §30A-11-16, §30A-11-17, §30A-11-18, and §30A-11-19; to amend said code by adding thereto a new article, designated §30A-12-1, §30A-12-2, §30A-12-3, §30A-12-4, §30A-12-5, §30A-12-6, §30A-12-7, §30A-12-8, §30A-12-9, §30A-12-10, §30A-12-11, §30A-12-12, §30A-12-13, §30A-12-14, §30A-12-15, §30A-12-16, and §30A-12-17; 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, §30B-1-28, and §30B-1-29; to amend said code by adding thereto a new article, designated §30B-1B-1, §30B-1B-2, §30B-1B-3, §30B-1B-4, §30B-1B-5, §30B-1B-6, §30B-1B-7, and §30B-1B-8; to amend said code by adding thereto a new article, designated §30B-1C-1, §30B-1C-2, §30B-1C-3, and §30B-1C-4; 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 there to 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, §30B-5-19, §30B-5-20, §30B-5-21, §30B-5-22, §30B-5-23, §30B-5-24, §30B-5-25, §30B-5-26, and §30B-5-27; to amend said code by adding thereto a new article, designated §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, §30B-6-17, §§30B-6-18, §30B-6-19, §30B-6-20, and §30B-6-21, 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 nonmedical occupations that require a minimum of a baccalaureate degree in a new Chapter 30A; adding a new article conforming the authorities, duties, restrictions, and procedural requirements of these articles with those in the original Chapter 30; adding a new article conforming the provisions of the articles in Chapter 30A with those in the original Chapter 30 which provide for consideration of military training and experience, and for suspension of fees and continuing education requirements for members of the armed forces on active duty and for spouses accompanying such members; adding a new article conforming the provisions of these articles with those in the original Chapter 30 which provide for recognition of training and apprenticeship programs and requiring the proposal of legislative rules therefor; continuing rules previously promulgated by the boards; placing articles for the licensing authorities for nonmedical occupations that do not require a minimum of a baccalaureate degree in a new Chapter 30B; and adding a new article conforming the authorities, duties, restrictions, and procedural requirements of these articles with those in the original Chapter 30; adding a new article conforming the provisions of the articles in Chapter 30B with those in the original Chapter 30 which provide for consideration of military training and experience, and for suspension of fees and continuing education requirements for members of the armed forces on active duty and for spouses accompanying such members; adding a new article conforming the provisions of these articles with those in the original Chapter 30 which provide for recognition of training and apprenticeship programs and requiring the proposal of legislative rules therefor; and continuing rules previously promulgated by the boards,”

With the recommendation that the committee substitute do pass.

### **Messages from the Senate**

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 125** - “A Bill to amend and reenact §61-8B-11 of the Code of West Virginia, 1931, as amended, relating generally to evidence in prosecution for sexual offenses; prohibiting a victim from being subjected to certain physical examinations; providing that a victim’s refusal to

undergo certain physical examinations does not preclude admission of evidence regarding other physical examinations; and defining the term 'sexual offense'; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**Com. Sub. for S. B. 217** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-8-2a, relating to requiring the Department of Health and Human Resources to collaborate with the Workforce Development Board, the West Virginia Division of Personnel, and the West Virginia Department of Education for purposes of job placement"; which was referred to the Committee on Health and Human Resources.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 323** - "A Bill to amend and reenact §64-2-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating generally to authorizing certain agencies of the Department of Administration to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Department of Administration to promulgate a legislative rule relating to rules for the general administration of records management and preservation; authorizing the Department of Administration to promulgate a legislative rule relating to retention and disposal scheduling; authorizing the Department of Administration to promulgate a legislative rule relating to management of records maintained by the records center; authorizing the Department of Administration to promulgate a legislative rule relating to exemptions from management services provided by the fleet management division; authorizing the Department of Administration to promulgate a legislative rule relating to financial services reporting; and authorizing Public Defender Services to promulgate a legislative rule relating to payment of fees and reimbursement of expenses of court-appointed attorneys"; which was referred to the Committee on the Judiciary.

