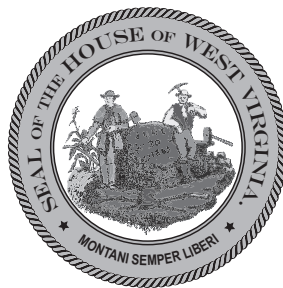


West Virginia Legislature

JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Third Legislature  
First Regular Session

Held at Charleston  
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February 8, 2017  
FIRST DAY



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Wednesday, February 8, 2017

**FIRST DAY**

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

Pursuant to the adjournment taken on January 11, 2017, in accordance with Section 18, Article VI of the Constitution of the State, the House of Delegates assembled in its Chamber in the Capitol Building at 12:00 noon this day, and was called to order by the 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 11, 2017, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Resolutions Introduced**

Mr. Speaker, Mr. Armstead, offered the following resolution, which was read by its title as follows:

**H. C. R. 4** - "Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor."

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

*Resolved by the Legislature of West Virginia:*

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

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

At the request of Delegate Cowles, and by unanimous consent, reference of the resolution (H. C. R. 4) to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Whereupon,

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

Delegates Sobonya, Arvon and Moye.

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

Mr. Speaker, Mr. Armstead, offered the following resolution, which was read by its title as follows:

**H. R. 5** – “Amending House Rules 63 and 84a, relating to the previous question and witnesses before committees.”

*Resolved by the House of Delegates:*

That House Rule 63 be amended to read as follows:

**“Previous Question**

63. When any question is before the House, any member who has not spoken on the question, when properly recognized, may move the previous question. Any demand for the previous question must be sustained by one tenth of the members present. If sustained, the motion for the previous question shall be put by the Speaker, without debate, in the form of “Shall the question on \_\_\_\_\_ now be put?” If the motion for the previous question is adopted by a majority vote of members present, that question shall be put to a vote without further debate: *Provided*, That if the question is passage of the bill or adoption of a resolution, the Member recognized by the Speaker pursuant to Rule 34 to explain the bill or resolution shall be provided five minutes to close debate. If the question at issue is an amendment, the Member that is the lead sponsor of the amendment shall be provided three minutes to close debate.

When a member moves the previous question, he shall specifically state in his motion whether it shall apply to the main question and the amendments or to the amendment or amendments only. If the motion applies to the main question and the amendments, separate votes shall be taken on each pending amendment and the main question without further debate, except for the Member having the right to close on the question pursuant to this Rule.

The previous question shall not be admitted in the Committee of the Whole.”

And,

That House Rule 84a be amended to read as follows:

**“Witnesses Before Committees**

84a. Every committee of the House shall administer oaths to any witness person, except current members or employees of the West Virginia Legislature, appearing before the committee at any meeting, with the exception of a public hearing, or during the deliberations of any committee. If any witness to whom an oath has been administered shall refuse to answer a question put to such witness by any member of the committee, the committee may report such refusal to the House and upon motion duly made by any member of the House, the House may cause to be issued a subpoena to compel such witness to appear before the committee to give testimony. Upon appearance pursuant to subpoena the witness may be questioned by the chairman and any member of the committee.

The Clerk of the House, the chairman of the committee, ~~and, in the absence of the chairman,~~ the committee clerk or any member of the committee may administer the oath to the witness and may require that such oath be subscribed to by the witness.

~~No committee shall invoke this rule unless in the judgment of a majority of members appointed to the committee special circumstances so require.”~~

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the resolution (H. R. 5) to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Delegate Summers offered the following resolution, which was read by its title and referred to the Committee on Rules.

**H. C. R. 5** – “Requesting the Division of Highways to name Bridge Number :46-9-0.03 (46A094) (39.33990, -80.01680), locally known as New Bridge Street Bridge, carrying County Route 9 over Three Fork Creek and CSX Railroad in Grafton, Taylor County, the ‘U. S. Navy Rear Admiral Frederick Burdett Warder Memorial Bridge’.”

Whereas, Frederick Burdett Warder was born: March 19, 1904, in Grafton, Taylor County, West Virginia, the son of Hugh and Anna (Moran) Warder. Hugh Warder was a prominent attorney in Grafton and counsel for the B & O. Frederick was the first of eight children born to Anna and Hugh Warder. The Warder family was one of the first families to settle the Upper Monongahela region, in the latter 1700s. A family historic cemetery in Pruntytown has many early graves, early name spelled “Wardour”); and

Whereas, Frederick Burdett Warder Graduated from Grafton High School, Class of 1921 as Salutatorian. He graduated from the U. S. Naval Academy, Class of 1925 and married Mary Brydon of Grafton, January 1926, in New York City. He was a U. S. Naval Officer, Submarine Service and early hero in WW II commanding the USS Sea wolf (SS 197). Fred Warder Day was celebrated in Grafton, April 1942. He achieved Rear Admiral rank, 1952, Commanded Submarines of the Atlantic Fleet, 1957-1960 and received Military decorations that included two Navy Crosses for action in WW II, four Legion of Merit awards, two Bronze Star Medals and he was awarded the Order of the Bronze Lion by the Netherlands during WW II. Frederick Burdett Warder retired in 1962, and resided in Ocala, Florida. Throughout his active years in the Navy, he kept the 706 Maple Avenue, Grafton as his permanent address and returned to Grafton whenever he was ashore to visit family, and some class reunions at Grafton HS, until 1984. He was named an Honorary Colonel of West Virginia. He died on February 1, 2000, in Ocala, Florida and was buried in Arlington National Cemetery with full honors, March 28, 2000. He was predeceased by his wife Mary, his daughter Mary and son Frederick Jr. His Survivors include two daughters: Grace Warder Harde and Susan Warder Savard, ten grandchildren and nine great-grandchildren; and

Whereas, Naming Bridge Number 46-9-0.03 (46A094) (39.33990, -80.01680), locally known as New Bridge Street Bridge, carrying County Route 9 over Three Fork Creek and CSX Railroad in Grafton, Taylor County, the “U. S. Navy Rear Admiral Frederick Burdett Warder Memorial Bridge” is an appropriate recognition of the contributions to his country, state, community and Taylor County; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name Bridge Number 46-9-0.03 (46A094) (39.33990, -80.01680), locally known as New Bridge Street Bridge, carrying County Route 9 over Three Fork Creek and CSX Railroad in Grafton, Taylor County, the “U. S. Navy Rear Admiral Frederick Burdett Warder Memorial Bridge”; and, be it

*Further Resolved,* That the Division of Highways is requested to have made and be placed signs identifying the bridge as the “U. S. Navy Rear Admiral Frederick Burdett Warder Memorial Bridge”; and, be it

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

Mr. Speaker, Mr. Armstead offered the following resolution, which was read by its title and referred to the Committee on Rules.

**H. C. R. 6** – “Requesting the Division of Highways to name a portion of County Route 3/5, known as Wills Creek Road, in Kanawha County, beginning at latitude 38.472118, longitude -81.399248 and ending at latitude 38.501480, longitude -81.413276, the ‘U.S. Army SPC 4 Thurman “Duwayne” Young Memorial Road’.”

Whereas, Specialist Thurman “Duwayne” Young was born on April 23, 1949, in Elkview, West Virginia, a son of Carrie Marie Chaplan of Uniontown, Ohio, and the late Benjamin Thurman Young; and

Whereas, Specialist Young graduated from Herbert Hoover High School before entering the Army in 1969. He went to Vietnam serving as an Armored Personnel Carrier Operator and Infantry and was honorably discharged in 1971. Upon returning from serving his country, Specialist Young married Linda Szeles, and they spent twenty-nine loving years together. They were the parents of three sons, Jeffery, James and Roger, and five daughters, Carol, Lisa Anne, Claire V., Jeannie M., and Christine (deceased); and

Whereas, On August 17, 2011, at the age of sixty-two Specialist Young lost his hard fought battle with cancer caused by exposure to Agent Orange; and

Whereas, Naming this road is an appropriate recognition of Specialist Young’s contributions to his country, state and community; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name a portion of County Route 3/5, known as Wills Creek Road in Kanawha County, beginning at latitude 38.472118, longitude -81.399248 and ending at latitude 38.501480, longitude -81.413276, the “U.S. Army SPC 4 Thurman “Duwayne” Young Memorial Road”; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs identifying the road as the “U.S. Army SPC 4 Thurman “Duwayne” Young Memorial Road”; and, be it

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

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

**By Delegate Rodighiero:**

**H. J. R. 1** – “Proposing an amendment to the Constitution of the State of West Virginia, amending section four, article I thereof and section ten, article VI thereof, relating to representatives to Congress, the arrangement of Congressional, Senatorial and Delegate Districts after census by creating a Citizens (Redistricting Commission; designating the terms of office and duties of commissioners; providing that Citizens (Redistricting Commission must submit redistricting plans to each house; providing that each house may reject its plan by a two-thirds vote of the members

elected; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on the Judiciary.

**By Delegate Bates:**

**H. J. R. 2** - “Proposing an amendment to the Constitution of the State of West Virginia, amending section three, article VI thereof, relating to imposing term limits for senators and delegates; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on the Judiciary.

**By Delegate G. Foster:**

**H. J. R. 3** – “Proposing an amendment to the Constitution of the State of West Virginia, amending article X thereof, by adding thereto a new section, designated section one-d, relating to exempting from ad valorem taxation personal property in the form of manufacturing inventory and manufacturing equipment; 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.

**By Delegates Sponaugle, Fluharty, Hornbuckle, Marcum and Pushkin:**

**H. J. R. 4** – “Proposing an amendment to the Constitution of the State of West Virginia amending section 1b, article X thereof, relating to exempting honorably discharged veterans of the Armed Forces of the United States from ad valorem property taxation on the first \$30,000 of assessed value of a primary residence; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on Finance then the Judiciary.

**By Delegate Caputo:**

**H. J. R. 5** – “Proposing an amendment to the Constitution of the State of West Virginia, amending section 1b, article X thereof, relating to homestead exemption increase; 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.

**By Delegates Bates and Pushkin:**

**H. J. R. 6** – “Proposing an amendment to the Constitution of the State of West Virginia, amending, article IV thereof by adding thereto a new section, designated section thirteen, relating to the arrangement of congressional, senatorial and delegate districts after census by creating a State Apportionment Commission; designating for appointment, terms of office, duties of and eligibility for commissioners; establishing process for commission to develop plans; providing that State Apportionment Commission must submit redistricting plans to each house; providing that each house may reject its plan by a two-thirds vote of the members elected; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on the Judiciary.

**By Delegates Overington, Espinosa, Upson, Frich and Phillips:**

**H. J. R. 7** – “Proposing an amendment to the Constitution of the State of West Virginia, amending section one-b, article X thereof, relating to homestead exemption increase; 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.

And,

**By Delegates Ferro, Pethel, Hamilton and Caputo:**

**H. J. R. 8** – “Proposing an amendment to the Constitution of the State of West Virginia amending article X thereof, by adding thereto a new section, designated section thirteen, relating to allowing counties, cities and municipal corporations to approve, by a vote of the people, levies and excess levies by a simple majority of the votes cast for and against the same, notwithstanding any other provision of the Constitution to the contrary; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on Political Subdivisions then the Judiciary.

**Motions**

On motion of Delegate Cowles, the applicable provisions of House Rule 136 were suspended for the day to permit invited guests privileges of the floor.

**Bills Introduced**

Bills were introduced, pursuant to House Rule 92, and severally referred as follows:

**By Delegate Shott:**

**H. B. 2006** - “A Bill to amend and reenact §6C-1-6 of the Code of West Virginia, 1931, as amended, relating to increasing the penalties for violating the Whistle-Blower Law; increasing the civil fine; removing the authority of the court to suspend a person from public service; authorizing discipline by the person’s employer upon a finding of violation by the court; and authorizing termination from employment as a potential discipline”; to the Committee on the Judiciary.

**By Delegates Gearheart, Cooper, McGeehan, Hamrick and Westfall:**

**H. B. 2007** - “A Bill to amend and reenact §17-1-3 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §17-16A-6a, all relating to eliminating courtesy patrol programs operated by the Division of Highways and the Parkways Authority”; to the Committee on Roads and Transportation then Finance.

**By Delegates Gearheart and Hamrick:**

**H. B. 2008** - “A Bill to amend and reenact §17A-6-2a of the Code of West Virginia, 1931, as amended, relating generally to the Dealer Recovery Fund; specifying that the Dealer Recovery Fund Control Board has discretionary jurisdiction to hear claims; and providing the types of claims for damages that may be awarded from the Dealer Recovery Fund”; to the Committee on Roads and Transportation then Finance.

**By Delegates Gearheart and Cooper:**

**H. B. 2009** - “A Bill to amend and reenact §21-11-3 of the Code of West Virginia, 1931, as amended, relating to changes to the definition of electrical contractor”; to the Committee on Industry and Labor then Government Organization.

**By Delegates Folk and McGeehan:**

**H. B. 2010** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-3tt, relating to requiring a county to obtain express authorization from the Legislature in the form of a concurrent resolution before submitting an application for an MS-4 permit to the United States Environmental Protection Agency and providing that a county may not be



required to comply with terms of an MS-4 permit unless the state or federal government pays for the cost of compliance”; to the Committee on Political Subdivisions then the Judiciary.

**By Delegate Phillips:**

**H. B. 2011** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-30-1, relating to prohibiting state agencies and departments from acting outside their statutory scopes of authority”; to the Committee on the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2012** - “A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to the reduction of state income taxes for certain state and federal retirees by increasing the exemption on retirement income in calculating the federal gross income for state personal income tax purposes”; to the Committee on Pensions and Retirement then Finance.

**By Delegate Rodighiero:**

**H. B. 2013** - “A Bill to repeal §61-3-11 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §61-2-31; and to amend and reenact §61-3-12 of said code, all relating to replacing the present crime of burglary with the crime of home invasion; providing criminal offenses of home invasion in the first, second, third and fourth degrees; and prescribing penalties”; to the Committee on the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2014** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-6c, relating to allowing parents or the school to serve sweets during the holidays if the school receives parental or guardian consent”; to the Committee on Education.

**By Delegate Rodighiero:**

**H. B. 2015** - “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 Education then Finance.

**By Delegate Rodighiero:**

**H. B. 2016** - “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. 2017** - “A Bill to amend and reenact §21-5C-3 of the Code of West Virginia, 1931, as amended, relating to minimum wage and maximum hour standards for employers”; to the Committee on Industry and Labor then Finance.

**By Delegate Rodighiero:**

**H. B. 2019** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-22, relating to salary increase for school personnel”; to the Committee on Education then Finance.

**By Delegate Rodighiero:**

**H. B. 2020** - “A Bill to amend and reenact §5-16-5 of the Code of West Virginia, 1931, as amended, relating to freezing employee premiums at the current level until July 1, 2020”; to the Committee on Banking and Insurance then Finance.

