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SIXTEENTH DAY

Thursday, January 24, 2019

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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 Wednesday, January 23, 2019, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Hamrick, Chair of the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration:

H. B. 2378, Relating generally to grounds for revocation of a teaching certificate,

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. 2378) was referred to the Committee on the Judiciary.

On motion for leave a bill was introduced (Originating in the Committee on Education and reported with the recommendation that it do pass, but that it first be referred to the Committee on the Judiciary), which was read by its title, as follows:

By Delegates Westfall, Rohrbach, Zukoff, Toney, R. Thompson, J. Kelly, Evans, Dean and Campbell:

H. B. 2662 - "A Bill to amend and reenact §18A-2-5 and §18A-4-8e of the Code of West Virginia, 1931, as amended, all relating to certificates or employment of school personnel; providing that a service personnel contract of employment is automatically terminated if the employee is convicted of certain crimes; and providing that a bus operator certificate is automatically revoked if the bus driver is convicted of certain crimes."

The Speaker referred the bill (H. B. 2662) to the Committee on the Judiciary.

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

Your Committee on Government Organization has had under consideration:

H. B. 2203, West Virginia Contractor Licensing Act,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2203) was referred to the Committee on the Judiciary.

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

Your Committee on Government Organization has had under consideration:

H. B. 2353, Allowing purchase of hardware items and equipment for state-wide road system from a local seller rather than the holder of a state contract,

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. 2353) was referred to the Committee on the Judiciary.

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

Your Committee on Government Organization has had under consideration:

H. B. 2514, Permitting pawn brokers to disclose whether any specific property has been sold or pledged,

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

Delegate Jennings, Chair of the Committee on Veterans' 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. 10, Resiliency Week,

And reports the same back with the recommendation that it be adopted, but that it first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolution (H. C. R. 10) was referred to the Committee on Rules.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. J. R. 17, Business Inventory, Machinery and Equipment Tax Exemption Amendment,

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

In accordance with the former direction of the Speaker, the resolution (H. J. R. 17) was referred to the Committee on the Judiciary.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. J. R. 18, Property Tax Relief for Seniors and Disabled Veterans Amendment,

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

In accordance with the former direction of the Speaker, the resolution (H. J. R. 18) was referred to the Committee on the Judiciary.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 2191, Relating generally to limited video lottery,

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

Com. Sub. for H. B. 2191 - "A Bill to amend and reenact §29-22B-321, §29-22B-503, §29-22B-504, §29-22B-903, and §29-22B-1408 of the Code of West Virginia, 1931, as amended, all relating generally to limited video lottery; modifying the definition of 'operator'; allowing operators to be retailers at up to 10 licensed locations with certain exceptions; increasing the maximum wager permitted per limited video lottery game; removing restrictions on bill denominations accepted by limited video lottery terminals; and fixing the state's share of gross terminal income at 50 percent on July 1, 2019,"

With the recommendation that the committee substitute do pass.

On motion for leave a resolution was introduced (Originating in the Committee on the Judiciary and reported with the recommendation that it be adopted, but that it first be referred to the Committee on Rules), which was read by its title, as follows:

By Delegates Bates, S. Brown, Fleischauer, Kump, Pushkin and Wilson:

H. C. R. 24 - "Requesting the West Virginia Legislative Oversight Commission on Health and Human Resources to research, study and make recommendations regarding a state-administered wholesale prescription drug importation program."

Whereas, the citizens and State of West Virginia are burdened by rapidly rising health care costs; and

Whereas, the cost of prescription drugs is recognized as a measurable portion of those rapidly rising healthcare costs; and

Whereas, pharmaceutical products from Canada cost measurably less; and

Whereas, in most circumstances it is illegal to import drugs into the United States for personal use without the authorization of the federal government; and

Whereas, in this context, some states are considering, as a means to ameliorate the cost of prescription drugs, the establishment of importation programs where a licensed wholesaler imports drugs from Canada for distribution and dispensation to state residents; and

Whereas, for one, Vermont has passed legislation for the wholesale importation of prescription drugs from Canada; and

Whereas it appears that there are many issues related to acquiring pharmaceutical products from Canada which involve legal and economic variables which are yet unknown, and

Whereas the suitability of a program for the importation of prescription drugs from Canada for the health, welfare and economic benefit of the citizens of West Virginia should be properly determined through investigation of all relevant issues and factors, some known and some which may yet to be determined, including but not limited to, identifying which state agency which will be best suited to administer the design and implementation of such a program, which criteria will best insure federal certification and approval to import safe prescription drugs at low cost for West Virginia's consumers, efficient cooperation and coordination with public and private health insurers, compliance with relevant federal law, financial and economic considerations, the quality of imported pharmaceuticals, monitoring, implementation, licensing, marketing, and other issues; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby requests the West Virginia Legislative Oversight Commission on Health and Human Resources to research and make recommendations regarding a state-administered wholesale prescription drug importation program; and, be it

Further Resolved, That the Legislative Oversight Commission on Health and Human Resources report to the Joint Committee on Govt and Finance, by December 31, 2019, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation, be paid from legislative appropriations to the Joint Committee on Government and Finance.

The Speaker referred the resolution to the Committee on Rules.