### Resolutions Introduced

Delegates R. Thompson, Hicks, N. Brown, Tomblin and Rodighiero offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 25** - "Requesting the Division of Highways name bridge number 50-152-5.70 (50A112) (37.99842, -82.40667), locally known as Missouri Branch Beam Span, carrying West Virginia Route 152 over the West Fork of Twelvepole Creek in Wayne County, the 'Curtis "Pap" and Millie "Mammie" Asbury Bridge'."

Whereas, Curtis Asbury was born on September 24, 1917, in Wayne, West Virginia, and his devoted wife Millie Ferguson was born on April 24, 1924. This couple was married in 1939; and

Whereas, Curtis and Millie Asbury established, owned and operated Asbury's Grocery located at the entrance to Cabwaylingo Park Road for 52 years. The grocery store became a vital source for community members. For five generations, the store not only provided necessary food and other goods but also became a meeting place for community members to gather in the mornings and evenings to discuss everything from politics to family life. It was the bus stop where school children of all ages would go and be met with a smile, a hug, and a piece of fruit or candy; and

Whereas, Almost every person in the community of Dunlow, West Virginia, has been touched by Curtis and Millie's kindness and generosity. The love they both had for our community was displayed by their hardworking, gentle, giving spirits. They were devoted to making our small community a better place to live by always extending a helping hand, providing jobs, caring for the elderly and encouraging and guiding the youth. They helped develop and organize our small community by creating local churches, directing Sunday school classes, and working to fulfill the needs of the entire community. They treated everyone as their own family and were lovingly referred to as everyone's 'Mammie' and 'Pap'. Curtis and Millie Asbury have touched every family in this small community and they should be honored by having this bridge named to commemorate them; and

Whereas, This dedication would serve as an ongoing reminder of Curtis and Millie's commitment to making our community a better place to live and to making our citizens better people; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways name bridge number 50-152-5.70 (50A112) (37.99842, -82.40667), locally known as Missouri Branch Beam Span, carrying West Virginia Route 152 over the West Fork of Twelvepole Creek in Wayne County, the 'Curtis 'Pap' and Millie 'Mammie' Asbury Bridge'; and, be it

*Further Resolved,* That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "Curtis 'Pap' and Millie 'Mammie' Asbury Bridge"; and, be it

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

Delegates Hanshaw (Mr. Speaker), Fast, D. Kelly and Kessinger offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 26** - "Requesting the Division of Highways name a portion of Cannelton Road starting from Route 16 up to the Mount Olive Correctional Complex, in Fayette County, as being 'In Memory of Fallen Corrections Officers'."

Whereas, the State of West Virginia seeks to honor the memory of fallen Division of Corrections officers in West Virginia; and

Whereas, In order to honor the memory of Parole Officer Pauline Stewart, Correctional Officer William Edger Quilliams, Correctional Officer James Paugh, Guard Stanton V. Gillum, Guard Philip Perry Ketchem, and Prison Guard Earl Langfitt, among others; and

Whereas, Division of Corrections officers regularly engage in high-stress and high-risk roles to ensure the safety of prisoners and fellow guards, and to maintain law and order in such facilities; and

Whereas, It is fitting that an enduring memorial be established to commemorate such fallen Division of Corrections officers and their legacy to the State of West Virginia; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name a portion of Cannelton Road starting from Route 16 up to the Mount Olive Correctional Complex, in Fayette County, as being "In Memory of Fallen Corrections Officers"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs at both ends identifying the portion of road as being 'In Memory of Fallen Corrections Officers'; and, be it

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

And,

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

**H. C. R. 27** - "Requesting the Division of Highways name bridge number :25-30-2.44 (25A076) (39.53708, -80.13866), locally known as Woods Run Bridge, carrying County Route 30 over Paw Paw Creek in Marion County, the 'U. S. Army PFC Thomas Howard Wills, Jr. Memorial Bridge'."