**By Delegate Sponaugle:**

**H. B. 2021** - "A Bill to amend and reenact §61-5-17 of the Code of West Virginia, 1931, as amended, relating to penalties incurred from obstructing, fleeing from and making false statements to law-enforcement, probation and parole officers and interfering with emergency communications; and amending the penalties for several of the violations to make it clear that the convicted person may be fined and confined"; to the Committee on the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2022** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-1-9f, 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 Delegate Rodighiero:**

**H. B. 2023** - "A Bill to amend and reenact §31-20-10 of the Code of West Virginia, 1931, as amended, relating to changing the way that the costs of incarcerating inmates in regional jails is collected so that these are shared by the county, state and municipality where the alleged criminal act occurs; making the cost of incarceration for less than twenty-four hours one-half the per diem charge for a full day; and, providing a funding source for regional jail central office employees and operations"; to the Committee on Political Subdivisions then Finance.

**By Delegate Rodighiero:**

**H. B. 2024** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-31, relating to crimes against the person; creating a criminal felony offense of aggravated assault or battery of a child or a person who is mentally incapacitated; and providing penalties"; to the Committee on the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2025** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10-22I; and to amend said code by adding thereto a new section, designated §18-7A-26w, all relating to providing one-time supplements to all annuitants when they reach the age of seventy"; to the Committee on Pensions and Retirement then Finance.

**By Delegate Rodighiero:**

**H. B. 2026** - "A Bill to amend and reenact §17D-2A-4 of the Code of West Virginia, 1931, as amended, relating to motor vehicle insurance; and providing a maximum repair cost for insured owners of motor vehicles if a collision with a deer caused the damage"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegate Gearheart:**

**H. B. 2027** - "A Bill to amend and reenact §15-2-12 of the Code of West Virginia, 1931, as amended; and to amend and reenact §17-16A-10 and §17-16A-18 of said code, all relating to providing for the transfer of ownership, operation and maintenance of certain assets of the West Virginia Parkways Authority to the Division of Highways; reimbursement to the West Virginia State Police for performance of police duties on the West Virginia Turnpike after the transfer; requiring that the parkways authority bring the West Virginia Turnpike into compliance with Division of Highways standards by June 30, 2019; requiring assessments of the turnpike by the Division of Highways to identify certain deficiencies; requiring the division to report its findings upon the assessments to the Joint Committee on Government and Finance and the Governor; requiring the division to certify certain findings upon the assessments to the Joint Committee on Government and Finance and the Governor; requiring certain bonded indebtedness of the Parkways Authority to be satisfied by June

30, 2019; prohibiting new bonds from being issued; directing the Governor to issue a proclamation upon finding that certain bonded indebtedness obligations are satisfied and certain other conditions are met and directing the transfer of certain assets and employees of the Parkways Authority be transferred to the Division of Highways; providing for employees of the Parkways Authority whose positions are eliminated as result of the transfer; requiring certain moneys be used for operation and maintenance of, and for the provision of police services by the West Virginia State Police on the West Virginia Turnpike; cessation of tolls and removal of toll collection facilities; providing an exception; establishing the 'Turnpike Transition Fund'; funding sources and administration of the fund; providing that all obligations and responsibilities of the parkways authority for the West Virginia Turnpike cease and remaining assets be transferred to Division of Highways on or before June 30, 2020; and authorizing rule-making"; to the Committee on Roads and Transportation then Finance.

**By Delegate Folk:**

**H. B. 2028** - "A Bill to amend and reenact §14-2-2 of the Code of West Virginia, 1931, as amended, relating to the venue for suits and other actions against the state; allowing a pro se plaintiff or petitioner to file a claim or petition against the state, a state officer, or state agency in the circuit court of a county in which the plaintiff or petitioner resides or in which a claim arose"; to the Committee on the Judiciary.

**By Delegate Gearheart:**

**H. B. 2029** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-14a, relating to permitting counties to adopt certain ordinances relating to dogs and cats; including legislative findings; granting county commissions authority to adopt ordinances to provide for the proper restraint of dogs and the spaying and neutering of dogs and cats; including permissible ordinance provisions; authorizing penalties for violations; providing authority of humane officers; giving authority to county commissions to adopt an ordinance upon approval by referendum and specifying applicability of ordinances to municipalities"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegate Folk:**

**H. B. 2030** - "A Bill to repeal §14-2-2 of the Code of West Virginia, 1931, as amended, relating to eliminating the requirement that proceedings against the State, a state agency or state officer be brought and prosecuted in the circuit court of Kanawha County"; to the Committee on the Judiciary.

**By Delegate Folk:**

**H. B. 2031** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-1-3, eliminating requirements that state provide for professional training and development of teachers; redirecting those funds to the Public Employees Insurance Agency; and providing that professional development in public schools shall be at discretion of county school boards"; to the Committee on Education then Finance.

**By Delegate Cowles:**

**H. B. 2032** - "A Bill to amend and reenact §7-14-13 and §7-14-15 of the Code of West Virginia, 1931, as amended, all relating to prohibiting a chief deputy sheriff from engaging in certain political activities; prohibiting the solicitation of funds within a sheriff's office; prohibiting using his or her official authority for political purposes; and prohibiting him or her from coercing anyone to contribute anything of value for political purposes"; to the Committee on the Judiciary.

**By Delegates Hamrick, Howell, Gearheart, Phillips and Folk:**

**H. B. 2033** - "A Bill to amend and reenact §20-2-28 of the Code of West Virginia, 1931, as amended, relating to permitting the resident lineal descendants of landowners to hunt, trap or fish on

that resident landowner's property without a license"; to the Committee on Agriculture and Natural Resources then Finance.

**By Delegate McGeehan:**

**H. B. 2034** - "A Bill to amend and reenact §7-21-3 of the Code of West Virginia, 1931, as amended, relating to county budget stabilization funds; requiring that a county itemize and publish all activity related to budget stabilization funds in the county's annual financial statements"; to the Committee on Political Subdivisions then Finance.

**By Delegate Shott:**

**H. B. 2035** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-3-10f, relating generally to purchasing; defining terms; prohibiting the award and renewal of contracts worth over \$2 million to vendors owned, in whole or in part, by state officials or by family members of state officials; requiring an affidavit of compliance with this section to accompany bids, contract proposals and contracts with the state; and providing for Ethics Commission review and approval of exceptions to this prohibition"; to the Committee on Government Organization then the Judiciary.

**By Delegate Shott:**

**H. B. 2036** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-28-1, §11-28-2, §11-28-3, §11-28-4, §11-28-5, §11-28-6, §11-28-7 and §11-28-8, all relating to allowing counties and municipalities to levy a sales tax on food and beverages sold at restaurants; providing for county and municipality options; limiting the total tax to three percent; limiting a municipal tax to two percent; setting forth the procedures for counties or municipalities to use to impose the tax; requiring publication; setting forth how the collected tax may be used; setting forth apportionment of the tax between local jurisdictions; setting forth exemptions from the tax; defining terms; and providing criminal penalties"; to the Committee on Political Subdivisions then Finance.

**By Delegate Shott:**

**H. B. 2037** - "A Bill to amend and reenact §49-4-711 of the Code of West Virginia, 1931, as amended, relating to juvenile proceedings; and requiring the Supreme Court of Appeals and the county board of education to each pay one half of the costs for hiring a school-based juvenile probation officer under specified circumstances"; to the Committee on the Judiciary then Finance.

**By Delegate Rodighiero:**

**H. B. 2038** - "A Bill to amend and reenact §31-20-10 of the Code of West Virginia, 1931, as amended, relating to relieving the burden imposed on counties of incarcerating inmates in regional jails by changing the way the cost of incarcerating inmates in regional jails is collected so that it is shared by the county, state and municipality wherein the alleged criminal act occurred; and making the cost of incarcerating a person for less than twenty-four hours, one-half the amount charged for incarcerating an inmate for a full day"; to the Committee on the Judiciary then Finance.

**By Delegate Rodighiero:**

**H. B. 2039** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13Q-5a, relating to establishing a tax credit for new businesses that locate in the state; setting forth how the credit is determined; establishing the conditions that must be met to qualify for the credit; and defining terms"; to the Committee on Small Business, Entrepreneurship and Economic Development then Finance.

**By Delegate Ferro:**

**H. B. 2040** - "A Bill to amend and reenact §36B-1-103, §36B-1-104, §36B-1-108, §36B-1-201, §36B-1-203 and §36B-1-204 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto three new sections, designated §36B-1-115, §36B-1-116 and §36B-1-208; to amend and reenact §36B-2-109, §36B-2-112, §36B-2-116, §36B-2-117 and §36B-2-119 of said code; to amend said code by adding thereto two new sections, designated §36B-2-123 and §36B-2-124; to amend and reenact §36B-3-102, §36B-3-103, §36B-3-105, §36B-3-106, §36B-3-108, §36B-3-110, §36B-3-112, §36B-3-116 and §36B-3-118 of said code; to amend said code by adding thereto five new sections, designated §36B-3-120, §36B-3-121, §36B-3-122, §36B-3-123 and §36B-3-124; and to amend and reenact §36B-4-103, §36B-4-109, §36B-4-112, §36B-4-116 and §36B-4-117 of said code, all relating to updating the Uniform Common Interest Ownership Act; and providing for applicability of the chapter"; to the Committee on the Judiciary.

**By Delegate Rowe:**

**H. B. 2041** - "A Bill to amend and reenact §17-16A-29 of the Code of West Virginia, 1931, as amended, relating to providing a discount program for certain workers and students who purchase West Virginia EZ Pass transponders"; to the Committee on Roads and Transportation then Finance.

**By Delegate Caputo:**

**H. B. 2042** - "A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended; and to amend and reenact §20-7-1 of said code, all relating to pension benefits exempt from state income taxation; and including Division of Natural Resources police in the class of law-enforcement officers exempted"; to the Committee on Pensions and Retirement then Finance.

**By Delegate Caputo:**

**H. B. 2043** - "A Bill to amend and reenact §17C-14-15 of the Code of West Virginia, 1931, as amended, relating to increasing driver's license penalties for using wireless communication devices while operating a vehicle"; to the Committee on Roads and Transportation then the Judiciary.

**By Delegate Moye:**

**H. B. 2044** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-1-13, relating to the Senior Farmers' Market Nutrition Program; making legislative findings and intent; creating the Senior Farmers' Market Nutrition Program Fund; and requesting additional funds to be added to the fund"; to the Committee on Agriculture and Natural Resources then Finance.

**By Delegate Caputo:**

**H. B. 2045** - "A Bill to amend and reenact §33-2-21 of the Code of West Virginia, 1931, as amended, relating to granting the Insurance Commissioner the authority to regulate and penalize self-insured employers; providing for monetary penalties; and permitting noncompliant self-insured employers to become compliant without penalty"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegate Caputo:**

**H. B. 2046** - "A Bill to amend and reenact §18A-2-2 and §18A-2-6a of the Code of West Virginia, 1931, as amended, all relating to requiring county boards of education to provide released time for professional educators and service personnel when serving in a part-time elected or appointed municipal or county offices"; to the Committee on Education then Finance.

**By Delegate Caputo:**

**H. B. 2047** - "A Bill to amend and reenact §20-7-1a and §20-7-1c of the Code of West Virginia, 1931, as amended, all relating to providing an increase in compensation for conservation officers"; to the Committee on Agriculture and Natural Resources then Finance.

**By Delegate Caputo:**

**H. B. 2048** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §8-15B-1, §8-15B-2, §8-15B-3, §8-15B-4 and §8-15B-5, all relating to meeting and conference rights for members of fire departments employed by political subdivisions; providing for the right of self-organization; allowing designation of an exclusive representative agent; imposing a duty to meet and confer with employees; allowing deduction of employee organization dues and assessments; providing for compulsory arbitration of disputes; listing prohibited acts; allowing hearing before Civil Service Commission; providing judicial review; specifying powers and duties of the Civil Service Commission; and allowing injunctive relief"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegate Caputo:**

**H. B. 2049** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §60-2-23, relating to providing career development; and establishing annual salaries for Alcohol Beverage Control inspectors, enforcement agents and supervisors"; to the Committee on Government Organization then Finance.

**By Delegate Caputo:**

**H. B. 2050** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-6-29, relating to allowing state employees to take paid leave to attend parent-teacher conferences for their children"; to the Committee on Government Organization then Finance.

**By Delegate Rodighiero:**

**H. B. 2051** - "A Bill to amend and reenact §5-16-7 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Public Employees Insurance Act; and authorizing insurance to married workers without children at reduced rates"; to the Committee on Banking and Insurance then Finance.

**By Delegate Rodighiero:**

**H. B. 2052** - "A Bill to amend and reenact §20-2-2 of the Code of West Virginia, 1931, as amended, relating to increasing criminal penalties for the illegal killing, taking, or possessing of certain wildlife"; to the Committee on Agriculture and Natural Resources then the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2053** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-2F-8a, relating to requiring facilities providing abortions to obtain parental notification or consent in writing by the parent or by a notarized parental notification or consent form; and providing penalties"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2054** - "A Bill to amend and reenact §20-7-22 of the Code of West Virginia, 1931, as amended, relating to rules governing the operation of motorboats on lakes; authorizing the use of motors exceeding nine horsepower; and providing the conditions that must be met"; to the Committee on Agriculture and Natural Resources then the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2055** - "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 Banking and Insurance then Finance.

**By Delegate Caputo:**

**H. B. 2056** - "A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Secondary School Activities Commission; and requiring rules relating to interscholastic athletic football events include the requirement that neck braces be worn by all football players"; to the Committee on Education then Finance.

**By Delegate Caputo:**

**H. B. 2057** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10-22I; and to amend said code by adding thereto a new section, designated §18-7A-26w, all relating to increasing benefits of retired state personnel and retired teachers by five percent a year for the next three consecutive years"; to the Committee on Pensions and Retirement then Finance.

**By Delegate Caputo:**

**H. B. 2058** - "A Bill to amend and reenact §33-20-5 of the Code of West Virginia, 1931, as amended, relating to insurance generally; and prohibiting the use of a credit score in casualty insurance rate filings"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegate Caputo:**

**H. B. 2059** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-5-20, relating to providing a ten percent discount to West Virginia residents for lodging, camping and other recreational activities at state parks and forests"; to the Committee on Agriculture and Natural Resources then Finance.

**By Delegate Shott:**

**H. B. 2060** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-7-15a, relating to enhanced penalties for use of a firearm during commission of a felony; providing for enhanced penalties for use of a firearm during commission of a felony; and providing exceptions to such enhanced penalties"; to the Committee on the Judiciary.

**By Delegate Upson:**

**H. B. 2061** - "A Bill to amend and reenact §17C-16-2 and §17C-16-4 of the Code of West Virginia, 1931, as amended, all relating to inspection of vehicles and providing that defects in windshields and windows that do not obscure vision are not unsafe conditions preventing a vehicle from passing state inspection"; to the Committee on Roads and Transportation then the Judiciary.