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. 2083, Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license,

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

Com. Sub. for H. B. 2083 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17B-2-1c, relating to facilitating a released inmate's reintegration into society, by requiring the Division of Corrections and Rehabilitation to provide an

identification card for eligible released inmates who do not have a West Virginia identification card or driver's license; permitting the Division of Motor Vehicles to make visits to Division of Corrections and Rehabilitation's facilities to assist inmates with applications to obtain a West Virginia identification card; providing that the Division of Corrections and Rehabilitation be temporary in nature; providing that the identification card issued by the Division of Corrections and Rehabilitation have the same force and effect as a standard/Not For Federal Use identification card; providing that the Division of Motor Vehicles shall accept an unexpired Division of Corrections and Rehabilitation identification card and a document from the Division of Corrections and Rehabilitation as the only two (2) items needed to issue a standard/Not For Federal Use identification card; and requiring a former inmate to pay all fees charged by the Division of Motor Vehicles related to the issuance of an identification card,"

With the recommendation that the committee substitute do pass, and with the recommendation that second reference to the Committee on Finance be dispensed with.

In the absence of objection, reference of the bill (Com. Sub. for H. B. 2083) to the Committee on Finance was abrogated.

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:

S. B. 119, Specifying documents not subject to discovery in certain proceedings,

S. B. 272, Updating code relating to Commission on Special Investigations,

Com. Sub. for S. B. 17, Relating to probation eligibility,

And,

H. B. 2602, Including possession of known stolen property in the offense of receiving or transferring stolen property,

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

Delegate Higginbotham, Chair of the Committee on Small Business Entrepreneurship and Economic Development, submitted the following report, which was received:

Your Committee on Small Business Entrepreneurship and Economic Development has had under consideration:

H. B. 2550, Creating a matching program for the Small Business Innovation and Research Program and the Small Business Technology Transfer Program,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2550) was referred to the Committee on Finance.

Delegate Higginbotham, Chair of the Committee on Small Business Entrepreneurship & Economic Development, submitted the following report, which was received:

Your Committee on Small Business Entrepreneurship and Economic Development has had under consideration:

H. B. 2478, Modifying the Fair Trade Practices Act,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2478) was referred to the Committee on the Judiciary.

Messages from the Senate

A message from the Senate, by

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

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

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. 18 - "A Bill to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating to crimes against the peace generally; offenses occurring at State Capitol Complex property; and removing the requirement that a person lawfully entitled to possess a firearm must have a concealed weapons permit to have a firearm in his or her vehicle on the State Capitol Complex"; 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. 255 - "A Bill to amend and reenact §16-4C-5 of the Code of West Virginia, 1931, as amended, relating generally to the Emergency Medical Services Advisory Council; reconfiguring and increasing the membership of the council by adding three voting citizen-members; and requiring three members to be representative of professional groups"; which was referred to the Committee on Government Organization.

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

S. B. 354 - "A Bill expiring funds to the balance of the Auditor's Office – Chief Inspector's Fund, fund 1235, fiscal year 2019, organization 1200, in the amount of \$1,500,000, from the Auditor's Office – Securities Regulation Fund, fund 1225, fiscal year 2019, organization 1200, by supplementing and amending chapter one, Acts of the Legislature, 2018, known as the Budget Bill"; which was referred to the Committee on Finance.

Resolutions Introduced

Delegates Westfall, Higginbotham, Cadle, J. Jeffries, Atkinson, Miller and Butler offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 30 - "Requesting the Division of Highways name bridge number 18-331-1.84, locally known in Cottageville, Jackson County, as the Cottageville concrete I-beam bridge crossing Little Mill Creek, the 'Thomas Brothers Memorial Bridge'."

Whereas, Brothers Marion, James, and Alvin Thomas were the sons of Mr. and Mrs. A. H. Thomas. All three sons were born and raised in in the community of Mt. Alto, Union District, Jackson County, West Virginia; and

Whereas, The Thomas family is believed to be the first family in the country which had three brothers, Marion, James, and Alvin Thomas, serve together in uniform in the United States Army during the Korean War; and

Whereas, Marion H. Thomas, the oldest brother, was born in Ripley, West Virginia, on May 24, 1927. Marion initially served in the United States Navy for 31 months during World War II, then returned to service with the United States Army for the Korean War. He was posted at Fort Sill, Oklahoma before being deployed to the front line in the Korean War. Marion passed away January 22, 1985; and

Whereas, James H. Thomas, the middle brother, was born in Ripley, West Virginia on September 27, 1931. James served with United States Army Air Forces in the Korean War and retired from Rockwell International after 39 years of service. He was an avid hunter and fisherman, loved playing tricks on people, especially his neighbors, and enjoyed spending time with his Bassett Hound, Susie. James passed away November 24, 2012; and

Whereas, Alvin W. Thomas, the youngest brother, was born in Leon, West Virginia, on November 19, 1933. Alvin, also a Korean War Veteran, enlisted in the U.S. Army at 17 years old and was initially posted at Fort Knox, Kentucky. After the war Alvin worked for the West Virginia Department of Highways and retired after 30 years of service. Alvin was a true outdoorsman and enjoyed hunting, fishing, and hunting for ginseng. He loved going to yard sales, flea markets and auctions. Alvin passed away November 18, 2017; and

Whereas, It is fitting that a permanent memorial be established to the exemplary lives and service of the Thomas brothers of Jackson County, West Virginia; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 18-331-1.84, locally known in Cottageville, Jackson County, as the Cottageville concrete I-beam bridge crossing Little Mill Creek, the "Thomas Brothers Memorial Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to erect signs at both ends of the bridge containing bold and prominent letters proclaiming the bridge as the "Thomas Brothers Memorial Bridge"; and, be it

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

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

H. C. R. 31 - "Requesting the Division of Highways name bridge number 50-37-22.70 (50A076), locally known as the East Lynn Bridge, carrying WV 37 over the East Fork of Twelvepole Creek in Wayne County, the 'CPL Lee Roy Young Memorial Bridge'."