Whereas, Thomas Howard Wills, Jr. was born on September 21, 1930, in Monongah, Marion County and attended Rivesville High School, was drafted in 1951 and was stationed at Camp Roberts, California in 1952 with the Lucky 7th Armored Division, Combat Command A, Medium Tank Battalion, Co D; and

Whereas, After serving in the Army three years, Thomas returned to West Virginia and was employed in the mining industry; and

Whereas, Thomas Howard Wills, Jr was killed in a fatal roof-fall accident at 6:30 p.m., Tuesday, April 3, 1962, at the Loveridge Mine in Fairview, West Virginia. He died instantly at the age of 31, leaving behind a wife and two young boys; and

Whereas, It is fitting that an enduring memorial be established to commemorate PFC Thomas Howard Wills, Jr. and his contributions to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number :25-30-2.44 (25A076) (39.53708, -80.13866), locally known as Woods Run Bridge, carrying County Route 30 over Paw Paw Creek in Marion County, the 'U. S. Army PFC Thomas Howard Wills, Jr. Memorial Bridge'; and, be it

*Further Resolved*, That the Commissioner of the Division of Highways is hereby requested to erect signs containing bold and prominent letters identifying the bridge as the 'U. S. Army PFC Thomas Howard Wills, Jr. Memorial Bridge'; and, be it

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

### **Bills Introduced**

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

**By Delegates Foster, Jennings, McGeehan, Fast, Toney, Bibby, Bartlett, Butler, Angelucci, Howell and Espinosa:**

**H. B. 4451** - "A Bill to amend and reenact §8-13-13 of the Code of West Virginia, 1931, as amended, relating to charging fees for municipal services and prohibiting municipalities from

assessing fees to people on the basis of employment within the municipal boundaries”; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates Maynard, Hill, Barnhart, Worrell, Westfall, Phillips, J. Jeffries, Cooper, Hardy, Kessinger and Bibby:**

**H. B. 4452** - “A Bill to amend and reenact §11A-3-18, §11A-3-22, §11A-3-52, and §11A-3-55 of the Code of West Virginia, 1931, as amended, all relating generally to notice requirements on tax collections conducted by the State Auditor”; to the Committee on the Judiciary.

**By Delegates Foster, D. Jeffries and Jennings:**

**H. B. 4453** - “A Bill to amend and reenact §30-18-2, §30-18-3, §30-18-5, §30-18-6, and §30-18-9 of the Code of West Virginia, 1931, as amended, all relating to the eligibility and application requirements for private investigator and security guard licensure and the renewal of licensure”; to the Committee on Government Organization.

**By Delegate Linville:**

**H. B. 4454** - “A Bill to amend and reenact §6-9-8 of the Code of West Virginia, 1931, as amended, relating to restitution to the state for the reimbursement of costs incurred for misuse of public funds”; to the Committee on the Judiciary then Finance.

**By Delegates Criss and Little:**

**H. B. 4455** - “A Bill to amend and reenact §15-2C-6 of the Code of West Virginia, 1931, as amended, relating to permitting fees from the Central Abuse Registry to be used for costs relating to information technology support and infrastructure; and permitting the term ‘criminal recording keeping’ to include data creation”; to the Committee on Finance.

**By Delegates Maynard, Westfall, Rohrbach, Steele, Worrell, Azinger, Linville, Howell, Paynter and J. Jeffries:**

**H. B. 4456** - “A Bill to amend and reenact §20-2B-7 of the Code of West Virginia, 1931, as amended, relating to allowing a member of a volunteer fire department to purchase a resident lifetime license issued and administered by the Director of the Division of Natural Resources for 50 percent of the applicable license fee”; to the Committee on Agriculture and Natural Resources then Finance.

**By Delegates Maynard, Rohrbach, Paynter, Evans and Dean:**

**H. B. 4457** - “A Bill to amend and reenact §17C-14-12 of the Code of West Virginia, 1931, as amended, relating to requiring air conditioning on all school buses”; to the Committee on Education then Finance.

**By Delegates Householder, Barrett, Bates, Butler, Storch, Graves, Rowan, Pack, Linville, Maynard and Criss:**

**H. B. 4458** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5F-1-7, relating to requiring executive branch agencies to maintain internet posting of certain information”; to the Committee on Government Organization.