**By Delegate Rowan:**

**H. B. 2062** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-20-11, relating to providing for the 'Deaf Children's Bill of Rights Act'; directing the public schools of this state to take certain initiatives in support of superior educational prospects and opportunities for deaf children; requiring appropriate screening and assessment of deaf children; requiring early intervention in detecting and addressing deaf children's needs; requiring schools to inform parents and guardians of policies related to placement considerations and providing them opportunities to participate in programs designed to assist their children; requiring schools to strive to provide deaf adult role models for deaf children; requiring schools to provide opportunities

for deaf children to meet and associate with their school peers; requiring schools to provide qualified individuals to assist deaf children to develop communication skills; requiring schools to include individualized plans to assist each deaf child; requiring schools to provide the best suited placement for deaf children; requiring schools to provide free and appropriate education across a full spectrum of educational programs for deaf children; requiring the State Board of Education to work with county boards of education to ensure appropriate technical assistance is provided to deaf students; providing schools, where possible, have deaf adults directly involved in determining appropriate program content designed to educate deaf children; requiring all governing school authorities to comply with the requirements of the new section as well as with all applicable state and federal laws; and providing this section does not create any new causes of action”; to the Committee on Education then Finance.

**By Delegates Hamilton and Rowan:**

**H. B. 2063** - “A Bill to amend and reenact §17B-2-12 of the Code of West Virginia, 1931, as amended, relating to extending the expiration of driver’s licenses for active military members’ spouses”; to the Committee on Roads and Transportation then the Judiciary.

**By Delegate Fast:**

**H. B. 2064** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-6-7, relating to defining the term ‘minor boundary adjustment’”; to the Committee on Political Subdivisions then Government Organization.

**By Delegate Fast:**

**H. B. 2065** - “A Bill to amend and reenact §3-1-31 of the Code of West Virginia, 1931, as amended, relating to requiring all local special elections to be held on the days and hours of general, primary or state-wide elections”; to the Committee on the Judiciary.

**By Delegate Cooper:**

**H. B. 2066** - “A Bill to amend and reenact §20-1-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §20-2-45, all relating to providing a fee discount for certain nonresident hunting, fishing and trapping licenses for native nonresidents of the state; definitions; limitation upon the fee amounts; providing for emergency rule and legislative rules”; to the Committee on Agriculture and Natural Resources then Finance.

**By Delegate McGeehan:**

**H. B. 2067** - “A Bill to repeal §29-22A-10d, §29-22A-10e, §29-22A-10f of the Code of West Virginia, 1931, as amended; to repeal §29-22C-27a of said code; to repeal §29-25-22b of said code; and to amend and reenact §29-22-18d of said code, all relating to the transfer of certain revenues derived from lottery activities generally, restoring distribution to the West Virginia Infrastructure Fund to 2013 rates and decreasing the funds available for grants therefrom; restoring the amount that may be transferred to the Racetrack Modernization Fund to 2013 rates; eliminating certain statutory distributions to the State Excess Lottery Revenue Fund; restoring statutory distributions to capital reinvestment, purse funds and development funds to 2013 rates; and eliminating the statutory authorization for distributions to be paid on a pro rata basis”; to the Committee on Finance.

**By Delegate Rohrbach:**

**H. B. 2068** - “A Bill to amend and reenact §16-29G-1 and §16-29G-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto four new sections, designated §16-29G-1a, §16-29G-2a, §16-29G-2b and §16-29G-2c, all relating to operating and maintaining a fully interoperable statewide network to facilitate public and private use of health care information in the state through the West Virginia Health Information Network or through an alternative method determined by the board of directors of the West Virginia Health Information Network and the West Virginia Health Care Authority, and approved by the Joint Committee on Government and Finance;



and, authorizing the West Virginia Health Care Authority and the board of directors of the West Virginia Health Information Network to execute agreements, transfer assets and take other actions appropriate to implement an approved alternative method of operating and maintaining the network”; to the Committee on Health and Human Resources then Finance.

**By Delegate Rodighiero:**

**H. B. 2069** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-5-7; to amend said code by adding thereto a new section, designated §5-10-22l; and to amend said code by adding thereto a new section, designated §18-7A-26w, all relating to providing cost-of-living adjustments for certain current and former public employees generally; providing a \$1,000 cost- of -living adjustment to be paid in full by June 30, 2017; providing for selection of payment date by State Auditor; requiring payment of the cost-of-living adjustments upon authorization; providing for transfer and expenditure of funding appropriated to State Budget Office to spending units and county boards of education for payment of the cost-of-living adjustments; defining terms; providing for \$1,000 cost-of-living adjustment to certain retirees of the Public Employees Retirement System and the state Teachers Retirement System by June 30, 2017; and providing for the pro rata distribution of the cost-of-living adjustment to certain beneficiaries”; to the Committee on Pensions and Retirement then Finance.

**By Delegate Rodighiero:**

**H. B. 2070** - “A Bill to amend and reenact §16-1-6 of the Code of West Virginia, 1931, as amended, relating to prohibiting the establishment of methadone treatment programs and clinics in this state, and excepting programs and clinics operated by comprehensive community mental health centers”; to the Committee on Prevention and Treatment of Substance Abuse then the Judiciary.

**By Delegates Bates, Ellington and Fleischauer:**

**H. B. 2071** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §16-52-1, §16-52-2, §16-52-3 and §16-52-4; and to amend and reenact §60A-2-204 of said code, all relating to authorizing the medical use of pharmaceutical cannabis to treat certain medical conditions for which no other satisfactory alternative treatment option exists”; to the Committee on Prevention and Treatment of Substance Abuse then Health and Human Resources then the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2072** - “A Bill to amend the Code of West Virginia, 1931, as amended, be 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 Delegate Rodighiero:**

**H. B. 2073** - “A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to courses of instruction in all schools located within this state; and making available elective courses on the history of the Old and New Testaments of the Bible”; to the Committee on Education then the Judiciary.

**By Delegate Caputo:**

**H. B. 2074** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-6-9a, 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 additional duty, overtime and promotions; and determining seniority in case of absence”; to the Committee on Government Organization then Finance.

**By Delegates Hanshaw and Fleischauer:**

**H. B. 2075** - "A Bill to amend and reenact §18B-5-4 of the Code of West Virginia, 1931, as amended, relating to higher education advance allowance accounts; authorizing the Auditor to require supporting documentation along with an accounting of an advance allowance account; permitting the Auditor to suspend an additional advance allowance request in certain situations; and authorizing rule-making"; to the Committee on Education then Finance.

**By Delegate Caputo:**

**H. B. 2076** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22C-13-1, relating to establishing the Legislative Oversight Commission on Energy Workers' Safety; directing the commission to study workers' safety; and establishing reporting requirements for boards and agencies that regulate and otherwise oversee workers' safety"; to the Committee on Energy then the Judiciary.

**By Delegate Rohrbach:**

**H. B. 2077** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding there to 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 Delegate Hamrick:**

**H. B. 2078** - "A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to making special registration plates for volunteer fire fighters good for five years"; to the Committee on Roads and Transportation then Finance.

**By Delegate Folk:**

**H. B. 2079** - "A Bill to amend and reenact §18B-1B-1 of the Code of West Virginia, 1931, as amended, relating to abolishing the West Virginia Higher Education Policy Commission; transferring all powers and duties of the commission relating to internal governance of institutions of higher education to the board of Governors of the institutions; transferring all powers and duties of the commission to secure, provide, or administer financial support for educational or research purposes to the Cabinet Secretary for the Department of Education and the Arts; providing for the transfer and disposition of assets, property and records of the commission; and authorizing legislative and emergency rulemaking"; to the Committee on Education then Finance.

**By Delegate Caputo:**

**H. B. 2080** - "A Bill to amend and reenact §5-5-2 of the Code of West Virginia, 1931, as amended, relating to increasing the amount of annual and incremental salary increases for eligible employees from \$60 to \$100; changing eligibility from three years of service to one"; to the Committee on Government Organization then Finance.

**By Delegate Rodighiero:**

**H. B. 2081** - "A Bill to amend and reenact §16-1-6 of the Code of West Virginia, 1931, as amended, relating to prohibiting the establishment of new methadone treatment programs and clinics in this state except for programs and clinics operated as comprehensive community mental health centers by the Division of Health or local nonprofit organizations; requiring all private and community mental health center methadone treatment programs to monitor each patient(pharmacy registry each month"; to the Committee on Prevention and Treatment of Substance Abuse then the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2082** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-2P-1, relating to public health; and prohibiting state funding of abortions"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2083** - "A Bill to amend and reenact §60A-10-12 of the Code of West Virginia, 1931, as amended, relating to the Uniform Controlled Substances Act; the Methamphetamine Laboratory Eradication Act; and increasing the felony criminal penalties for exposing children to methamphetamine manufacturing"; to the Committee on Prevention and Treatment of Substance Abuse then the Judiciary.

**By Delegate Rodighiero:**

**H. B. 2084** - "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 Rodighiero:**

**H. B. 2085** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-43-1, §16-43-2 and §16-43-3, all relating to ensuring patient safety; defining terms; creating an 'acuity-based patient classification system'; directing hospitals to establish an acuity standard; establishing minimum direct-care registered nurse to patient ratios; providing additional conditions for licensing; prohibiting assignment of unlicensed personnel to perform licensed nurse functions; requiring a full-time registered nurse executive leader; providing for quality assurance; requiring appropriate orientation and competence in clinical area of assignment with documentation thereof to be maintained in personnel files; and exempting critical access hospitals"; to the Committee on Health and Human Resources then Government Organization.

**By Delegate Rodighiero:**

**H. B. 2086** - "A Bill to amend and reenact §31-20-31 of the Code of West Virginia, 1931, as amended, relating to allowing the Executive Director of the West Virginia Regional Jail and Correctional Facility Authority to establish a work program only for qualified inmates sentenced to a regional jail facility and not waiting transfer to a state correctional facility; and specifying minimum requirements for the program"; to the Committee on the Judiciary then Finance.

**By Delegates Fleischauer and Pushkin:**

**H. B. 2087** - "A Bill to amend and reenact §22-3-22a of the Code of West Virginia, 1931, as amended, relating to prohibiting blasting within six hundred twenty-five feet of an occupied dwelling"; to the Committee on Energy then the Judiciary.

**By Delegate Cowles:**

**H. B. 2088** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §49-2-12a, relating to establishing a bill of rights for children in foster care"; to the Committee on the Judiciary.

**By Delegate Cowles:**

**H. B. 2089** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §49-2-127, relating to establishing a bill of rights for foster parents"; to the Committee on the Judiciary.

**By Delegate Cowles:**

**H. B. 2090** - "A Bill to amend and reenact §7-2-2 of the Code of West Virginia, 1931, as amended, relating to increasing the minimum number of magisterial districts in a county from three to four"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates Kessinger and Folk:**

**H. B. 2091** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-3-10f, relating to the disclosure of interested parties to a government contract; defining terms; prohibiting contracting with a state agency unless business entity submits disclosure of interested parties; requiring submission of supplemental disclosure within thirty days of completion or termination of the contract; providing exceptions to the disclosure requirement for certain contracts; requiring the Ethics Commission create disclosure form; specifying contents to be included in the disclosure form; requiring state agencies to submit completed forms to the Ethics Commission; requiring the Ethics Commission to make disclosures publicly available; and requiring the Ethics Commission to post disclosures on the commission website when technologically able"; to the Committee on the Judiciary.

**By Delegates Overington, Frich, Folk and Sobonya:**

**H. B. 2092** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §60A-4-414, relating to use of a firearm during, in relation to, or in furtherance of a violation of the Uniform Controlled Substances Act; creating the felony offense of use or possession of a firearm; providing penalties; clarifying that the offense is separate and distinct from other offenses; denying eligibility for sentencing alternatives; and clarifying the term 'convicted'"; to the Committee on the Judiciary.

**By Delegates McGeehan and Wagner:**

**H. B. 2093** - "A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to personal income tax; exempting personal income earned by individuals working as teachers at primary and secondary schools from personal income tax"; to the Committee on Education then Finance.

**By Delegates McGeehan and Folk:**

**H. B. 2094** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-25, relating to allowing a taxpayer a personal income tax credit for each dependent that participated in home educational instruction for the most recent academic year"; to the Committee on Education then Finance.

**By Delegates McGeehan and Folk:**

**H. B. 2095** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-2-11a, relating to the rule-making authority of local boards of health; establishing a procedure by which a local governing body may review and vote upon the adoption, amendment or revocation of existing local board of health rules and requiring that the governing body adopt all proposed local board of health rules by a majority vote before any new rule may be enforced"; to the Committee on Health and Human Resources then Government Organization.

**By Delegates Hamrick and Folk:**

**H. B. 2096** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-16-30; and to amend said code by adding thereto a new section, designated §60-4-24, all relating to exempting commercial airlines from obtaining licenses to serve liquor, beer or wine on flights"; to the Committee on Industry and Labor then the Judiciary.

**By Delegates Ellington, E. Nelson, Hamrick and Cooper:**

**H. B. 2097** - "A Bill to amend and reenact §18B-10-1 of the Code of West Virginia, 1931, as amended, relating to permitting the governing body to charge tuition on certain credit hours"; to the Committee on Education then Finance.

**By Delegates Folk, Frich and Sobonya:**

**H. B. 2098** - "A Bill to amend and reenact §17C-5-4 of the Code of West Virginia, 1931, as amended, relating to requiring the issuance of a search warrant before a driver of a motor vehicle can be made to submit to a secondary blood test to determine the concentration of alcohol or controlled substance in his or her blood"; to the Committee on Roads and Transportation then the Judiciary.

**By Delegate McGeehan:**

**H. B. 2099** - "A Bill to amend and reenact §17C-4-1 of the Code of West Virginia, 1931, as amended, relating to crashes involving death or personal injuries; creating crime of knowingly leaving scene of a crash resulting in serious bodily injury; establishing presumption of knowledge based upon crash conditions; and providing criminal penalties"; to the Committee on the Judiciary.

**By Delegates Pushkin, Folk, Blair and Fast:**

**H. B. 2100** - "A Bill to amend and reenact §61-7-4 of the Code of West Virginia, 1931, as amended, relating to recognizing those in active military service as residents for the purpose of obtaining concealed carry permits while stationed at a West Virginia military installation"; to the Committee on Veterans' Affairs and Homeland Security then the Judiciary.

**By Delegates Pushkin and Eldridge:**

**H. B. 2101** - "A Bill to amend and reenact §49-2-913 of the Code of West Virginia, 1931, as amended; to amend and reenact said article by adding thereto a new section, designated §49-2-914; and to amend §49-5-106 of said code, all relating to the juvenile justice reform oversight committee and averted costs reinvestment; creating a juvenile justice account and providing its purpose, funding and disbursements; requiring new data to be collected and compiled to allow calculation of juvenile recidivism and the outcome of programs and making this information available to the public"; to the Committee on the Judiciary then Finance.