Whereas, U. S. Army Corporal Lee Roy Young was born in 1933 in Genoa, Wayne County, West Virginia; and

Whereas, CPL Young joined the United States Army and served with the 8th Cavalry Regiment, 1st Cavalry Division, in the Chorwon area in the Korean War; and

Whereas, CPL Young was seriously wounded while fighting the enemy in South Korea on May 26, 1951; and

Whereas, Despite his wounds, CPL Young returned to duty on May 29, 1951; and

Whereas, CPL Young was subsequently killed in action while fighting the enemy in North Korea on October 17, 1951. He is buried in the Young Family Cemetery in Genoa, Wayne County, West Virginia; and

Whereas, Naming this bridge is an appropriate recognition of CPL Young's contributions and sacrifice to his country and to the State of West Virginia, the state of his birth; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 50-37-22.70 (50A076), locally known as the East Lynn Bridge, carrying WV 37 over the East Fork of Twelvepole Creek in Wayne County, the "CPL Lee Roy Young Memorial 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 "CPL Lee Roy Young Memorial Bridge"; and, be it

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

Delegates Howell, Hanshaw (Mr. Speaker), Angelucci, Barrett, Bibby, S. Brown, Butler, Byrd, Cadle, Criss, Dean, Diserio, Doyle, Estep-Burton, Evans, Fast, Fluharty, Foster, Hamrick, Hanna, Hardy, Harshbarger, Hicks, Higginbotham, Hollen, Hott, Householder, J. Jeffries, Jennings, J. Kelly, Kessinger, Kump, Linville, Lovejoy, Mandt, C. Martin, P. Martin, Maynard, Miller, Pack, Paynter, Phillips, Pushkin, Pyles, Robinson, Rohrbach, Rowe, Sponaugle, Staggers, Steele, Summers, Swartzmiller, Sypolt, C. Thompson, Toney, Walker, Waxman, Wilson, Worrell, Zukoff and Graves offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 32 - "Requesting the Secretary of the Department of Transportation to authorize raising highway speed limits, where appropriate, to 75 miles per hour on Interstate highways in West Virginia and to 70 miles per hour on West Virginia's Appalachian Corridor highways."

Resolved by the Legislature of West Virginia:

That the Secretary of the Department of Transportation is hereby requested to authorize raising highway speed limits, where appropriate, to 75 miles per hour on Interstate highways in West Virginia and to 70 miles per hour on West Virginia's Appalachian Corridor highways.

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Secretary of the Department of Transportation and the Governor.

Delegates Wilson, Bibby, Paynter, Phillips, Worrell, Foster, Higginbotham, Malcolm, Sypolt, Steele, Harshbarger, Jennings, Mandt, Queen and Waxman offered the following resolution, which was read by its title and referred to the Committee on the Judiciary then Rules:

H. C. R. 33 - "Applying to the Congress of the United States to call a convention for proposing amendments pursuant to Article V of the United States Constitution limited to proposing amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; and adopting certain reservations, understandings and declarations limiting the application."

SECTION 1. Application for a convention for proposing amendments.

Whereas, Executive orders by the President of the United States have become a vehicle through which the President may overstep the limits of his constitutional authority; and

Whereas, The concentration of power at the federal level has had the effect of making federal officials less responsive to the will of the people and more readily influenced by lobbyists, wealthy corporations and special interests in Washington, D. C.; and

Whereas, Much of federal law is now enacted by federal bureaucrats who were never chosen by the people and have no accountability to the people whatsoever; and

Whereas, Policy decisions made at the state level tend to be more responsive to the needs and desires of the people; and

Whereas, The federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, The federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, many of which are unfunded to a great extent; and

Whereas, The states have the ability to restore the responsiveness of government to the people and to restrain abuses of federal power by proposing amendments to the Constitution of the United States through a limited convention of the states under Article V; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution, legislative call and application to the President and Secretary of the United States Senate and to the Speaker and Clerk of the United States House of Representatives, and copies to the members of the said Senate and House of Representatives from this state; also to transmit copies hereof to the presiding officers of each of the legislative houses in the several states, requesting their cooperation; and, be it

Further Resolved, That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

SECTION 2. Reservations, understandings and declarations.

The West Virginia Legislature adopts this application expressly subject to the following reservations, understandings and declarations:

1. An application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention;

2. Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from two-thirds of the legislatures of the several states;

3. Congress does not have the power or authority to determine any rules for the governing of an amendment convention of the states called pursuant to Article V of the United States Constitution. Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;

4. By definition, an amendment convention of the states means that states shall vote on the basis of one state, one vote;

5. A convention of the states convened pursuant to this application shall be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights shall not be authorized for consideration at any stage. This application shall be void *ab initio* if ever used at any stage to consider any change to any provision of the Bill of Rights;

6. Pursuant to Article V of the United States Constitution, Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The West Virginia Legislature recommends that Congress select ratification by the legislatures of the several states; and

7. The West Virginia Legislature may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided.

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

By Delegates McGeehan, Hamrick, Dean, Howell, Butler, Wilson, Paynter, Bibby, Kump and Kessinger:

H. J. R. 19 - "Proposing an amendment to the Constitution of the State of West Virginia amending article X thereof by adding thereto a new section, designated section five-a, relating to taxes and fees; providing that bills imposing a tax or license fee and bills increasing the effective rate of any tax levied or fee imposed may not be enacted unless two-thirds of the members of each house, present and voting, vote in the affirmative for passage; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of the proposed amendment"; to the Committee on Finance then the Judiciary.