**By Delegates Hamrick, Hardy, Bibby and Higginbotham:**

**H. B. 4459** - “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 foster care child”; to the Committee on Health and Human Resources then Finance.

**By Delegates Criss, Householder, Barrett, Kessinger and Graves:**

**H. B. 4460** - “A Bill to amend and reenact §11-1C-10 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section designated §11-1C-10a; to amend and reenact §11-3-24 and §11-3-25 of said code; to amend reenact §11-10A-8 of said code, all relating to the valuation of natural resources property and providing an alternate method of appeal of

proposed valuation natural resources property for ad valorem property tax purposes; and providing for the confidentiality of annual industry operating expenses survey information used for property tax purposes”; to the Committee on Energy then Finance.

**By Delegate Hanshaw (Mr. Speaker):**

**H. B. 4461** - “A Bill to amend and reenact §6-7-2a of the Code of West Virginia, 1931, as amended, relating to requiring the Governor to fix the salaries of certain state appointed officers after the office is vacated or after July 1, 2020, whichever occurs first”; to the Committee on Finance.

**By Delegates Steele, Bates, Higginbotham, Kessinger, Pack and Toney:**

**H. B. 4462** - “A Bill to amend and reenact §11-13-2o of the Code of West Virginia, 1931, as amended, relating to adjusting the calculation of business and occupation tax on the business of generating or producing or selling electricity from solar energy facilities; and clarifying that rate of tax for generating units utilizing solar photovoltaic methods shall equal eight percent of official capacity of the unit for the taxable period beginning January 1, 2020”; to the Committee on Finance.

**By Delegates Howell, Sypolt, J. Jeffries, Hott and C. Martin:**

**H. B. 4463** - “A Bill to amend and reenact §5A-3-10e of the Code of West Virginia, 1931, as amended, relating to prequalification of vendors for state contracts, allowing for prequalification agreements for the purchase of services and removing obsolete terms”; to the Committee on Government Organization.

**By Delegate Butler:**

**H. B. 4464** - “A Bill to amend and reenact §17B-2-3a of the Code of West Virginia, 1931, as amended, relating to driving privileges and requirements for persons under the age of 18; prohibiting the holder of a level three, full class E license from using a wireless communication device while operating a motor vehicle and specifying exception; and making a violation of level three license terms and conditions subject to criminal penalty provision”; to the Committee on Technology and Infrastructure then Government Organization.

**By Delegates Linville, Householder, Mandt and Graves:**

**H. B. 4465** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13H-1, §11-13H-2, §11-13H-3, §11-13H-4, §11-13H-5 and §11-13H-6, all relating to a tax rebate for investing in new facilities or processes that result in additional employment and an additional demand for electrical power; legislative findings and purpose; eligibility; amount of rebate; length of rebate or credit; and providing rulemaking authority”; to the Committee on Finance.

**By Delegates Hott, Westfall, Nelson, Williams and Howell:**

**H. B. 4466** - “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 and §33-53-7, all relating to certificates of insurance for certain types of insurance; and addressing form requirements, limitations on use, notice requirements, applicability, enforcement, penalties and rulemaking”; to the Committee on Banking and Insurance then the Judiciary.

**By Delegate Rohrbach:**

**H. B. 4467** - “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 posting of information regarding the West Virginia Tobacco Quitline”; to the Committee on Health and Human Resources.

**By Delegate Foster:**

**H. B. 4468** - “A Bill to amend and reenact §16-5-10 of the Code of West Virginia, 1931, as amended, relating to, the preserving surnaming of children in accordance with the long-standing custom and tradition of the patronymic surnaming convention of children as recognized in common

law case precedent; and titling this act as ‘The Genealogical Record Integrity Act of 2020’; to the Committee on the Judiciary.

**By Delegate Foster:**

**H. B. 4469** - “A Bill to amend and reenact §17C-5-2 of the Code of West Virginia, 1931, as amended, relating to increasing the minimum criminal penalty for a driver who, in an impaired state, causes the death of a minor”; to the Committee on the Judiciary.