**By Delegates McGeehan and Sponaule:**

**H. B. 2102** - "A Bill to amend and reenact §3-1-8 of the Code of West Virginia, 1931, and to amend and reenact §3-2-5 of said code; all relating to the criteria for political party status; allowing a group of affiliated voters to become a recognized political party if the group's candidate receives one percent of the votes in an election for any one of six statewide offices, including that of Governor, Secretary of State, Treasurer, Auditor, Attorney General or Commissioner of Agriculture; allowing a group of affiliated voters to become a recognized political party if five thousand or more individuals have identified as members of the group on their current voter registration forms; and requiring voting registration forms to provide a space for individuals who do not select a political party affiliation to write the name of a group of affiliated voters to which they belong"; to the Committee on the Judiciary.

**By Delegates Eldridge and Hicks:**

**H. B. 2103** - "A Bill to amend and reenact §21-11-3 of the Code of West Virginia, 1931, as amended, relating to making changes to the definition of contractor for purposes of the West Virginia Contractor Licensing Act"; to the Committee on Industry and Labor then Government Organization.

**By Delegates Eldridge and Hicks:**

**H. B. 2104** - "A Bill to amend and reenact §18-2-5 of the Code of West Virginia, 1931, as amended, relating to the State Board of Education; and providing that the board require that public schools provide facilities for students of all faiths and religions to have a place of fellowship, prayer and worship"; to the Committee on Education then Finance.

**By Delegates Eldridge and Hicks:**

**H. B. 2105** - "A Bill to amend the Code of West Virginia, 1931, as amended, adding thereto a new section, designated §29-22-31, relating to the establishment of the State Parks Benefit Game; and the establishment of the State Parks Lottery Fund"; to the Committee on the Judiciary then Finance.

**By Delegates Pushkin, Upson and Fleischauer:**

**H. B. 2106** - "A Bill to amend and reenact §15-2C-1 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §15-2C-2a; and to amend and reenact §15-2C-3, §15-2C-4 and §15-2C-8 of said code, all relating to creating a domestic violence registry; providing a purpose; directing the Criminal Identification Bureau of the West Virginia State Police to establish and maintain the registry; providing for confidential inquiry of persons on the registry; establishing criteria for placement on and releasing information from the registry; requiring prosecuting attorneys to provide certain information; and defining terms"; to the Committee on the Judiciary.

**By Delegates Pushkin, Sponaugle, Fluharty, Hornbuckle, Fleischauer and McGeehan:**

**H. B. 2107** - "A Bill to amend and reenact §61-11-26 of the Code of West Virginia, 1931, as amended, relating to the creation of the West Virginia Second Chance for Employment Act; defining terms; expanding eligibility for criminal expungement to persons convicted of certain nonviolent felonies; defining 'nonviolent felony'; providing exclusions to eligibility; establishing timing for filing a petition for expungement; creating petition requirements and court procedure for evaluating preliminary and final orders of expungement for nonviolent felonies; providing for preliminary orders of expungement; requiring a ten-year period under a preliminary order of expungement for a felony before one may obtain a final order of expungement; clarifying disclosure requirements with respect to the information sealed pursuant to an order of expungement, including exemptions; providing standard for inspection of sealed records; and making technical changes"; to the Committee on Industry and Labor then the Judiciary.

**By Delegates Rodighiero, Hicks and Eldridge:**

**H. B. 2108** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-13b, relating to requiring school bus aides, who are trained in preventing bullying and providing a safe environment for students while being transported on a school bus, to be present on school buses"; to the Committee on Education then Finance.

**By Delegates Rohrbach and Hornbuckle:**

**H. B. 2109** - "A Bill to amend and reenact §31-18E-9 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Land Reuse Agency Authorization Act; including a municipal land bank as an agency that may acquire property; providing that a municipal land bank may have the right of first refusal to buy certain tax delinquent property, within municipal limits, for taxes owed and any related fees before the tax delinquent property is placed for public auction at tax sales"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates Rodighiero, Hicks and Eldridge:**

**H. B. 2110** - "A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to personal income tax; increasing the amount of retirement income to be excluded from the gross income of individuals receiving retirement benefits under the West Virginia Public Employees Retirement System and the West Virginia State Teachers Retirement System; and providing an effective date"; to the Committee on Pensions and Retirement then Finance.

**By Delegate Miley:**

**H. B. 2111** - "A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to exempting certified professional estimator services from consumer sales and service tax; and defining a term"; to the Committee on Industry and Labor then Finance.

**By Delegates McGeehan and Pushkin:**

**H. B. 2112** - "A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exempting all monetary benefits derived from military retirement from personal income tax obligations"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

**By Delegates Ellington, Summers and Rohrbach:**

**H. B. 2113** - "A Bill amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to changes to the Medicaid program; and providing that the Secretary of the Department of Health and Human Resources may not change the state plan, without legislative approval, if the change results in a gain or loss of \$250,000 to the state"; to the Committee on Health and Human Resources then Finance.

**By Delegates Overington, Gearheart, Frich, Howell and Sobonya:**

**H. B. 2114** - "A Bill to amend the Code of West Virginia, 1931, as amended, be amended by adding thereto a new article, designated §3-11A-1, §3-11A-2, §3-11A-3 and §3-11A-4, all relating to providing a procedure for West Virginia to select delegates to an Article V convention for proposing amendments to the Constitution of the United States of America; defining terms; setting forth delegate duties and responsibilities; and providing a felony criminal penalty for violation of a delegate(s) oath"; to the Committee on the Judiciary.

**By Delegates Rowan and Sobonya:**

**H. B. 2115** - "A Bill to amend and reenact §15-12-2 of the Code of West Virginia, 1931, as amended; and to amend and reenact §62-11D-3 of said code, all relating to sex offenders; prohibiting sexual offenders from residing within one thousand feet of a school or childcare facility; requiring persons, as a condition of probation, parole or supervised release, convicted of sexual crimes against a minor be subject to global positional system monitoring for life; and providing for a felony penalty"; to the Committee on the Judiciary then Finance.

**By Delegates Howell, Frich and Hamilton:**

**H. B. 2116** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §2-4-1, §2-4-2 and §2-4-3, all relating to establishing a policy for formal recognition of Indian tribes"; to the Committee on Government Organization then the Judiciary.

**By Delegates Overington, Rohrbach, Upson, Frich and G. Foster:**

**H. B. 2117** - "A Bill to amend and reenact §18C-7-6 of the Code of West Virginia, 1931, as amended, relating to removing the requirement that home schooled students have to acquire a general equivalency degree (GED) in order to be eligible to receive a PROMISE scholarship"; to the Committee on Education then Finance.

**By Delegates Folk, McGeehan and Kelly:**

**H. B. 2118** - "A Bill to amend and reenact §18B-2B-3 of the Code of West Virginia, 1931, as amended, relating to abolishing the West Virginia Council for Community and Technical College Education; transferring all powers and duties of the council pertaining to institutions of higher education to the board of governors of the institutions and providing for the transfer and disposition of assets, property and records of the council"; to the Committee on Education then Finance.

**By Delegates Ellington and Summers:**

**H. B. 2119** - "A Bill to repeal §33-16G-1, §33-16G-2, §33-16G-3, §33-16G-4, §33-16G-5, §33-16G-6, §33-16G-7, §33-16G-8, and §33-16G-9 of the Code of West Virginia, 1931, as amended; all relating to repealing the West Virginia Health Benefit Exchange Act"; to the Committee on Health and Human Resources then Finance.

**By Delegates Ellington and Summers:**

**H. B. 2120** - "A Bill to amend and reenact §9-2-6 of the Code of West Virginia, 1931, as amended, relating to exempting certain contracts from the bidding process"; to the Committee on Banking and Insurance then Health and Human Resources.

**By Delegates Fleischauer, Pushkin, Hicks and Fluharty:**

**H. B. 2121** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §16-52-1, §16-52-2, §16-52-3, §16-52-4, §16-52-5, §16-52-6, §16-52-7, §16-52-8 and §16-52-9, all relating to creating the West Virginia Residential Furniture and Children's Products Flame Retardants Act administered and enforced under the authority of the Commissioner of the Bureau for Public Health; prohibiting the use of certain flame-retardant chemicals in certain products; legislative findings; definitions; rule-making authority; when replacement chemicals may be used; exemptions to requirements; requiring report to Joint Committee on Government and Finance; requiring certificate of compliance; injunctive relief for violations; and providing civil penalties for violations"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Byrd and Fleischauer:**

**H. B. 2122** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-23a, relating to providing a tax credit for first time home buyers; establishing eligibility criteria; and setting a maximum credit"; to the Committee on Finance.

**By Delegates Rowan, Mr. Speaker (Mr. Armstead), Cowles, Hamilton, Espinosa, O'Neal, Anderson and E. Nelson:**

**H. B. 2123** - "A Bill to amend and reenact §18-9D-2, §18-9D-3, §18-9D-4c and §18-9D-16 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18-9D-22, all relating to making the West Virginia Schools for the Deaf and Blind eligible to participate in any and all funding administered or distributed by the West Virginia School Building Authority"; to the Committee on Education then Finance.

**By Delegates Overington, Shott, Hicks and E. Nelson:**

**H. B. 2124** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §1-2-2c, relating to election of members of the House of Delegates in districts having more than one delegate; and providing that the delegates be elected from numbered divisions"; to the Committee on the Judiciary.

**By Delegate Hamilton:**

**H. B. 2125** - "A Bill to amend and reenact §5-10-18 of the Code of West Virginia, 1931, as amended, relating to providing an eleven month window to permit members of the public employees retirement system to purchase credited service that had been previously forfeited"; to the Committee on Pensions and Retirement then Finance.

**By Delegate Westfall:**

**H. B. 2126** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-4-22, relating generally to guaranteed asset protection waivers; providing short title, scope and legislative intent of section; defining certain terms; specifying requirements for offering guaranteed asset protection waivers; requiring contractual liability or other insurance policies; providing for disclosures and cancellation; exempting commercial transactions; providing for enforcement of section and severability; excluding waivers from consumers sales and service tax; specifying effective date of section; providing for section to apply to guaranteed asset protection waivers issued on and after specified date; and authorizing the Insurance Commissioner to impose a civil money penalty for all violations of section"; to the Committee on Banking and Insurance then the Judiciary.



**By Delegates Sponaugle and Fluharty:**

**H. B. 2127** - "A Bill to amend and reenact §11-21-16 of the Code of West Virginia, 1931, as amended, relating to personal income taxes; and making the personal exemptions for purposes of West Virginia's personal income tax the same as allowed for federal income tax purposes"; to the Committee on Finance.

**By Delegates Fleischauer and Folk:**

**H. B. 2128** - "A Bill to amend and reenact §61-3-51 of the Code of West Virginia, 1931, as amended, relating to requiring persons who are in the business of purchasing precious metals and precious gems to photograph those purchases and to transmit the photographs to law-enforcement authorities; and lessening the criminal penalty from a felony to a misdemeanor"; to the Committee on Small Business, Entrepreneurship and Economic Development then the Judiciary.

**By Delegates Fleischauer, Sobonya, Statler and Overington:**

**H. B. 2129** - "A Bill to amend and reenact §60-7-10 of the Code of West Virginia, 1931, as amended, relating to the powers and authority of state and local law enforcement to enforce underage drinking laws at private clubs; clarifying that the grant of authority to the Alcohol Beverage Control Commissioner and his or her agents to enter and inspect the premises of a private club does not limit or restrict the authority of local law enforcement to enter any public area on or adjacent to any private club or from taking other appropriate police action or investigation to enforce the underage drinking laws of this state"; to the Committee on the Judiciary.

**By Delegates Fluharty and Pushkin:**

**H. B. 2130** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §4-2A-5a, relating to drug testing of legislators"; to the Committee on the Judiciary then Finance.

**By Delegates Folk and McGeehan:**

**H. B. 2131** - "A Bill to amend and reenact §22C-9-7 of the Code of West Virginia, 1931, as amended, relating to unitization of interests in drilling units connected to deep oil or gas wells, prohibiting the state from requiring persons with oil or gas rights connected to deep oil or gas wells to involuntarily integrate their interests in a drilling unit and to require a surface owner's consent for operations or disturbances to the surface of the land in a drilling unit connected to deep oil or gas wells"; to the Committee on Energy then the Judiciary.

**By Delegates Folk, McGeehan and Sobonya:**

**H. B. 2132** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to limiting able-bodied adults without dependents receipt of SNAP benefits to three months in a thirty-six month period, except in months in which the recipient is working, or is participating in a work, educational, or volunteer program for at least twenty hours per week; the Department of Health and Human Resources shall not request a waiver to provide SNAP benefits to able-bodied adults without dependents"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Shott and Hamrick:**

**H. B. 2133** - "A Bill to amend and reenact §11-1C-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-1C-5c, all relating to assessment value of certain motor vehicles for purposes of ad valorem property taxes; providing that the minimum assessed value of a motor vehicle is \$700 for purposes of ad valorem property taxes; and providing that the assessed value of an antique motor vehicle is \$5,000 for purposes of ad valorem property taxes"; to the Committee on Roads and Transportation then Finance.

**By Delegates Hamilton and Westfall:**

**H. B. 2134** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §23-2-19; and to amend said code by adding thereto a new section, designated §33-1-23, all relating generally to workers' compensation; providing that unenforceable waivers may not be offered by employers; providing that policies that offer no coverage are against public policy; and establishing misdemeanor penalties"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegates Kelly, Cooper, McGeehan and Sobonya:**

**H. B. 2135** - "A Bill to amend and reenact §17C-15-44 of the Code of West Virginia, 1931, as amended, relating to permitting persons who are twenty-one years of age or older to operate or be a passenger on a motorcycle without a helmet if they have held a license valid for the operation of a motorcycle for a minimum of two years"; to the Committee on Roads and Transportation then the Judiciary.

**By Delegates Hamrick, G. Foster, Rowan and Westfall:**

**H. B. 2136** - "A Bill to repeal §20-2-19a of the Code of West Virginia, 1931, as amended; and to amend and reenact §20-2-5, §20-2-42g and §20-2-42h of said code, all relating to hunting or trapping on private lands; removing restrictions for hunting or trapping on private lands on Sundays; and clarifying that hunting on private land at any time requires the written consent of the landowner"; to the Committee on Agriculture and Natural Resources then the Judiciary.

**By Delegates Hamrick, Statler, Rowan and Frich:**

**H. B. 2137** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-10-34; relating to making it a misdemeanor for a person to impersonate a veteran; and creating criminal penalties"; to the Committee on Veterans' Affairs and Homeland Security then the Judiciary.