And,

By Delegates McGeehan, Paynter, J. Jeffries, Wilson, Kessinger, C. Martin, Storch, Hill, Hanna, Fast and P. Martin:

H. J. R. 20 - "Proposing an amendment to the Constitution of the State of West Virginia, amending section fifty-one, article VI thereof, relating to the establishment of a general fund expenditure limit; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

Bills Introduced

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

By Delegates Cooper, Pack, Cadle, Westfall, D. Kelly, Capito, Rowan, Queen, Hill, Malcolm and Foster:

H. B. 2013 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-2-2b; and to amend and reenact §18A-4-2 of said code, all relating to providing a bonus for teachers willing to teach in certain critical needs areas and increasing state minimum salary of special needs teachers and teachers of mathematics and computer science in grades seven through 12"; to the Committee on Education then Finance.

By Delegates Linville, Butler, McGeehan, Graves, Waxman, Higginbotham, Hamrick, Worrell, Howell, Wilson and Mandt:

H. B. 2619 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §21-14-3a; to amend said code by adding thereto a new section, designated §29-3B-4a; to amend said code by adding thereto a new section, designated 29-3D-4a; and to amend said code by adding thereto a new article, designated §29-32-1, all relating to allowing military veterans with certain military ratings to qualify for examination for license as a plumber, allowing military veterans with certain military ratings to qualify for examination for license as an electrician; allowing military veterans with certain military ratings to qualify for examination for license as a sprinkler fitter in training or a journeyman sprinkler fitter; directing state agencies to recognize the

value of military job training and directing boards to provide training to facilitate transition from military to civilian work for certain veterans having acquired skills closely aligned with civilian job skills”; to the Committee on Veterans’ Affairs and Homeland Security then Government Organization.

By Delegates Westfall, Dean, Atkinson, Hanna and R. Thompson:

H. B. 2620 - “A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended, relating to modifying the contact requirements with a student’s guardians upon accrual of unexcused absences; specifying that a principal may make meaningful contact with guardians after a student has accrued three unexcused absences; and requiring meaningful contact be made with guardians after a student has accrued three and five unexcused absences”; to the Committee on Education then the Judiciary.

By Delegates Nelson and Criss:

H. B. 2621 - “A Bill to amend and reenact §31A-2-4 of the Code of West Virginia, 1931, as amended, relating to background checks of certain financial institutions; changing the Division of Banking to Division of Financial Institutions; allowing commissioner to accept alternate report forms in limited circumstances for certain non-United States-based principals or owners; and making technical corrections”; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Zukoff, Bibby, Summers, Lavender-Bowe, Canestraro, Pushkin, Kessinger, Storch, Williams, Westfall and Capito:

H. B. 2622 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §56-6-42, relating to allowing certified facility dogs to accompany witnesses at criminal trials when the court finds that doing so will assist the witness giving testimony”; to the Committee on the Judiciary.

By Delegate Rodighiero:

H. B. 2623 - “A Bill to amend and reenact §11-3-2 of the Code of West Virginia, 1931, as amended, relating to requiring the assessor of each county to, within three months of a deed filing in the county clerk’s office of each county, prepare a new property tax ticket and cause the tax ticket to be mailed from the county sheriff’s office”; to the Committee on Political Subdivisions then Finance.

By Delegate Howell:

H. B. 2624 - “A Bill to amend and reenact §19-1-3 of the Code of West Virginia, 1931, as amended, relating to employees of the Commissioner of Agriculture”; to the Committee on Agriculture and Natural Resources then Finance.

By Delegates Robinson, Estep-Burton, Pushkin, Byrd, Rowe, Capito, Lovejoy, Canestraro, Fluharty, Miller and N. Brown:

H. B. 2625 - “A Bill to amend and reenact §16-5S-9 of the Code of West Virginia, 1931, as amended, relating to establishing reimbursement rates for congregate and in-home meals”; to the Committee on Senior, Children, and Family Issues then Finance.

By Delegates Staggers, Angelucci, S. Brown, Boggs and Paynter:

H. B. 2626 - “A Bill to amend and reenact §16-4C-3, §16-4C-4, §16-4C-5, and §16-4C-6 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto three new sections, designated §16-4C-4a, §16-4C-4b and §16-4C-5a, all relating to emergency medical services; continuing the Office of Emergency Medical Services as an independent office within the Department of Military Affairs and Public Safety; updating definitions; creating the positions of Executive Director, Medical Director and Administrative Director for the office; establishing and clarifying the powers and duties of the directors; reconstituting the Emergency Medical Service

Advisory Council with nine members; and requirements for the state medical protocols”; to the Committee on Health and Human Resources then Government Organization.

By Delegates Pack, Howell, Steele, McGeehan, Graves, Cooper, Lovejoy and Wilson:

H. B. 2627 - “A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to removing all costs and fees from a Silver Star registration plate”; to the Committee on Veterans’ Affairs and Homeland Security then Finance.