**By Delegates D. Kelly, Shott, Criss, Graves, Steele, Howell, Miller, N. Brown, Maynard, J. Kelly and Mandt:**

**H. B. 4470** - “A Bill to amend and reenact §49-4-722 of the Code of West Virginia, 1931, as amended, relating to persons 18 years of age or older in the custody of the Bureau of Juvenile Services; providing that such individuals who commit a criminal offense while in the custody of the Bureau, shall not be kept within sight or sound of adult inmates”; to the Committee on the Judiciary.

**By Delegates Hanna, Hamrick, J. Jeffries, Hansen, Mandt and D. Jeffries:**

**H. B. 4471** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, and §5-30-5, all relating to state recognition of Native American Tribes; defining terms; designating certain tribes as recognized by the state; establishing criteria for state recognition of additional tribes; authorizing unique trademarks for certain arts and crafts; prohibiting gambling; and providing penalty for unauthorized use of trademark”; to the Committee on Government Organization then the Judiciary.

**By Delegates Cadle, Jennings, Butler, Cooper, Atkinson, Hott, Mandt, D. Kelly, Toney and J. Jeffries:**

**H. B. 4472** - “A Bill to amend and reenact §17B-2-8 of the Code of West Virginia, 1931, as amended, relating to the contents of driver’s license; and requiring that each license contain the license holder’s emergency contact information”; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegates Pushkin, Fluharty, Hansen, Estep-Burton, Walker and Byrd:**

**H. B. 4473** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §11-14D-1, §11-14D-2 and §11-14D-3; all relating to providing tax credits to provide vehicles to certain persons; authorizing a tax credit for individual tax payers under certain conditions; authorizing a tax credit to license automobile dealers under certain conditions; providing for definitions; establishing the minimum criteria of a qualified charitable organization; establishing the minimum criteria for an eligible vehicle to be used as the basis of the tax credit; requiring that the Tax Commissioner track the number and amount of tax credits claimed; providing that multiple qualified charitable organizations may use a percentage of total allowable tax credits for the year; providing the Tax Commissioner can develop criteria for allocating percentages of the total allowable tax credits to qualified charitable organizations; establishing the maximum amount of tax credits for tax years 2020 through 2021 at \$300,000; establishing the maximum amount of tax credits for subsequent years at \$1 million; and providing for rule-making authority”; to the Committee on Finance.

**By Delegates Westfall, Hott and D. Jeffries:**

**H. B. 4474** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17A-6F-1, §17A-6F-2, §17A-6F-3a, §17A-6F-3b, §17A-6F-3c, §17A-6F-3d, §17A-6F-3e, §17A-6F-3f, §17A-6F-3g, §17A-6F-4, §17A-6F-5, §17A-6F-6, §17A-6F-7, §17A-6F-8, §17A-6F-9, and §17A-6F-10, all relating to peer-to-peer car sharing programs; defining the scope of



this article and providing for other definitions; imposing insurance requirements; providing for certain exclusions from motor vehicle insurance policies; requiring peer-to-peer car sharing programs to obtain a limited lines insurance license for automobile rental coverage; establishing certain consumer protection and record-keeping requirements; establishing requirements for data collection and retention; establishing benchmarks for safety for automobiles used in peer-to-peer car sharing programs; providing for the collection of sales and use tax by a peer-to-peer car sharing program; establishing a shared vehicle tax in lieu of the daily passenger car rental tax and the vehicle cost recovery fee; establishing the authority to regulate peer-to-peer car sharing programs at airports; establishing controlled authority and other requirements for peer-to-peer car sharing programs in this state; and providing for an effective date"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegates Worrell, Lovejoy, Dean, Miller, Toney, C. Thompson, Hanna, Hornbuckle, Cooper, Campbell and Rohrbach:**

**H. B. 4475** - "A Bill to amend and reenact §18-2-40 of the Code of West Virginia, 1931, as amended, relating to require the State Board of Education to provide for the routine education of all professional educators, including principals and administrators, and those service personnel having direct contact with students on warning signs and resources to assist in suicide prevention under guidelines established by the state board"; to the Committee on Education.