**By Delegates McGeehan and Folk:**

**H. B. 2138** - "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 providing that all future federal, state and local statutes, ordinances, laws, orders, rules, and any other actions which attempt to restrict, tax, or regulate the possession, use, discharge in lawful self-defense, transportation, purchase, acquisition, sale, transfer, ownership, carrying, manufacture, or repair of firearms, firearm accessories, ammunition and their accouterments are invalid and unenforceable; making it a felony to attempt to enforce a federal, state or local statute, ordinance, law, order, rule, or any other action which attempts to restrict, tax, or regulate possession, use, discharge in lawful self-defense, transportation, purchase, acquisition, sale, transfer, ownership, carrying, manufacture, or repair of firearms, firearm accessories, ammunition or their accouterments; prohibiting such laws, orders, rules, policies and other actions by executive departments and state agencies, and providing a felony for violation; providing definitions; making findings; providing penalties; requiring the Attorney General to defend citizens of West Virginia who are prosecuted by the United States government for violation of a federal law relating to the possession, use, discharge in lawful self-defense, transportation, purchase, acquisition, sale, transfer, ownership, carrying, manufacture, or repair of a firearm, a firearm accessory or ammunition; providing exemptions; providing for retroactivity; and providing that ex post facto laws are not created"; to the Committee on the Judiciary.

**By Delegate Fast:**

**H. B. 2139** - "A Bill to amend and reenact §24A-1-3 of the Code of West Virginia, 1931, as amended, relating to commercial motor carriers generally; providing an exemption from regulation by the Public Service Commission for motor vehicles used exclusively in the transportation of roll-off solid waste containers; and requiring the commission to propose rules for legislative approval to

implement the amended provisions of this section”; to the Committee on Roads and Transportation then the Judiciary.

**By Delegates Fast and Frich:**

**H. B. 2140** - “A Bill to amend and reenact §61-8D-1 and §61-8D-4 of the Code of West Virginia, 1931, as amended, all relating to modifying the definitions of child abuse and neglect to exclude accidents”; to the Committee on the Judiciary.

**By Delegates Cooper and Ambler:**

**H. B. 2141** - “A Bill to amend and reenact §24A-7-7 of the Code of West Virginia, 1931, as amended, relating to expanding the authority of motor carrier inspectors; and requiring compliance by commercial vehicle drivers”; to the Committee on the Judiciary.

**By Delegates Cooper, Ambler and Rowan:**

**H. B. 2142** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-2d, relating to providing a salary increase for special education teachers”; to the Committee on Education then Finance.

**By Delegates Ferro, Fluharty and Hornbuckle:**

**H. B. 2143** - “A Bill to amend and reenact §5-1-20 of the Code of West Virginia, 1931, as amended, relating to requiring reports to the Governor from state agencies to be made available electronically via the Internet”; to the Committee on Government Organization.

**By Delegate Fast:**

**H. B. 2144** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18B-1B-11, relating to relocation or closure of state higher education institutions; establishing legislative findings; requiring an economic and educational accessibility impact study and plan be provided by a state institution of higher education to the Higher Education Policy Commission prior to closure or transfer of the physical presence in an existing location; requiring the commission to review, provide feedback and suggested changes to the institution desiring to close or transfer a physical presence; requiring the commission to make a recommendation to the Legislative Oversight Commission on education accountability (LOCEA); requiring the LOCEA to consider and take action within six months of submission; authorizing amendment of the recommended plan; authorizing transfer or closure pursuant to an approved LOCEA plan”; to the Committee on Education then the Judiciary.

**By Delegate Fast:**

**H. B. 2145** - “A Bill to repeal §21-3-19 of the Code of West Virginia, 1931, as amended, relating to employer discrimination for use of tobacco products”; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Fast:**

**H. B. 2146** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §46A-6-109a, relating to allowing a home improvement transaction to be performed under an oral contract”; to the Committee on the Judiciary.

**By Delegates Cooper and Ambler:**

**H. B. 2147** - “A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, relating to permitting county boards of education to accumulate instructional days and use them when needed in a later instructional term when inclement weather and emergencies prevent the otherwise full instructional term from being completed”; to the Committee on Education.

**By Delegates Byrd, Pushkin and Fleischauer:**

**H. B. 2148** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12j, relating to providing taxpayers repaying their own student loans a modification reducing federal adjusted gross in the amount of the interest paid, for personal income tax purposes"; to the Committee on Education then Finance.

**By Delegate Caputo:**

**H. B. 2149** - "A Bill to amend and reenact §15-2-3 and §15-2-5 of the Code of West Virginia, 1931, as amended, all relating to maintaining a minimum of eight hundred state troopers by July 1, 2018; and increasing the salary increase received at the end of two years of service with the West Virginia State Police from \$500 to \$580"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

**By Delegates McGeehan, Kelly and Folk:**

**H. B. 2150** - "A Bill to amend and reenact §20-2-5 of the Code of West Virginia, 1931, as amended, relating to the hunting of coyotes; permitting year-round hunting of coyotes using artificial light or night vision technology and permitting hunting of coyotes at any hour"; to the Committee on Agriculture and Natural Resources then the Judiciary.

**By Delegates Cooper, Ambler, Moye, Kelly, Wagner and Rowan:**

**H. B. 2151** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2E-3, relating to student assessment in grades K-12, prohibiting the use of the Smarter Balanced Assessment and requiring schools to assess student progress by alternate methods"; to the Committee on Education.

**By Delegates Ambler, Cooper, Upson, Rowan and Eldridge:**

**H. B. 2152** - "A Bill to repeal §20-2-19a of the Code of West Virginia, 1931, as amended; and to amend and reenact §20-2-5, §20-2-42g and §20-2-42h of said code, all relating to hunting or trapping on private lands; removing restrictions for hunting or trapping on private lands on Sundays; and clarifying that hunting on private land at any time requires written consent of landowner"; to the Committee on Agriculture and Natural Resources then the Judiciary.

**By Delegates Rowe, Sobonya, Pushkin and Rohrbach:**

**H. B. 2153** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §49-9-101, §49-9-102 and §49-9-103, all relating to designation of social workers in the Department of Health and Human Services to promote better student school attendance and performance, and the health and well-being of students at home; duties described"; to the Committee on Education then Finance.

**By Delegates Moye, Rohrbach and Frich:**

**H. B. 2154** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-3-7, relating to sanctions for recipients of benefits from the Temporary Assistance for Needy Families Program through temporary suspensions of benefits when they are convicted of misdemeanor theft offenses of shoplifting and petit larceny; providing definitions; establishing administrative review of decisions to deny benefits; providing a mechanism for dependent children to receive benefits if a parent is deemed ineligible; authorizing rulemaking; providing criminal penalties; and allowing for exceptions"; to the Committee on the Judiciary.

**By Delegates Caputo, Hamilton, Hornbuckle and Fluharty:**

**H. B. 2155** - "A Bill to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended, relating to career progression of members of the State Police; increasing the longevity pay for members of the State Police; providing for certain increases in pay if certain educational

attainment is met by members of the State Police; and adjusting the timing of certain salary changes”; to the Committee on Government Organization then Finance.

**By Delegates Hamilton, Frich and Folk:**

**H. B. 2156** - “A Bill to amend and reenact §5-10-52 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Public Employees Retirement Act; and the manner of calculating benefits for certain members of the Legislature”; to the Committee on Pensions and Retirement then Finance.

**By Delegates Sponaugle, Phillips, Hamilton, Rowan and McGeehan:**

**H. B. 2157** - “A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, relating to school calendar; and changing mandatory instructional days from one hundred eighty days to minutes based upon minimum amount of hours of instruction offered to students provided by state board rules”; to the Committee on Education.

**By Delegates Sponaugle, Eldridge, Caputo, Fluharty, Pushkin and Hicks:**

**H. B. 2158** - “A Bill to amend and reenact §22-21-17 of the Code of West Virginia, 1931, as amended; and to amend and reenact §22C-9-7 of said code, all relating to prohibiting drilling units from being established without consent of all owners; prohibiting coal bed methane units from being established without consents from all owners; and prohibiting deep oil or gas well units from being established without consents from all owners”; to the Committee on Energy then the Judiciary.

**By Delegates Fleischauer, Caputo and Hornbuckle:**

**H. B. 2159** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-3E-1, §21-3E-2, §21-3E-3, §21-3E-4, §21-3E-5, §21-3E-6, §21-3E-7, §21-3E-8 and §21-3E-9, all relating to labor; providing for healthy workplaces by providing remedies for hostile work environments; defining terms; providing an affirmative defense for employers; banning retaliation in certain circumstances; providing an employer duty to respond to third-party acts of malice; restricting applicability to employment practices not covered by existing state laws on human rights or wrongful discharge; and providing certain time limitations for commencing action”; to the Committee on Industry and Labor then the Judiciary.

**By Delegates Eldridge and Hicks:**

**H. B. 2160** - “A Bill to amend and reenact §23-2-1b of the Code of West Virginia, 1931, as amended, relating to workers’ compensation; employers and employees subject to coverage; and providing that paid county or municipal fire departments and duly incorporated volunteer fire departments pay reduced premiums when not actively engaged in firefighting”; to the Committee on Banking and Insurance then Finance.

**By Delegates Statler and Rohrbach:**

**H. B. 2161** - “A Bill to amend and reenact §5A-3-10 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §12-3-10h, all relating to purchasing requirements for the Division of Highways; permitting the Division of Highways to make purchases of up to \$100,000 without engaging in competitive bidding and prohibiting the Division of Highways from requiring purchasing card users in district offices to secure bids for purchases under a certain amount”; to the Committee on Government Organization then Finance.

**By Delegates McGeehan and Folk:**

**H. B. 2162** - “A Bill to amend and reenact §11-3-9 of the Code of West Virginia, 1931, as amended, relating to personal property tax; exempting motor vehicles from personal property tax”; to the Committee on Roads and Transportation then Finance.

**By Delegates McGeehan and Folk:**

**H. B. 2163** - "A Bill to amend and reenact §11-21-3 of the Code of West Virginia, 1931, as amended, relating to abolishing the Personal Income Tax"; to the Committee on Finance.

**By Delegates Statler, Gearheart and G. Foster:**

**H. B. 2164** - "A Bill to amend and reenact §6B-2B-2 of the Code of West Virginia, 1931, as amended, relating to use of public funds to display a public official's name or likeness and prohibiting such display on public road signs"; to the Committee on Roads and Transportation then the Judiciary.

**By Delegates Statler, Rohrbach, Sobonya, Summers, Ellington, Frich and Fleischauer:**

**H. B. 2165** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-11c, and to amend said code by adding thereto a new section, designated §30-14-8a, all relating to out of state physicians and surgeons traveling with sports teams within this state; authorizing a physician or surgeon who is licensed to practice medicine or osteopathic medicine in another state to provide medical care to sports team members under certain circumstances"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Caputo and Rowan:**

**H. B. 2166** - "A Bill to amend and reenact §18-5-20 of the Code of West Virginia, 1931, as amended, relating to county boards of education; school libraries; requiring each school to have a certified library media specialist; and requiring the board to develop professional standards and the salary for the certified library media specialist"; to the Committee on Education then Finance.

**By Delegate Storch:**

**H. B. 2167** - "A Bill to amend and reenact §15-3B-3 of the Code of West Virginia, 1931, as amended, relating to creating a Silver Alert program for senior citizens; defining a term; and providing an establishment date"; to the Committee on Senior Citizen Issues.

**By Delegates McGeehan, Hamrick and Folk:**

**H. B. 2168** - "A Bill to amend and reenact §7-1-14 of the Code of West Virginia, 1931, as amended; and to amend and reenact §8-12-5 of said code, all relating to prohibiting counties and municipalities from adopting ordinances or regulations that base restrictions on the breed of a dog"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates Fleischauer and Pushkin:**

**H. B. 2169** - "A Bill to amend and reenact §7-5-22 of the Code of West Virginia, 1931, as amended, relating to clarifying that the county or regional solid waste authority that may impose and collect an additional solid waste assessment fee is the county or region where the waste originates"; to the Committee on Political Subdivisions then Finance.

**By Delegates Fleischauer and Pushkin:**

**H. B. 2170** - "A Bill to amend and reenact §22-6A-8, §22-6A-10 and §22-6A-12 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §22-6A-12a; and amend and reenact §22-6B-3, §22-6B-5 and §22-6B-7 of said code, all relating generally to horizontal well control standards; changing an elective obligation to a mandatory one; requiring notice in certain instances be sent to the occupants of residential property; prohibiting the limit of disturbance of a well site to be closer than fifteen hundred feet of an occupied dwelling; providing that a notice include certain information; establishing standards relating to air, noise, light and dust; permitting landowners be compensated for any decrease in the values of the land for its highest and best use; requiring the notice of a claim be also provided to an occupant of residential

structure on the property; and establishing a statute of limitations for claims being filed”; to the Committee on Energy then the Judiciary.

**By Delegate Eldridge:**

**H. B. 2171** - “A Bill to amend and reenact §21-11-6 of the Code of West Virginia, 1931, as amended, relating to permitting contractors to perform work on a construction project without having a contractor’s license when the total cost of that project is less than \$5,000”; to the Committee on Industry and Labor then the Judiciary.

**By Delegates Rodighiero, Hicks, Marcum and Eldridge:**

**H. B. 2172** - “A Bill to amend and reenact §18-5D-2, §18-5D-3 and §18-5D-4 of the Code of West Virginia, 1931, as amended, all relating to the West Virginia Feed to Achieve Act; and providing that school nutrition plans include take home meals for low income students or any student who requests take home meals”; to the Committee on Education then Finance.

**By Delegates Rodighiero and Hicks:**

**H. B. 2173** - “A Bill to amend and reenact §5-10-15 of the Code of West Virginia, 1931, as amended; and to amend and reenact §29-6-10 of said code, all relating to providing benefits for those who have served in the military service; providing service credits for purposes of public employment retirement for service in any branch of the military including the West Virginia National Guard and Reserve; and awarding additional testing credit points in civil service examinations for members of the National Guard and Reserve who are applying for state employment”; to the Committee on Veterans’ Affairs and Homeland Security then Finance.

**By Delegates Rodighiero and Hicks:**

**H. B. 2174** - “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-4-2c 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 Delegates Rodighiero and Hicks:**

**H. B. 2175** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-25, relating to requiring recipients of Supplemental Nutrition Assistance Program be issued a photo identification card; establishing criminal penalties for misuse; and granting rule-making authority”; to the Committee on the Judiciary then Finance.

**By Delegates Rodighiero and Hicks:**

**H. B. 2176** - “A Bill to amend and reenact §33-6B-3 of the Code of West Virginia, 1931, as amended; and to amend and reenact §33-20-3 and §33-20-5 of said code, all relating to prohibiting the number of inquiries reflected in a credit report, credit score report or CLUE report from adversely affecting an application for insurance; to limiting the use of a credit score to banking institution credit scoring for casualty insurance rate filings; and prohibiting reliance on information which is false or potentially false; limiting the use of a credit score in casualty insurance rate filings”; to the Committee on Banking and Insurance then Finance.