By Delegate Rodighiero:

H. B. 2628 - “A Bill to amend and reenact §5-16-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §5-16-27, all relating to including volunteer firefighters within the Public Employees Insurance Act and requiring the county commissions to pay either three-fourths or the full amount of premiums”; to the Committee on Political Subdivisions then Finance.

By Delegates J. Jeffries, Paynter, Wilson, Porterfield, Graves, Cadle, Kump, P. Martin, D. Jeffries and Butler:

H. B. 2629 - “A Bill to amend and reenact §17-16A-13 of the Code of West Virginia, 1931, as amended, relating to ending tolls on the West Virginia Turnpike effective July 1, 2019”; to the Committee on Technology and Infrastructure then Finance.

By Delegates Westfall, Criss, Atkinson, Dean, Summers and Hanna:

H. B. 2630 - “A Bill to amend and reenact §18-5-22 of the Code of West Virginia, 1931, as amended, relating to requiring each county school board to employ at least one full time school nurse for each public school”; to the Committee on Education then Finance.

By Delegate Rodighiero:

H. B. 2631 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16B-6f, relating to qualifying children of state employees, receiving income of \$25,000 per year or less, for the West Virginia Children’s Health Insurance Program”; to the Committee on Banking and Insurance then Finance.

By Delegates Kump, Wilson, J. Jeffries, Bibby, Householder, Cadle, McGeehan, Kessinger, Azinger, Fast and Malcolm:

H. B. 2632 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25c, relating to education; providing for the Tim Tebow Act; permitting students instructed at home, by a private tutor or enrolled in a private, parochial, or church school or a school operated by a religious order, who do not attend a school that is a member of the West Virginia Secondary School Activities Commission to participate in extracurricular activities that are under the authority of the commission at a school that is a member of the commission; providing requirements, standards, and insurance coverage; and providing that accommodating schools may not be impeded from competing against other schools”; to the Committee on Education.

By Delegate Rodighiero:

H. B. 2633 - “A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to the authority of the Commissioner of Motor Vehicles to issue a special registration plate for persons who are residents of this state and who have a family member diagnosed with autism spectrum disorder who operates a motor vehicle in this state”; to the Committee on Technology and Infrastructure then Finance.

By Delegate Rodighiero:

H. B. 2634 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-2-1b, relating to requiring school bus aides, who are trained to prevent bullying and to provide a safe environment for the students while being transported on a school bus, to be present on school buses"; to the Committee on Education then Finance.

By Delegate Rodighiero:

H. B. 2635 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-5-2a; to amend said code by adding thereto a new section, designated §5-10-22l; to amend said code by adding thereto a new section, designated §18-7A-26w; and to amend said code by adding thereto two new sections, designated §18A-4-2d, and §18A-4-8j, all relating to granting all public employees, all teachers, all service employees, all public employee retirees, all teacher retirees and all service employee retirees a \$1,000 per year permanent pay increase"; to the Committee on Education then Finance.

By Delegate Rodighiero:

H. B. 2636 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-63, relating to exempting volunteer firefighters from fees for hunting, fishing and trapping licenses and permits; providing that fees for hunting, trapping and fishing licenses and permits are waived for volunteer firefighters; including eligibility requirements; requiring compliance with all other requirements to obtain license; and granting rule-making authority"; to the Committee on Fire Departments and Emergency Medical Services then Finance.

By Delegates Howell, Jennings, Sypolt, Worrell, Toney, Waxman, Hanshaw (Mr. Speaker), Foster, Hamrick, Kessinger and Pack:

H. B. 2637 - "A Bill to amend and reenact §24-1-1 of the Code of West Virginia, 1931, as amended, relating to excluding electric generating facilities designated as an exempt wholesale generator from being regulated by the commission; requiring electric generating facilities owners or operators not designated an exempt wholesale generator to obtain a siting certificate from the commissioner prior to construction; requiring persons, entities, or corporations constructing or constructing and operating an electric generating facility not designated an exempt wholesale generator to obtain a siting certificate from the commissioner prior to construction; and, excluding electric generating facilities from siting requirements to make material modifications to facilities"; to the Committee on Energy.

By Delegates Paynter, Dean, Maynard, Cooper, Rohrbach, Campbell, Lavender-Bowe, Waxman, Graves, R. Thompson and Cowles:

H. B. 2638 - "A Bill to amend and reenact §17C-12-7 of the Code of West Virginia, 1931, as amended, relating to increasing the penalties for overtaking and passing a school bus"; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegates J. Jeffries, D. Jeffries, Worrell, Pack, Steele, Foster, Waxman, Kump, McGeehan, Wilson and Maynard:

H. B. 2639 - "A Bill to amend and reenact §18-4-4 of the Code of West Virginia, 1931, as amended, relating to placing a limit on the salary of a county superintendent of schools"; to the Committee on Education then Finance.

By Delegates Wilson, S. Brown, Malcolm, J. Jeffries, Waxman, Storch, Graves, Summers, Rowan, Staggers and Longstreth:

H. B. 2640 - "A Bill To amend and reenact §17-5-1 of the Code of West Virginia, 1931, as amended, relating to making all inmates regardless of sex eligible to work on a state convict road force"; to the Committee on the Judiciary.