**By Delegates Shott, Criss, Steele, Howell, D. Kelly, Miller, N. Brown and Maynard:**

**H. B. 4476** - "A Bill to amend and reenact §15-9B-1, §15-9B-2, and §15-9B-4 of the Code of West Virginia, 1931, as amended, all relating to providing for the timely and efficient collection, submission, testing, retention, and disposition of forensic evidence in sexual assault cases; transferring some duties of the Division of Justice and Community to the Division of Administrative Services; requiring sexual assault forensic examination kits collected by health care providers to be directly submitted to the West Virginia State Police Forensic Laboratory; establishing procedures; defining terms; establishing misdemeanor penalties; and granting rule-making authority"; to the Committee on the Judiciary.

**By Delegates Westfall, Nelson, Criss, Queen and Householder:**

**H. B. 4477** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-27A-1, §33-27A-2, §33-27A-3, §33-27A-4, §33-27A-5, §33-27A-6, §33-27A-7, §33-27A-8, §33-27A-9, §33-27A-10, §33-27A-11, §33-27A-12, §33-27A-13, and §33-27A-14, all relating to creating the enactment and operation of the West Virginia mutual to mutual insurance holding company act"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegate Butler:**

**H. B. 4478** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17E-1-14b, relating to prohibiting a commercial driver who has used a commercial motor vehicle in a commission of a felony involving 'severe forms of trafficking in persons' from holding a commercial driver's license for life"; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegate Butler:**

**H. B. 4479** - "A Bill to amend and reenact §17A-6-18a of the Code of West Virginia, 1931, as amended, relating to removing the authority of the Commissioner of the Division of Motor Vehicles to set documentary charges or similar charges motor vehicle dealers may charge consumers for documentary services in relation to securing a title"; to the Committee on Technology and Infrastructure then the Judiciary.

**Special Calendar****Third Reading**

**Com. Sub. for H. B. 2086**, Uniform Real Property Electronic Recording Act; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 24**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Boggs, Cooper, Doyle, Hicks and Linville.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2086) passed.

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

**Com. Sub. for H. B. 4077**, Increasing the amount of the bond required to be posted by proprietary schools; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 25**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Boggs.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4077) passed.

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

**Com. Sub. for H. B. 4119**, Establishing the crime of torture; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 26**), and there were—yeas 94, nays 5, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Bates, Fluharty, Hornbuckle, McGeehan and Sponaule.

Absent and Not Voting: Boggs.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4119) passed.

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

**H. B. 4417**, Relating to permitting professional boards; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 27**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Boggs and Linville.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 4417) passed.

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

**H. B. 4419**, Relating to the Controlled Substance Monitoring Database; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 28**), and there were—yeas 97, nays 2, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Byrd and McGeehan.

Absent and Not Voting: Boggs.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 4419) passed.

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

### Second Reading

**Com. Sub. for H. B. 4058**, Relating to pharmacy benefit managers; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for H. B. 4275**, Authorizing Department of Military Affairs and Public Safety promulgate legislative rules relating to the Fire Commission; having been read a second time yesterday and postponed one day with an amendment pending, the bill was reported by the Clerk.

The amendment, offered by Delegates Fleischauer and Westfall, was again reported by the Clerk, on page one, section one, line eight, following the word “authorized”, by striking out the period and inserting a colon and the following: “with the following amendment: ‘on page 4, section 4 of the rule, by striking out the provisions of 4.1.k.1. in its entirety.’”

On the adoption of the amendment, Delegate Fleischauer demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 29**), and there were—yeas 40, nays 58, absent and not voting 2, with the yeas and absent and not voting being as follows:

Yeas: Angelucci, Barrett, Bates, N. Brown, S. Brown, Byrd, Campbell, Canestraro, Caputo, Diserio, Doyle, Estep-Burton, Evans, Fleischauer, Fluharty, Hansen, Hicks, Hornbuckle, Lavender-Bowe, Longstreth, Lovejoy, Miley, Miller, Pethtel, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaule, Staggars, Storch, Swartzmiller, C. Thompson, R. Thompson, Tomblin, Walker, Westfall, Williams and Zukoff.