**By Delegates Rodighiero and Marcum:**

**H. B. 2177** – “A Bill to amend and reenact §20-2-28 of the Code of West Virginia, 1931, as amended, relating to exempting all veterans of the Armed Forces or any Reserve component thereof

from having to obtain a hunting, trapping or fishing”; to the Committee on Agriculture and Natural Resources then Finance.

**By Delegate Rodighiero:**

**H. B. 2178** - “A Bill to amend and reenact §11A-1-3 of the Code of West Virginia, 1931, as amended, relating to quarterly payment of real and personal property taxes; and requiring new tax tickets to be mailed after property is transferred”; to the Committee on Finance.

**By Delegates Rodighiero, Hornbuckle and Eldridge:**

**H. B. 2179** - “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 Roads and Transportation then Finance.

**By Delegates Rodighiero and Marcum:**

**H. B. 2180** - “A Bill to amend of the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-3-14a, relating to authorizing the issuance of special ‘In God We Trust’ motor vehicle registration plates”; to the Committee on Roads and Transportation then the Judiciary.

**By Delegate Caputo:**

**H. B. 2181** - “A Bill to amend and reenact §50-1-9a of the Code of West Virginia, 1931, as amended, relating to creating an additional magistrate court deputy clerk position for Marion County”; to the Committee on Political Subdivisions then the Judiciary.

**By Delegate McGeehan:**

**H. B. 2182** - “A Bill to amend and reenact §11-21-12d of the Code of West Virginia, 1931, as amended, relating to continuing personal income tax adjustment to gross income of certain retirees receiving pensions from defined pension plans that terminated and are being paid a reduced maximum benefit guarantee”; to the Committee on Pensions and Retirement then Finance.

**By Delegates Hamilton and Frich:**

**H. B. 2183** - “A Bill to amend and reenact §24-1-3 of the Code of West Virginia, 1931, as amended, relating to appointment of Public Service Commissioners”; to the Committee on Government Organization then the Judiciary.

**By Delegate Sponaugle:**

**H. B. 2184** - “A Bill to amend and reenact §18-7A-13a of the Code of West Virginia, 1931, as amended, relating to permitting teachers under the State Teachers Retirement System to teach college level courses without loss of retirement annuity or benefits”; to the Committee on Pensions and Retirement then Finance.

**By Delegate Caputo:**

**H. B. 2185** - “A Bill to amend and reenact §17C-6-3 of the Code of West Virginia, 1931, as amended, relating to allowing local authorities the authority to lower the speed limit on streets and highways where school buses travel; and providing that no lowering of a speed limit is effective until approved by the Commissioner of Highways”; to the Committee on Roads and Transportation then the Judiciary.



**By Delegates Fleischauer, Shott, Hamilton and Sobonya:**

**H. B. 2186** - "A Bill to repeal §61-2-17 of the Code of West Virginia, 1931, as amended; to amend and reenact §15-9A-2 of said code; to amend said code by adding thereto a new article, designated §61-14-1, §61-14-2, §61-14-3, §61-14-4, §61-14-5, §61-14-6, §61-14-7, §61-14-8 and §61-14-9; and to amend and reenact §62-1D-8 of said code, all relating generally to human trafficking; designating the Division of Justice and Community Services to be the State Administrative Agency responsible for criminal justice and juvenile justice systems for the planning and development of state programs and grants relating to human trafficking; eliminating existing criminal offense and penalties for human trafficking; creating felony offenses and penalties for trafficking an individual; defining terms; creating felony offenses and penalties for using an individual in forced labor; creating felony offenses and penalties for using an individual in debt bondage; creating felony offenses and penalties for compelling an adult through coercion to engage in commercial sexual activity; creating a felony offense for maintaining or making available a minor for the purpose of engaging in commercial sexual activity; clarifying that consent of minor and misbelief as to age are not defenses to prosecution for sexual servitude offense; creating a felony offense of patronizing an individual to engage in commercial sexual activity; clarifying that each victim shall be considered a separate offense; limiting ability for parole in circumstances where the court makes a finding of aggravated circumstances; defining aggravated circumstances; providing for restitution to victims and the enforcement of a judgment order for restitution; directing unclaimed restitution to be paid to the Crime Victims Compensation Fund; providing for disgorgement of profits and debarment from state and local government contracts; making victims eligible for compensation under the Crime Victims Compensation Fund; providing for criminal immunity for offense of prostitution if individual was a minor at time of offense and was a victim at time of offense; providing for expungement of prostitution conviction for victims of trafficking; and authorizing law enforcement to use wiretaps to conduct investigations"; to the Committee on the Judiciary.

**By Delegate Rohrbach:**

**H. B. 2187** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-5Z-1, §16-5Z-2, §16-5Z-3, §16-5Z-4, §16-5Z-5 and §16-5Z-6, all relating to establishing an advisory council on rare diseases; creating the advisory council and its composition; setting terms of members; defining words and phrases; defining the duties and the powers of the advisory council; setting out particular duties of the Secretary of the Department of Health and Human Resources; and establishing a special revenue account; to the Committee on Health and Human Resources then Finance.

**By Delegates Rowe, Pushkin, Sobonya, Fleischauer and Hornbuckle:**

**H. B. 2188** - "A Bill to amend and reenact §18-21-2 of the Code of West Virginia, 1931, as amended, relating to extending the length of time for the special Community-Based Pilot Demonstration Project to Improve Outcomes for At-Risk Youth"; to the Committee on the Judiciary.

**By Delegate Moye:**

**H. B. 2189** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-5-19a, relating to exempting disabled veterans from campground rental fees from the day after Labor Day until four days prior to Memorial Day; and providing rule-making authority"; to the Committee on Agriculture and Natural Resources then Finance.

**By Delegates Ferro, Hornbuckle and Fluharty:**

**H. B. 2190** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §39A-4-1, §39A-4-2, §39A-4-3, §39A-4-4, §39A-4-5, §39A-4-6 and §39A-4-7, all relating to creating the Uniform Real Property Electronic Recording Act; providing short title; defining terms; clarifying validity of electronic documents and electronic signatures; providing for recording of electronic documents; requiring any county clerk implementing the provisions of the act

to comply with established standards; authorizing county clerks to receive, index, store, archive and transmit electronic documents; authorizing county clerks to allow public access, search and retrieval of electronic documents; allowing county clerks to convert paper documents accepted for recording into electronic documents; authorizing county clerks to collect electronically any tax or fee relating to electronic recording of real property documents they are authorized by law to collect; authorizing county clerks to agree with other jurisdictions on procedures or processes necessary for electronic recording of documents; creating the Real Property Electronic Recording Standards Council to develop the standards necessary to electronically record real property documents; authorizing a legislative rule; providing for a report and recommendations to the Legislature; providing that members of the Real Property Electronic Recording Standards Council pay their own expenses; setting forth areas for consideration when adopting or changing standards; providing for uniformity of application and construction of the act; and providing that this act modifies, limits and supersedes certain parts of the federal Electronic Signatures in Global and National Commerce Act"; to the Committee on the Judiciary.

**By Delegates Ferro, Hornbuckle, Fleischauer, Sponaugle and Fluharty:**

**H. B. 2191** - "A Bill to amend and reenact §18B-10-7 of the Code of West Virginia, 1931, as amended, relating to educational benefits for dependents of deceased or disabled veterans; and requiring state institutions of higher education to waive tuition and fees for children and spouses of National Guard members and members of a Reserve component of the Armed Forces of the United States or persons on federal or state active military duty who are residents of this state and who have suffered a hundred percent total and permanent service-connected disability"; to the Committee on Education then Finance.

**By Delegate Ferro:**

**H. B. 2192** - "A Bill to amend and reenact §55-7B-2 of the Code of West Virginia, 1931, as amended, relating to adding pharmacy to the definition of (health care provider) as used in the Medical Professional Liability Act"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Folk:**

**H. B. 2193** - "A Bill to amend and reenact §11-13A-5b of the Code of West Virginia, 1931, as amended, relating to the West Virginia Future Fund; and prohibiting deposits into the fund in years when certain state retirement systems are not funded to ninety percent or more of their actuarial accrued liabilities"; to the Committee on Finance.

**By Delegates Gearheart, Ambler, Cooper and Hamrick:**

**H. B. 2194** - "A Bill to amend of the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-3-9c, relating to reduction of personnel employed by the West Virginia Department of Education; legislative findings; establishing a maximum ratio of the number of employees of the department to the number of students enrolled in the state after June 30, 2017; and requiring the state superintendent to establish a policy to attain the ratio"; to the Committee on Education then Finance.

**By Delegates Rohrbach, Cooper, Rowan, Hornbuckle, Ambler and Hicks:**

**H. B. 2195** - "A Bill to amend and reenact §18-2-7b of the Code of West Virginia, 1931, as amended, relating to requiring comprehensive drug awareness and prevention program in all public schools; requiring county boards to implement no later than 2017-2018 school year; specifying purposes of program; requiring county boards to coordinate delivery of instruction to meet program purposes with educators, drug rehabilitation specialists and law-enforcement agencies; and requiring instruction relating to interactions with law-enforcement officers"; to the Committee on Prevention and Treatment of Substance Abuse then Education.

**By Delegates Ellington, Gearheart and Overington:**

**H. B. 2196** - "A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to the secondary schools athletic commission; and participation by home schooled students in extracurricular activities"; to the Committee on Education.

**By Delegate Caputo:**

**H. B. 2197** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §47-11-1, §47-11-2, §47-11-3, §47-11-4, §47-11-5, §47-11-6, §47-11-7, §47-11-8 and §47-11-9, all relating to requiring retail establishments offering gasoline or other motor fuel to provide refueling assistance and refueling access to persons with a disability; establishing requirements and exceptions; giving Secretary of the Department of Transportation responsibility for implementation and enforcement; giving secretary rule-making authority; and providing civil penalties"; to the Committee on Roads and Transportation then the Judiciary.

**By Delegates McGeehan and Folk:**

**H. B. 2198** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-3-13, relating to redirecting certain funds of the West Virginia Department of Education; requiring the department to transfer an amount equal to one half of the department's 2017 budget for administrative costs into a special account for the purpose of increasing teacher salaries"; to the Committee on Education then Finance.

**By Delegate Kessinger:**

**H. B. 2199** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-1-5, relating to creating a digital learning pilot project; establishing a purpose; establishing goals; establishing objectives; establishing key components of the pilot project; establishing qualifications; and establishing a deadline"; to the Committee on Education then Finance.

**By Delegate Kessinger:**

**H. B. 2200** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-6-13; and to amend and reenact §18-2-1 of said code, all relating to requiring that four members of the State Board of Education be elected on a nonpartisan basis; decreasing the term lengths to four years; and establishing an election procedure"; to the Committee on Education then the Judiciary.

**By Delegate McGeehan:**

**H. B. 2201** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-15-9p, relating to creating the Save the Hospitals Act; exempting nonprofit hospitals that provide a certain amount of uncompensated care from sales tax and requiring West Virginia Hospital Finance Authority to promulgate rules to effectuate this section"; to the Committee on Health and Human Resources then Finance.

**By Delegate Fast:**

**H. B. 2202** - "A Bill to amend and reenact §5-11-10 of the Code of West Virginia, 1931, as amended, relating to requiring the Human Rights Commission, when investigating a complaint of discrimination, to specifically include an examination of the intent of the person or entity alleged to have committed the unlawful discriminatory practice"; to the Committee on the Judiciary.

**By Delegates Ellington, Cooper, Shott and Folk:**

**H. B. 2203** - "A Bill to amend and reenact §11-14C-5 of the Code of West Virginia, 1931, as amended, relating to reducing the motor fuel excise tax"; to the Committee on Roads and Transportation then Finance.

**By Delegate Gearheart:**

**H. B. 2204** - "A Bill to amend and reenact §29-22B-702 of the Code of West Virginia, 1931, as amended, relating to removing limitations on advertising and promotional activities by limited video lottery retailers"; to the Committee on the Judiciary.

**By Delegates Gearheart, Cooper and Ambler:**

**H. B. 2205** – "A Bill to amend and reenact §11-14C-2 and §11-14C-9 of the Code of West Virginia, 1931, as amended, all relating to exempting heating oil for residential use from the Motor Fuel Excise Tax"; to the Committee on the Judiciary then Finance.

**By Delegate Gearheart:**

**H. B. 2206** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §62-11G-1, §62-11G-2, §62-11G-3, §62-11G-4, §62-11G-5, §62-11G-6 and §62-11G-7, all relating to creating a pilot work/incarceration prison; providing a short title; specifying offenders who are eligible to participate; establishing one work/incarceration prison; authorizing the Division of Corrections to propose rules for the operation and reporting of the work/incarceration prison; allowing a reduction in the sentence of an offender sentenced to the work/incarceration prison; providing that a serious violation of the rules result in an additional sentence; specifying a suggested appropriation; allowing the admittance of offenders from other counties; and requiring the evaluation of the work/incarceration prison"; to the Committee on the Judiciary then Finance.

**By Delegates Hamilton and Sobonya:**

**H. B. 2207** - "A Bill to repeal §47-19-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §47-19-1, §47-19-3, §47-19-4 and §47-19-5 of said code; and to amend and reenact §60A-4-403a of said code, all relating to licenses to sell paraphernalia for use with controlled substances; terminating the Tax Commissioner's authority to issue business licenses to sell paraphernalia for use with controlled substances; revoking licenses previously issued by the Tax Commissioner; clarifying the definition of drug paraphernalia; requiring the continued retention of transaction records after the revocation of licensed authority; rule-making authority; effective date; criminal offense elements; and criminal penalties"; to the Committee on Prevention and Treatment of Substance Abuse then the Judiciary.

**By Delegates Fleischauer, Hamrick, Statler and Folk:**

**H. B. 2208** - "A Bill to amend and reenact §8A-3-3 of the Code of West Virginia, 1931, as amended, relating to authorizing counties and municipalities to establish a joint airport hazard comprehensive plan for the purpose of satisfying requirements of federal aviation law, protecting the public safety or preventing hazardous conditions"; to the Committee on Political Subdivisions then Government Organization.

**By Delegates Phillips, Folk, Eldridge and Sobonya:**

**H. B. 2209** - "A Bill to amend and reenact §8-12-5a of the Code of West Virginia, 1931, as amended, relating to the authority of municipalities to regulate the purchasing, possessing, transferring, owning, carrying, transporting, selling and storing of knives"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates Ambler, Cooper, Wagner, Upson, Rowan and Moyer:**

**H. B. 2210** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-1b, relating to increasing pay to teachers and service personnel by two percent the first year, two percent the second and one percent in the third year"; to the Committee on Education then Finance.

**By Delegates Kelly, Cooper, Wagner, Hamrick and Rohrbach:**

**H. B. 2211** - “A Bill to amend and reenact §18A-4-2 of the Code of West Virginia, 1931, as amended, relating to increasing salaries for teachers through fiscal year 2020”; to the Committee on Education then Finance.