By Delegates Canestraro, Diserio, Pethtel, Fluharty and Zukoff:

H. B. 2641 - "A Bill to amend and reenact §11-13A-3a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §22-6-42, all relating to requiring owners of oil and gas wells to install and maintain separate meters that calculate the amount of production from those wells; requiring the Secretary of the Department of Environmental Protection to work with the State Tax Commissioner to implement procedures allowing the Office of Oil and Gas to verify production; requiring that information be shared with county assessors and royalty owners; and requiring rule-making"; to the Committee on Energy.

By Delegates Sponaugle, Miley, Shott, Lovejoy, Hornbuckle, Robinson, Caputo and Fluharty:

H. B. 2642 - "A Bill to amend and reenact §55-17-3 of the Code of West Virginia, 1931, as amended, relating to clarifying what constitutes an action requiring service to the Attorney General and notice to the Legislature"; to the Committee on the Judiciary.

By Delegates Sponaugle, Hott, McGeehan, Cadle and Cowles:

H. B. 2643 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §19-37-1, §19-37-2 and §19-37-3, all relating to raw milk; creating the West Virginia Farm Fresh Raw Milk Act; exempting certain sales from licensure and certification; providing definitions; requiring the use of best sanitary milking and milk handling procedures; empowering the Department of Agriculture to conduct inspections and administer the program; providing requirements for sales; and providing immunity to producers when a consumer illness results from improper handling by customers"; to the Committee on Agriculture and Natural Resources then Government Organization.

By Delegates R. Thompson, N. Brown and Hicks:

H. B. 2644 - "A Bill to amend and reenact §20-2-47 of the Code of West Virginia, 1931, as amended, relating to allowing an owner of Japanese quail (Coturnix Quail and Button Quail) to keep them as pets without having to obtain a license for a private game farm"; to the Committee on Agriculture and Natural Resources then Government Organization.

By Delegates R. Thompson and Hicks:

H. B. 2645 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated as §62-10-9a, relating to power of security guards to arrest individuals"; to the Committee on Industry and Labor then the Judiciary.

By Delegates Higginbotham, Foster, Pack, Wilson, Sypolt, Westfall, Hardy, Butler, Atkinson and Cadle:

H. B. 2646 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §21-5-4a, relating to providing a safe harbor for employers to correct underpayment or nonpayment of wages and benefits due to separated employees prior to the filing of a lawsuit; prohibiting an employee from seeking liquidated damages or attorney's fees when bringing an action for the underpayment or nonpayment of wages and benefits due upon the employee's separation of employment without first making a written demand on the employer; permitting only those employees who have made a written demand on the employer may be included in a class action lawsuit brought for the underpayment or nonpayment of wages and benefits due upon the employee's separation of employment; and defining the term 'written demand'; to the Committee on Industry and Labor then the Judiciary.

By Delegates Westfall, Maynard, Hartman and Atkinson:

H. B. 2647 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-12-38, relating to establishing a limited lines insurance license for self-storage providers; defining terms"; to the Committee on Banking and Insurance then the Judiciary.

By Delegate Summers:

H. B. 2648 - "A Bill to amend and reenact §30-1-7a of the Code West Virginia, 1931, as amended, relating to continuing education for registered nurses and advanced nurse practitioners; exempting them from continuing education in drug diversion, controlled substance prescribing practices, and administration of opioid antagonists; exempting them from continuing education for screening veterans and families of veterans for signs of certain mental and emotional disorders; and removing the requirement for the Board of Examiners for Registered Professional Nurses to establish requirements and criteria therefor"; to the Committee on Health and Human Resources.

By Delegate Rodighiero:

H. B. 2649 - "A Bill to amend and reenact §5-16-2 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Public Employees Insurance Act; and providing state health care services for all active and inactive duty military personnel"; to the Committee on Banking and Insurance then Finance.

By Delegate Rodighiero:

H. B. 2650 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-6-13, relating to establishing seniority rights for public employees; defining when seniority begins; setting standards for accumulation of seniority; requiring notice of job postings; requiring registers or certified lists of eligible applicants; allowing senior employees the first right of refusal for extra duty, overtime and promotions; and determining seniority in case of absence"; to the Committee on Government Organization then Finance.

By Delegates Ellington, Hill, Summers, Pushkin and Bates:

H. B. 2651 - "A Bill to amend and reenact §33-51-9 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §33-51-10, all relating to pharmacy benefit managers; mandating the disclosure of cost alternatives to covered individuals; requiring quarterly reports on cost and claim data; and requiring the Public Employees Insurance Agency to prepare a public report of impact on costs"; to the Committee on Health and Human Resources then Finance.

By Delegate Rodighiero:

H. B. 2652 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-1-9g, relating to public health; requiring all public accessible restrooms to provide hand sanitizers either in or at the exit from the restroom portion of the public facility; and providing for rule-making authority"; to the Committee on Health and Human Resources then Finance.

By Delegates Graves, Pack, Capito, Kessinger, D. Jeffries, Malcolm, Linville, Wilson, Phillips, Mandt and Kump:

H. B. 2653 - "A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to creating a presidential service registration plate"; to the Committee on Technology and Infrastructure then Finance.

By Delegates Harshbarger, Bibby and Hanna:

H. B. 2654 - "A Bill to amend and reenact §17C-16-1, §17C-16-2, §17C-16-3, and §17C-16-4 of the Code of West Virginia, 1931, as amended, relating to inspection of motor vehicles; and removing

certain vehicles from the requirement for vehicle inspection; and requiring the Superintendent of the West Virginia State Police to propose legislative rules defining the exempt vehicles”; to the Committee on Government Organization then Finance.