Absent and Not Voting: Boggs and Cadle.

So, a majority of the members present and voting not having voted in the affirmative, the amendment was rejected.

The bill was then ordered to engrossment and third reading.

### **First Reading**

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

**Com. Sub. for S. B. 94**, Providing persons with physical disabilities ability to vote by electronic absentee ballot,

**Com. Sub. for H. B. 4002**, Creating a felony crime relating to drug delivery resulting in death,

And,

**H. B. 4393**, Relating to making suffocation and asphyxiation crimes.

### **Leaves of Absence**

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

### **Miscellaneous Business**

Delegate Doyle noted to the Clerk that he was absent on today when the vote was taken on Com. Sub. for H. B. 2086, and that had he been present, he would have voted "Yea" thereon.

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

- Delegate Barrett during remarks by Members

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

- Delegate Storch for H. B. 4443

At 12:28 p.m., the House of Delegates adjourned until 11:00 a.m., Thursday, January 23, 2020.

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

**SPECIAL CALENDAR**

**Thursday, January 23, 2020**

**16<sup>th</sup> Day**

**11:00 A. M.**

**THIRD READING**

- Com. Sub. for H. B. 4058 - Relating to pharmacy benefit managers (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4275 - Authorizing Department of Military Affairs and Public Safety promulgate legislative rules relating to the Fire Commission (SHOTT) (EFFECTIVE FROM PASSAGE)

**SECOND READING**

- Com. Sub. for S. B. 94 - Providing persons with physical disabilities ability to vote by electronic absentee ballot (SHOTT) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 4002 - Creating a felony crime relating to drug delivery resulting in death (SHOTT) (REGULAR)
- H. B. 4393 - Relating to making suffocation and asphyxiation crimes (SHOTT) (REGULAR)

**FIRST READING**

- Com. Sub. for H. B. 4011 - Reorganizing various boards and authorities for the licensing and oversight of trades, occupations, and professions (HOWELL) (REGULAR)
- Com. Sub. for H. B. 4129 - Relating to adoption (SHOTT) (REGULAR)
- H. B. 4146 - Relating to credit for reinsurance (WESTFALL) (REGULAR)
- H. B. 4149 - Relating to insurance (WESTFALL) (REGULAR)
- H. B. 4166 - Prohibiting certain sex offenders from being in a supervisory position over children (SHOTT) (REGULAR)
- H. B. 4411 - Relating to the West Virginia Residential Mortgage Lender, Broker and Servicer Act (NELSON) (REGULAR)

**HOUSE CALENDAR**

**Thursday, January 23, 2020**

**16<sup>th</sup> Day**

**11:00 A. M.**

**UNFINISHED BUSINESS**

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

**THIRD READING**

Com. Sub. for H. B. 4096 - Requiring candidates to live in the state or local election district for the office for which they are seeking (SHOTT) (REGULAR)

**SECOND READING**

H. J. R. 102 - Providing the West Virginia Legislature rulemaking oversight of the board of education (SHOTT)

Com. Sub. for H. B. 4094 - Continuing the Foster Care Ombudsman (SHOTT) (REGULAR)

**FIRST READING**

Com. Sub. for H. B. 4388 - Limiting the Alcohol Beverage Control Commissioner's authority to restrict advertising (HOWELL) (REGULAR)

**WEST VIRGINIA  
HOUSE OF DELEGATES**

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**THURSDAY, JANUARY 23, 2020**

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

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**COMMITTEE ON FINANCE  
8:00 A.M. AND 5:00 P.M. – ROOM 462 M**

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

**COMMITTEE ON EDUCATION  
9:30 A.M. – ROOM 434 M**

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

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

**POLITICAL SUBDIVISIONS  
1:00 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