**By Delegates Howell and Hamilton:**

**H. B. 2212** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §47-28-1, relating to regulation of firearms, firearms accessories and ammunition”; to the Committee on the Judiciary.

**By Delegate Gearheart:**

**H. B. 2213** – “A Bill to amend and reenact §18-8-4 of the Code of West Virginia, 1931, as amended, relating to compulsory school attendance; and providing that five unexcused occasions on which a student is tardy for school may equal one unexcused absence”; to the Committee on Education then the Judiciary.

**By Delegates McGeehan and Folk:**

**H. B. 2214** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-1A-1, §18-1A-2, §18-1A-3, §18-1A-4 and §18-1A-5, all relating to academic content standards in public schools; discontinuing and prohibiting the use of Common Core academic content standards; adopting alternative academic content standards; discontinuing the use of Common Core based assessments; establishing a committee and process for developing alternate statewide assessments of student progress; prohibiting the state board or any public school from sharing student data without parental consent; and prohibiting acceptance of federal funding if such funding is conditioned upon sharing student data without parental consent”; to the Committee on Education then Finance.

**By Delegate Howell:**

**H. B. 2215** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17B-2-16, relating to issuing identification documents to homeless individuals residing at homeless shelters within this state at no cost; stating legislative intent; defining terms; establishing eligibility requirements for homeless individuals to receive identifying documents at no cost; creating a process by which a homeless individual may apply for certain identifying documents to be provided at no cost; requiring the division to issue certain identifying documents to eligible homeless individuals at no cost; and requiring the commissioner to develop forms”; to the Committee on the Judiciary then Finance.

**By Delegates Phillips, Hamrick and Sobonya:**

**H. B. 2216** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-30-1, relating to making individuals responsible for the costs relating to the filing of excessive false complaints with state agencies and departments”; to the Committee on the Judiciary.

**By Delegates Moye, Hamilton and Marcum:**

**H. B. 2217** - “A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to increasing the maximum personal income tax exemption for persons over the age of sixty-five and for persons who are totally disabled”; to the Committee on Senior Citizen Issues then Finance.

**NOTE:** Delegate Caputo and Delegate Hicks were absent on January 11, 2017 but both have taken their oaths of office, Delegate Caputo on January 3, 2017 and Delegate Hicks on January 16, 2017.

At 12:22 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 6:45 p.m.

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### **Evening Session**

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The Speaker called the House to order.

### **Messages from the Senate**

A message from the Senate, by

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

**H. C. R. 4**, Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising Joint Assembly therefor.

### **Joint Assembly**

The Sergeant-at-Arms announced the members of the Board of Public Works, who were escorted to the places reserved for them.

The Sergeant-at-Arms announced Chief Justice Loughry and Justices of the Supreme Court of Appeals, who entered the Hall of the House of Delegates.

The Sergeant-at-Arms announced the Honorable Evan Jenkins, the Congressman from the Third Congressional District, who entered the Hall of the House of Delegates.

The Sergeant-at-Arms announced the Honorable David A. Faber, Senior Judge of the Southern Court of West Virginia, who entered the Hall of the House of Delegates.

The Sergeant-at-Arms announced the Honorable Mitch B. Carmichael, President, and Members of the Senate, who entered the Hall of the House of Delegates. The President took the place reserved for him to the right of the Speaker.

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

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

The Committee escorted His Excellency, the Governor, to the Well of the House. (Applause, the Members and guests rising in ovation)

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

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### **Address by the Governor**

\* \* \* \* \*

Governor Justice. Unless y'all are all wanting to be here all night, you got to quit this clapping so much. That's all there is to it.

Thank you so, so much. Speaker Armstead, President Carmichael, members of the Board of Public Works, Justices of the Supreme Court of Appeals, Senate Minority Leader Prezioso.

How about that? And I got that the first time. Roman said I did pretty good with that.

House Minority Leader Miley, and all our great legislators. Tonight is a really important night, you know, I want before we get into the meat and potatoes of what I have to say, I want to recognize a couple of people. These four people came with our great Speaker Armstead. These four people are principals that suffered through a 1,000-year flood. You know, I firsthand know what the flood was all about, and it was beyond belief terrible.

I don't know where they are, but if they can stand: Mike Kelly, the Principal of Herbert Hoover; Missy Lovejoy, the Principal of Elkview Middle; Cindy Cummings, the Principal of Bridge Elementary; and Vanessa Brown, the principal of Clendenin Elementary.

Your courage goes way, way, way beyond being unnoticed. You know, it took wisdom and strength and courage to some way, somehow, battle back. We got a long way to go. But that's what we do.

There's another group here it's called KVC Health Systems. And there is a CEO that's a national CEO. His name is Jason Hooper. And let me tell you what they're doing. They're hoping to bring a college basically for foster kids to Montgomery. A place that really needs us, needs our jobs, needs hope. The great Gordon Gee of WVU have been terribly instrumental in this. Wherever you are, Jason and your team, please stand as well.

Now, stay with me. Isn't this place reverent. Hallowed ground. Tonight I'm going to do the best in my ability to deliver a speech that I think is phenomenally important. There is no question there's been speech after speech delivered here. I am telling you, I can't possibly imagine that there is a time as dire and a time as important as tonight.

Now, let me tell you. There is no question we've been fiftieth forevermore. We're better than that. Now, like it or not like it, we're dying fiftieth. This is the most difficult and the biggest depression that we could ever possibly imagine. The biggest of the biggest.

Now, let me tell you this. On a little bit of light humor. But there is a fellow, his name is Ricky Mokel. He's a comedian. He said as a child he was hyper, and his dad gave him a shovel. And he used to love to dig. And he would dig and dig and dig and dig and dig and dig to the point in time where he couldn't get out of the hole. And then he said, "What's the use?"

There's no point in digging anymore, is there?"

Well, he says it to be funny. Because then he turned, and he said he and his dad had a password at that point in time. And when he would get to where there was no way he could get out of the that hole, he would go: Help! Help! And his dad would come and get him.

Well, trust me. We got to quit digging.

We are such in the hole that we got to quit digging. We got to quit working against one another. We've got to some way hold hands with each other and run across the finish line together. We've got to have new ideas, and I'll get to those in just a few minutes.

The other thing is just this. You've honored me beyond belief. You elected me as your Governor, a person that had never been a politician, in the wake of me running as a Democrat, at a time when Donald Trump won our state by 17,000 million percent.

Now, there had to be a reason. And the reason is just this simple. And if I make some people mad, I just make them mad. But the people knew that it didn't matter to me. It didn't matter to me if you were a Democrat or Republican, an independent, all that mattered to me was one thing. And that was that you are West Virginians. And I'm a West Virginia. And I just want goodness for our state. I've said it over and over and over.

Now, there will be somebody that will be on some witch hunt to try to beat on me about something.

But I want again to announce to the world in every way.

I, nor my family, want anything from this other than goodness for you and our State.

Now, let me tell you. You've trusted me with your vote. I absolutely need you now to trust me with your voice. Now, you don't see any teleprompters here. You know, a lot of news media said, you know, he's folksy. I didn't know that I knew how to spell that.

But there are sure no teleprompters. But you see, my definition of that would be plain talk. And that's what I think West Virginians want to hear.

Now, the truth is, it's time for gigantic decisions. The past four years, no matter how hard we've tried, we've lived off Rainy Day. And we've lived off the low-hanging fruit that we could cut away. We have.

We've cut probably \$600 million of waste. And we've cut the Rainy Day Fund into half.

Now, this year, right now, you're going to have to cut the Rainy Day Fund 123 million more dollars.

No way around it. Right now. What are you going to have? 500 million. What are you going to do? What you going to do? You're faced with a \$500 million hole in the bucket. And the next year is a \$700 million hole in the bucket. If you cut Rainy Day more, the rate holders, the people that create our rates for our bonds are going to torpedo us.

We've got issues. We've got real problems. So I want to tell you this. I don't mean this in any bad way, because I'm the one that signed up to run for Governor. But we've got an 18 carat dog's mess, don't we? We do. I didn't create the dog's mess. I have inherited the dog's mess. And I am telling you, you have to have real direction and real ideas and real cooperation together to be able to get out of this.

Now, there is two ways. Two ways you can get there. And you got to forgive me, I'm not nervous, but I just sweat a lot. A lot. And I got a bad knee, and man does it hurt.

But there's two ways you can get out of it — or a combination of ways. The first way is to just cut more. Cut more. Well, let me tell you just this. Just think about this just for a second. Are you willing — are you willing to eliminate all of our State parks? Are you willing to eliminate all of your colleges and universities other than Marshall and WVU? Shut them down? Are you really willing to close our tracks, to not have dogs, and to not have horses? Are you really truly willing to gut your seniors? Are you willing to turn our backs on our vets?



I can't get there. I can't get you there.

Because you know why? Because at the end of what I've just said, you're halfway home. What then are you going to do? What is West Virginia going to become? A nuclear waste site? Is it going to become the place where our nation sends all of its prisoners all of the time? Are we not better than that?

Now, let me give you just this scenario. Here's an analogy. You got a factory. We're the factory. You've got a factory. The factory has got a \$100 million in the bank. The factory is \$200 million upset down. Think about it. How we going to fix it?

Here is what we can do. Take the hundred million away from the factory just like that. We got a hundred million dollars upside-down. Then I tell you what's let's do next. Let's cut 25 percent of the people off. And then I tell you what else let's do. Let's cut the wages of everybody else there by 20 percent. And you're still not there.

So I tell you what let's do, let's sell 75 percent of the equipment out of the factory. And then, we in here will go home and say, "We did it. We balanced the budget." And you know what will happen? The sun will come up tomorrow, and we'll say: Holy horse, whatever, the factory is dead. The factory is gone. So, that's where you are.

Now, I'm a business guy. And I know this stuff. Now, let me just do this. Let me just tell you this. I truly believe that any cuts that are out there that somebody can bring me that's not going to just stifle us as a patient, I'm for. I am delivering to you \$30 million worth of cuts. It won't hardly move the needle. I am telling you our decisions are not tough decisions. They're catastrophic decisions.

Now, I really want you to pay close attention, because I truly from the bottom of my heart hate tax increases. Hate them. I really do. But I want to show you the most painless way that I think you can get out of this mess.

Now I'm going to come around here and write. Here's what you gotta do. You gotta cut all that we can possibly cut. I've got to have everybody in this state pay a half of a penny in additional sales tax.

There is no way around it.

I've got to have you pay instead of \$30 in DMV fees, I've got to have you pay \$50.

The other thing is this, in trying to be fair, in trying to just be fair. The people are here.

Here is your people. Here's your people. Here's your businesses. I've got to have our businesses — there's lots of different ways to look at this — pay two two-tenths of one percent in a tax that would be equivalent to a B&O tax. It is a tax that Ohio charges 25 percent — or 25 hundredths. We would charge 20.

And the other last thing I will talk to you about is I've got to have ten cents a gallon on gasoline. Now, I am telling you: If you don't do this, you're dead. You're dead beyond belief.

Now, let me go back over here and come back — well, before I go, I'm going to stay with you a second. On these two right here, this one and this one, I want to sunset them. Three years. I think if you do what I am trying to propose to you to do, you can get rid of this, and you can get rid of this in three years.

Now, this deals with your roads. And this does too. Now, let me tell you this. I said a minute ago, I am adamantly against raising your taxes. We have got to find a way to not completely kill the patient.

Now, look what happens. Three years, this goes away. Three years, this goes away. I'll tell you about this in just one second.

I want to tell you one last thing. My goal — Jim Justice's goal as your Governor — is to do one thing, and that is to be the eighth state in this country with no income tax. None.

Now, that's my goal. I hate like crazy to deliver to you what you have to do. That's my goal.

Now, remember, I said what I said about a half a penny. What would you rather do? Would you rather have your school plummeted even more? Your seniors just forgotten. Your vets forgotten. Your parks closed. Fairmont State shut down. On and on and on. Or would you be willing as a people to say: I'm willing to pay a half penny more. And I'm willing as a business to step up and pay two-cents of one percent.

Because I love West Virginia. And we're going somewhere. Now, listen here. If you pay — if you pay ten cents more for gasoline, and a little bit more on your DMV fees, that's going to turn into this. Here's what it's going to do. It will turn into \$2.8 billion.

Now, just stay with me. I have four wonderful people back here. And I want you to understand wholeheartedly what your ten cents and almost nothing in DMV fees — that haven't been raised in 40 years — Think about it. Almost nothing. I am asking you to do, to turn into that. And then let me show you what we can do.

Y'all bring this on down.

Now, with us tonight is Kevin Coll, Andy Estep, Brooke Rumbaugh, and Cody Webb. Brooke and Cody are students studying engineering at Marshall and WVU. And Andy and Kevin already work with us in Highways. If you'll do this. You see those jobs? You see 'em? We can let every single road job that is on the books for one to three, and three to five years, tomorrow. We can let them all tomorrow. Think what this would do. Just imagine what it will do. I'll tell you what it will do. It will create 48,000 jobs in our State. 48,000 jobs. It will complete the network that we have got to do. It will make you tourism explode in this state. Honest to Pete. This is the 800-pound gorilla in the room. Not me.

Now, there's two other things I want to do. And I'm going to sit because I'm sweating too much.

I want to bid every one of these road jobs specifically labor intensive. And you know what I want to do from that? I want it to be our training ground. I want it to be our apprenticeship program. I want it to be something that will absolutely put our displaced miners that find a job here, or our young people that learn how to do something here. That's an opportunity.

Now, let me tell you what else I want to do. For all the successful bidders, I want to charge them 5 percent construction severance, whatever tax that may be, whatever you want to call it, to the successful bidder only. And my bet is, people, like me in business, will sharpen your pencils like crazy and it won't cost us 5 percent. It may cost us one. And then you know what I want to do? I want to pool that money.

That money right there is \$2.4 billion. If I could let every job tomorrow, it would amount to \$120 million of a 5 percent pool that I would have. And then you know what I want to do with it? I want to fix the drug problem. If we don't fix the drug problem in this state, it will cannibalize you.

We have to have stiffer laws. There's no question whatsoever, a drug pusher that rolls in here — you guys can roll — a drug pusher that rolls in here from Detroit and selling drugs, he ought to know that this is not going to be a fun program if we catch him. We

absolutely have to have a pathway to get our people that are hooked on these terrible drugs back into the community of the workforce. We have to do something with all the prescription drugs. No question whatsoever about that. But we have to have treatment facilities too.

I would propose today if we do this, and those dollars flow, I would propose immediately building a facility in Charleston, one in the Eastern Panhandle, and I know the veterans are waiting on the dollars to come from the fireworks tax and everything to build their facility in Beckley. And I would like to skim off some of this money to help them be able to get that facility built.