By Delegates Graves and Dean:

H. B. 2655 - “A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to increasing the modification reducing income for personal income tax for retired teachers and retired state employees”; to the Committee on Pensions and Retirement then Finance.

By Delegates Hardy, Bibby, Howell, J. Jeffries, Maynard, Harshbarger, Doyle, Cadle, S. Brown, Wilson and Kessinger:

H. B. 2656 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-15D-1, §33-15D-2, §33-15D-3, §33-15D-4, §33-15D-5, and §33-15D-6, all relating to creating the Health Care Choice Act; stating legislative findings and purpose; authorizing insurers from other states to engage in the business of health insurance in West Virginia only with the written approval of the Insurance Commissioner and subject to qualifications and other requirements determined by the Insurance Commissioner”; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Maynard, J. Jeffries, Paynter, Pack and Hardy:

H. B. 2657 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-3-2a, relating to registration of military surplus vehicles”; to the Committee on Veterans’ Affairs and Homeland Security then the Judiciary.

By Delegates Maynard, Paynter, J. Jeffries, Sypolt, Miller, Pack, Lovejoy, Jennings, Angelucci and Worrell:

H. B. 2658 - “A Bill to amend and reenact §29-3-8 of the Code of West Virginia, 1931, as amended, relating to eliminating the State Fire Marshall’s comprehensive report regarding the transfer of authority and responsibility of providing fire services to the counties”; to the Committee on Fire Departments and Emergency Medical Services then Government Organization.

By Delegate Bates:

H. B. 2659 - “A Bill to amend and reenact §11-13A-3a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-13A-5c; and to amend said code by adding thereto a new article, designated §11-13DD-1, §11-13DD-2 and §11-13D-3, all relating to establishing a tax on the production of natural gas to fund the public employees insurance program; establishing a special revenue account; providing that proceeds retained in account be used for the benefit of supplementing state and employee contributions thereto; and providing that upon certification by PEIA Finance Board that fund is sufficient to maintain benefits for five-year period remaining funds subject to legislative appropriation”; to the Committee on Banking and Insurance then Energy.

By Delegates Anderson, Azinger, Howell, J. Kelly, Westfall, Pethel, Storch, D. Kelly, Swartzmiller, Nelson and Harshbarger:

H. B. 2660 - “A Bill to amend and reenact §24-2-1k of the Code of West Virginia, 1931, as amended, relating to the Public Service Commission; natural gas infrastructure; actual investment of capital and costs; and how utility’s expedited cost recovery are calculated and determined”; to the Committee on Energy.

By Delegates Anderson, Azinger, Howell, J. Kelly, Westfall, Pethtel, Storch, D. Kelly, Swartzmiller, Nelson and Harshbarger:

H. B. 2661 - "A Bill to amend and reenact §24-2-4c of the Code of West Virginia, 1931, as amended; and to amend and reenact §24-3-7 of said code, all relating to natural gas utilities; permitting a natural gas utility to make a request for proposal for incentivized gas drilling where dependable, lower-priced supplies of natural gas are not readily available; permitting the natural gas utility to recover that cost; and permitting a natural gas utility to recover the cost reasonably necessary to convert a customer to an alternate fuel source when gas service to that customer has been abandoned"; to the Committee on Energy.

Special Calendar

Third Reading

Com. Sub. for H. B. 2005, Broadband Expansion Act of 2019; on third reading, coming up in regular order, with amendments pending, was, at the request of Delegate Summers, and by unanimous consent, postponed one day.

Com. Sub. for H. B. 2346, Changing the licensing requirement for certain casino employees; 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. 17**), and there were—yeas 96, nays 2, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Nelson and Porterfield.

Absent and Not Voting: Boggs and C. Thompson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2346) 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. 2360, Placing the Athletic Commission under the Lottery Commission; 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. 18**), and there were—yeas 96, nays 2, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Fast and Porterfield.

Absent and Not Voting: Boggs and C. Thompson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2360) 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. 2412, Relating to criminal acts concerning government procurement of commodities and services; 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. 19**), 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 C. Thompson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2412) passed.

On motion of Delegate Shott, the title of the bill was amended to read as follows:

H. B. 2412 – “A Bill to repeal §5A-3-28, §5A-3-30, and §5A-3-31 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §61-5B-1, §61-5B-2, §61-5B-3, and §61-5B-4, relating to prohibited conduct concerning government procurement of commodities and services; moving certain provisions relating to government procurement from chapter 5A to chapter 61; defining terms; including the provision of cash, credit, and waivers of debt or liability as commodities; prohibiting procurement authorities from having personal interest in government procurement; applying provisions to all branches and units of state government; prohibiting fraud and attempts to defraud government entities in procurement; prohibiting knowing acceptance and delivery of inferior goods and services; defining unfair and corrupt acts regarding change orders; and establishing criminal penalties therefor.”

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. 2422, Relating to the time for the observation of “Celebrate Freedom Week”; 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. 20**), 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 C. Thompson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2422) 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. 2459, Exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law; 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. 21**), 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 C. Thompson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2459) 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. 2462, Issuing a certificate to correctional employees to carry firearms; 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. 22**), 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 C. Thompson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2462) passed.

An amendment to the title of the bill was adopted, amending the title to read as follows:

H. B. 2462 - "A Bill to amend and reenact §15A-3-10 of the Code of West Virginia, 1931, as amended, relating to the training, qualification, certification and authorization for carry of firearms by correctional employees; providing that after successful completion of designated firearms training, the commissioner may issue a certificate to carry division issued firearms to correctional employees; establishing that authorized correctional employees may carry division-issued firearms during performance of official duties and when traveling to and from work; establishing the commissioner's firearm training program must be equivalent to the firearms training requirements for deputy sheriffs; requiring that the correctional employee must successfully complete an annual designated firearms course as established by legislative rule to maintain the certificate; and, providing the certificate bearing the commissioner's signature shall be in a form prescribed by the commissioner."

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

Second Reading

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

H. B. 2009, Creating a new category of Innovation in Education grant program,

Com. Sub. for H. B. 2435, Authorizing Attorney General to prosecute violations of state criminal law recommended by the Commission on Special Investigations,

Com. Sub. for H. B. 2446, Blue Alert Plan,

H. B. 2509, Clarifying that theft of a controlled substance is a felony,

And,

H. B. 2527, Relating to forgery and other crimes concerning lottery tickets.

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. 2036, Permitting vehicles displaying disabled veterans' special registration plates to park in places where persons with mobility impairments may park,

H. B. 2209, Allowing military veterans who meet certain qualifications to qualify for examination for license as an emergency medical technician,

H. B. 2547, Relating to the election prohibition zone,

And,

Com. Sub. for H. B. 2600, Relating to publication of sample ballots.

Leaves of Absence

At the request of Delegate Summers, and by unanimous consent, leaves of absence for the day were granted Delegates Boggs and C. Thompson.

Miscellaneous Business

Pursuant to House Rule 132, unanimous consent was requested and obtained to print the remarks of Delegate Bates during Remarks by Members in the Appendix to the Journal.

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

- Delegate Miller for H. B. 2083
- Delegate Wilson for H. B. 2169 and H. B. 2321
- Delegate Steele for H. B. 2602
- Delegate Williams for H. B. 2400
- Delegate Byrd for H. B. 2461
- Delegate Espinosa for H. B. 2474, H. B. 2476, H. B. 2479, H. B. 2480 and H. B. 2536
- Delegate Pyles for H. B. 2533
- Delegate Zukoff for H. B. 2541
- Delegates Fast, Queen and Nelson for H. B. 2550

- Delegate Porterfield for H. B. 2474, H. B. 2476, H. B. 2479, H. B. 2480 and H. B. 2536

At 11:48 a.m., the House of Delegates adjourned until 11:00 a.m., Friday, January 25, 2019.

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

SPECIAL CALENDAR

Friday, January 25, 2019

17th Day

11:00 A. M.

THIRD READING

- Com. Sub. for H. B. 2005 - Broadband Expansion Act of 2019 [AMENDMENTS PENDING] (SHOTT) (REGULAR)
- H. B. 2009 - Creating a new category of Innovation in Education grant program (HAMRICK) (REGULAR)
- Com. Sub. for H. B. 2435 - Authorizing Attorney General to prosecute violations of state criminal law recommended by the Commission on Special Investigations (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2446 - Blue Alert Plan (SHOTT) (REGULAR)
- H. B. 2509 - Clarifying that theft of a controlled substance is a felony (SHOTT) (REGULAR)
- H. B. 2527 - Relating to forgery and other crimes concerning lottery tickets (SHOTT) (REGULAR)

SECOND READING

- H. B. 2036 - Permitting vehicles displaying disabled veterans' special registration plates to park in places where persons with mobility impairments may park (MCGEEHAN) (REGULAR)
- H. B. 2209 - Allowing military veterans who meet certain qualifications to qualify for examination for license as an emergency medical technician (VETERANS' AFFAIRS AND HOMELAND SECURITY AMENDMENT PENDING) (MCGEEHAN) (REGULAR)
- H. B. 2547 - Relating to the election prohibition zone (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2600 - Relating to publication of sample ballots (SHOTT) (REGULAR)

FIRST READING

- Com. Sub. for S. B. 17 - Relating to probation eligibility (SHOTT) (EFFECTIVE FROM PASSAGE)
- S. B. 119 - Specifying documents not subject to discovery in certain proceedings (SHOTT) (REGULAR)

- S. B. 272 - Updating code relating to Commission on Special Investigations (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2083 - Providing an identification card for released inmates who do not have a West Virginia identification card or driver's license (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2191 - Relating generally to limited video lottery (WESTFALL) (JULY 1, 2019)
- H. B. 2514 - Permitting pawn brokers to disclose whether any specific property has been sold or pledged (HOWELL) (REGULAR)
- H. B. 2602 - Including possession of known stolen property in the offense of receiving or transferring stolen property (SHOTT) (REGULAR)

HOUSE CALENDAR

Friday, January 25, 2019

17th Day

11:00 A. M.

SECOND READING

Com. Sub. for H. B. 2008 - Relating to nonpartisan election of justices of the Supreme Court of Appeals (SHOTT) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

FRIDAY, JANUARY 25, 2019

HOUSE CONVENES AT 11:00 A.M.

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

**COMMITTEE ON GOVERNMENT ORGANIZATION
9:00 A.M. – ROOM 215E**

**COMMITTEE ON THE JUDICIARY
9:30 A.M. – ROOM 418M**

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