Let me go to education. Guys, I'm a coach. I'm in the school all the time. We've proven how to be dead last. If you had gone around me and had these round table discussions and listened — just listened.

You see, that's what I did. And I just listened. You got a bunch of really, really sad unhappy campers. So I think we need gigantic education reform.

Here's what I would do. I would submit a bill, and I will immediately, to eliminate any of the unnecessary bureaucracies that we have. We have got to return education back as much as we possibly can to a local level. I have put in my budget a 2 percent raise for all classroom teachers, and I am ashamed — I'm ashamed that we can't do more.

Now, as far as testing, we are testing our kids t-totally to death. For what? I mean, here's the bottom line.

Think about it. If we were knocking it out of the park — you see, I'm all results oriented. If we were knocking it out of the park, you could argue with me we're doing the right thing. But for crying out loud, we're dead last. It doesn't take a rocket scientist to figure this out. We got to be doing something wrong.

That's all there is to it. As far as the testing goes, I am going to propose we throw Smarter Balance in the trash can and we go to ACT testing.

Let me show you this. Think about A through F for our schools. We do it on a bell curve.

Think about this. Who in the world comes up with this stuff? These get an A. These get an F. All the big meat and potatoes get a C. And we call out to the world and say: Come to West Virginia. Our schools are mostly all C's.

I don't get it. That's got to go. A through F is gone.

Now, there is a beautiful lady here somewhere. Her name is Toni Poling. She's our Teacher of the Year. If she would stand. She teaches at Fairmont Senior.

Now, also, wherever they are, the beautiful lady Leah Curry, who is the West Virginia President of Toyota; and the gentleman, Jim Fawcett of Highmark is here somewhere, that made all that possible as well. Thank you.

Let me tell you. I said throughout the campaign, I said, education can be a revenue producer for us, and everybody looks at me: How in the world?

There's no way. There's no way.

Everybody wants to go where your kids are going to be educated the best. Businesses want to go where your kids are going to be educated the best. We've got good teachers. We've got low crime. We've got good people. For crying out loud, we handcuff them every way coming and going. We got to stop that. And listen here.

Maybe it's a twist of words on revenue producers, but if we could create an education mecca in West Virginia, honest to Pete, people would come and you couldn't beat them away. It would be a revenue producer.

Now, I have to say: Jim Justice is no fan of consolidation. Again, I'll just tell you this. And I'll ask you: Are we this bad? Are we this desperate. You know, tell you what we could do. We could close every school in the state to save us some money, except we could have one. And we could have just one somewhere close to Charleston. And we'll bus every kid four hours, no more than four hours one way.

We're not that bad. We just have to have ideas. And we've got to have hope. Now, I truly mean this. One of the flood ravaged towns that I truly believe is coming back, and I can see it just like I can see it tomorrow: I hope and pray that we end up with a school in Richwood.

Now, let me tell you this. Our veterans are phenomenally important. They've given everything to us, haven't they? Everything. Do we really take care of them? I mean, for crying out loud, we can't even maintain their cemetery. We've got to do better. We have to do better.

Now, I'll be asking the Legislature to approve the increasing of our GARVEE capacity. And this one — before you go, "Oh, no," I want you to listen.

I'll be asking the Legislature to raise our tolls on the turnpike a dollar.

Now, before you go crazy shooting at me, let me just say this. I want — I want, through your DMV fees, I want to charge everybody within our state eight bucks. Eight dollars. Then I want you to drive on the turnpike or whatever road that we would choose to toll for free. So I want you to pay eight bucks, and I want you to drive on our turnpike, wherever it may be, for free. Or whatever road we toll for free. You see, 77 percent of our money is coming from out of state. If we could raise it and make yours West Virginians free, other than eight bucks — now you may live in the Eastern Panhandle and I would say to you: We need you to come and visit Princeton some point in time.

Now, if you come, for your eight bucks, we're going to give you a 50 percent discount on the tolls. Because you're going to pay nothing. And by the time you go through \$3-\$3-\$3-\$3-\$3 you're going to feel like you got a real bargain.

And I'll tell you just this. Did you see all those highways? Did you see all that? Well, I will promise you there will be something that will be in your neighborhood that will be tolled as well. As we go forward there's going to have to be something in your neighborhood that will be tolled. And then the people from Princeton can come and visit you. And they can come for free too.

Now, I truly believe that we ought to tier our severance tax on coal and gas. You know, it's just this simple. And our coal companies are really hurting.

And I know a lot about this. When they're really hurting, we got to step up and help them. And at that point in time, we probably have to step up and lower the severance tax. The same way with the gas.

But I am telling you, I am not a hog. I eat too much, but I'm not a hog. If we have the bonanza that I think is in front of us with coal — especially metallurgical coals — what if? What if I were to tell you, just this: Think about this for a second. If coal — if coal is \$35, whoever is mining that is losing money. Lowering the severance tax on that to 2 percent, or whatever you want to do, okay, I'm good. There's got to be a sweet spot to where we're back to five.

What if it goes to \$200 a ton? What happens? Two hundred dollars. I know this. There's no way that your cost — anybody's cost — is going to be greater than \$80. At this level right here, anybody's profit is \$120 a ton.

Listen. I'm a grain of sand in the coal business that I've been in. A grain of sand. And if we mine million tons and we make this kind of money, we make \$240 million in a year. We don't need to make that much money. At this point in time right here, this severance tax needs to be 10 percent. All it would do is lower the profitability to \$110 a ton.

All I'm saying is just this: Like it, or not like it, we have had our resources extracted from West Virginia over and over and over, and at the end of the rainbow, here we stand. We're \$500 million upside-down. We can't have it keep going on. We can't be a third-world country. You can't do that.

Now, tourism. Tourism is so important to our State. We can knock it out of the park, back double triple. We probably need to reorganize the entire Tourism Department. There's ways to do that. And the other thing you just got to simply put more money in it.

We better find a way to market ourselves. I said it a million times. I said it in the inaugural speech. For crying out loud, every time you turn the TV on it says: Come to Michigan. Every time. I said in the inaugural address, I said: Who in the world wants to go to Michigan? I mean, really? You know, what if I called up tomorrow and said, I tell you what let's do, let's get a bus and let's go to Detroit.

But do we market us? We don't. We don't. We got to do that.

Now, let me tell you — and I'll be quick, because I know you're tired of listening to me. Coal has been so vital to us. It's been unbelievable. We should never forget who brought us to the dance. We should try with all our soul, with all in us, to try to help get our miners back to work.

There are other things. Natural gas just fell out of the sky on us, didn't it? We need to do everything we can to exploit that to make it even better and better and better and better. You know, there's issues within natural gas. I think it's called joint development, or lease integration, that they really want.

And I can't possibly within me see: Why not? What's wrong with that? Why not?

Now, we can help that industry. Listen to me on this. There are other things. I will be submitting with Senator Capito and Senator Manchin immediately — and I think that there's a real shot — I will be submitting whatever the form of a bill may be to some way, somehow, try to drive furniture manufacturing, flooring manufacturing, cabinetry, back right in our lap to West Virginia.

It can truly be done. We've got to do it through an environmental subsidy. That's what has to be done. You see I'm the agronomy end of our agriculture stuff. I know about trees. I know about how they eat all the carbon. And I know how when we take a piece of wood like this to a dry kiln, the carbon is right here.

And I know when the tree falls on the ground and eventually the carbon will be released back in the sky, especially if you have a fire. And I know we only cut one-third of our growth in West Virginia.

We are the perfect candidate for what President Trump wants to do in bringing manufacturing

back to the United States, that today — today all of our furniture manufacturing is in Vietnam, China and Mexico. I love Vietnam China and Mexico. From a distance. I want stuff for us.

Now, I got to say this about President Trump. Many of you would wonder, but I am really good friends with the Trump family. And I truly believe that Donald Trump will do all he possibly can as our president to help West Virginians. He will. He's called me all kinds of times, and his son Eric has called all kinds of times, and now Don is probably going come and want to come and go turkey hunting with me. (APPLAUSE)

Not Donald. Because Donald is not a turkey hunter. But let me tell you. He truly — he truly, really identified with our miners. And he understands the blight. And he's a friend. If we give him a chance, he'll really try to help us.

Now, as we're winding down here, I would say there are certain things within government consolidation that we can do. There's no question. I get it, I get it, I get it. We need to watch every penny to try to save every dollar, on and on and on. I mean, I've already started this. And for crying out loud, I drive my own vehicle. We eliminated all the vehicles in my little world. You know, we're going to try to get rid of some of the state's aircraft. We're absolutely — Right now, we've identified 207 vehicles that we can basically get rid of. And what I want to do is line them up in front of the Capitol and have an auction and get rid of them. (APPLAUSE)

We can't forget agriculture.

Agriculture — let me tell you. Furniture manufacturing.

It can help us. It may be two years away. Agriculture can help us. It may be two years away. That's why I said a little while ago, that 800-pound gorilla is setting right in your face right now.

When I bond that together, the gas tax and the DMV fees, I've got to go to a vote. A vote of the people. I've got to have 90 days after you approve it to go to a vote. I am begging the people to call you and drive you crazy to get to that vote. Because we have to do that. We've got to do that and do that right now.

Now, and I believe — and I will do this immediately, I will employ some person — gosh, I can't imagine being called this, a Waste Czar. But I'll have him absolutely dig into every agency known to man and try to find any excess monies that have been shoved away and hidden. And I'll have him look. And I'll have him try to find.

Now, let me just give you my philosophy of our regulatory agencies. My philosophy is just this.

You know, I've had the great gift to be able to hire so many good people. Our cabinet choices and the people we've surrounded ourselves with, we didn't care if they were Republicans or Democrats, Independents. They're real good. They're really good. I told the people at the DMV, I told Austin Caperton — Austin said to me, he said: What do you really want to see happen? The list could be a mile long, couldn't it. A lot of people would say to Jim Justice: Jim, write a job description of what you do.

Well, I could write and write and write, couldn't I? But the bottom line is just this. The right person for the right job and they're motivated. That's what Jim Justice does. Right person, right job, and they're motivated.

I told Austin Caperton, I said, Austin, we have people coming from everywhere with any kind of business request under the sun. A lot of times our inspectors show up, and they show up — and I hate to say this, because you're going to probably think, boy, has

he really lost it now, but they show up with a T-shirt on and a pair of old jeans. They maybe haven't shaved forever. And they got a badge in their pocket.

Now, listen, I think they ought to look like something. And the other thing — and they will look like something, or we'll have them tending to Grisly Adams.

But the other thing is just this. No matter what the request may be, I think that the first words out of their mouths should be: We're going to try with all in us to do what you want to do.

Now, did you understand what I said? What I said is just this. So many times our regulatory agencies absolutely, no matter what on earth we try to do, they're there to tell you no. They're not there to tell us no.

Now, I underline — underline, underline, underline — nobody loves the outdoors as much as me.

Nobody loves water as much as me. We're not going to break the law. We're not going to do anything to damage the environment to the very best of our abilities. Or our waters. But we are not going to just say no.

Now, let me end — and you're saying, thank God — let me end by just saying this. Please, not only you, all the viewers that are out there, listen to me.

This situation is beyond dire. These people are trying.

I've had the great opportunity to meet with Mitch and Tim and others, and all kinds of — Roman and the other Tim, and on and on and on. Good people. They're good.

They're good people. And they want to try to help, just like I want to try to help. But I am telling you to the best that Jim Justice could possibly tell you, you elected me to try to get us out of Ricky Mokol's hole.

That's what you elected me to do. New ideas. Aggressive ideas. Bold ideas.

We're dying. We are dying. It is so bloomin' bad, you can't possibly imagine it. Now, there's a way out. There's real prosperity in front of us. There's a way out.

I would tell you, a long, long time ago, Frankenstein, he used to walk through the streets like "boom, boom", and I always thought, if you got caught by Frankenstein, you deserve to die.

Now, I would tell you just this. If we don't do anything, and all we do is kick the can down the road, and all we do is fight, then we deserve to die.

I really believe there's a rocket ship ride right at our fingertips. A ride like you cannot possibly imagine. I would say to you: Let's don't just try to figure out how to just get by. Let's cannonball right in the middle of the pool. We can do this. We absolutely can do it.

Now, I would say to the outside world: Call all your legislators. Call all your in-laws and your outlaws and your neighbors. Call them all. This is a pathway. I've given you a real pathway. And I hope that you'll seriously consider it.

Now, it was folksy. It was just plain talk. That's all I know. We have an incredible, incredible obligation and an unbelievable opportunity.

Now I would say with all these great people, all of you, together, with this great body, you can have my heart and soul. I will work with you with every ounce of being that I

have. Together, this great body and myself – and this isn't a very great body — but all of us will get there.

Now, let me tell you just this and then I'll end. My basketball teams, a lot of times they say two words coming out on the floor. And they scream them.

And do you know the other night Tom Brady led a comeback that was unbelievable, didn't he? Unbelievable. No one could have possibly imagined it. And you know what he did? He took the Super Bowl trophy — I watched him do this — he stood on that podium and he screamed, "Let's go!" After he had won.

Well, I'd say to you, let's go!

God bless you all. Thank you.

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

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

The Members of the Senate retired from the Chamber.

The Speaker then called the House to order.

### **Messages from the Executive**

State of West Virginia  
OFFICE OF THE GOVERNOR  
Charleston, WV

February 8, 2017

#### **Executive Message No. 1**

The Honorable Tim Armstead, Speaker  
West Virginia House of Delegates  
Charleston, West Virginia 25305

Dear Mr. Speaker:

I herewith submit, pursuant to the Constitution of the State of West Virginia, a budget and budget bill for the fiscal year beginning July 1, 2017.

With warmest regards,

Jim Justice,  
*Governor.*

Upon motion of Delegate Cowles, and by unanimous consent, the House returned to the Eighth Order of Business for the purpose of introducing a bill.



**Bills Introduced**

**By Mr. Speaker, Mr. Armstead, and Delegate Miley**

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

**H. B. 2018** - "A Bill making appropriations of public money out of the Treasury in accordance with Section 51, Article VI of the Constitution."

Accompanying the Budget Bill was a document showing estimates of revenue, expenditures, etc., as required by Section 51, Article VI of the Constitution. The Speaker referred the bill to the Committee on Finance.

At 8:04 p.m., on motion of Delegate Cowles, the House of Delegates adjourned until 11:00 a.m., Thursday, February 9, 2017.

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

**WEST VIRGINIA  
HOUSE OF DELEGATES**

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**THURSDAY, FEBRUARY 9, 2017**

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

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**COMMITTEE ON PENSIONS AND RETIREMENT  
8:00 A.M. – ROOM 464M**

**COMMITTEE ON FINANCE  
9:30 A.M. & 2:00 P.M. – ROOM 464M**

**COMMITTEE ON HEALTH AND HUMAN RESOURCES  
2:00 P.M. – ROOM 215E**

**COMMITTEE ON ENERGY  
2:00 P.M. – ROOM 418M**



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