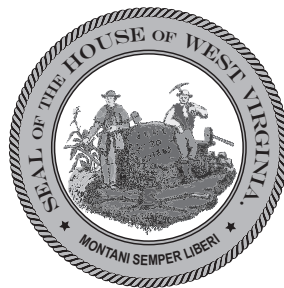


West Virginia Legislature

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February 12, 2019
THIRTY-FIFTH DAY

Tuesday, February 12, 2019

THIRTY-FIFTH DAY

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

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

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

The Clerk proceeded to read the Journal of Monday, February 11, 2019, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

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

Your Committee on Government Organization has had under consideration:

H. B. 2716, Relating to motorboat lighting and equipment requirements,

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

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

Your Committee on Government Organization has had under consideration:

H. B. 2881, Altering the color scheme for county vehicle registration plates,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2881) was referred to the Committee on Finance.

Delegate Maynard, Chair of the Committee on Fire Departments and Emergency Medical Services, submitted the following report, which was received:

Your Committee on Fire Departments and Emergency Medical Services has had under consideration:

H. B. 2586, Providing programs to train firefighters and emergency medical technicians,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2586) was referred to the Committee on Education.

Delegate Maynard, Chair of the Committee on Fire Departments and Emergency Medical Services, submitted the following report, which was received:

Your Committee on Fire Departments and Emergency Medical Services has had under consideration:

H. B. 2501, Authorizing municipal fire departments specialized license plates,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2501) was referred to the Committee on Government Organization.

Delegate Maynard, Chair of the Committee on Fire Departments and Emergency Medical Services, submitted the following report, which was received:

Your Committee on Fire Departments and Emergency Medical Services has had under consideration:

H. B. 2872, Authorizing law-enforcement officers to assist the State Fire Marshal,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2872) was referred to the Committee on the Judiciary.

Delegate Butler, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

H. B. 2846, Designating a "Back the Blue" plate in support of law-enforcement personnel,

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

In the absence of objection, reference of the bill (H. B. 2846) to the Committee on Finance was abrogated.

Delegate Butler, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

H. B. 2011, Road Maintenance Program,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2011) was referred to the Committee on Government Organization.

Delegate Butler, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

H. B. 2472, Providing a special license plate for pollinators,

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

In the absence of objection, reference of the bill (H. B. 2472) to the Committee on Finance was abrogated.

Delegate Butler, Chair of the Committee on Technology and Infrastructure submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

H. C. R. 7, Kidd Brothers Bridge,

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

Com. Sub. for H. C. R. 7 - "Requesting the Division of Highways name bridge number 20-83-8.49 (20A266), locally known as Standard Bridge, carrying County Route 83 Spur over Paint Creek in Kanawha County, the 'Kidd Brothers Veterans Memorial Bridge',"

H. C. R. 11, U. S. Army Command Sergeant Major Timothy Allen Bolyard Memorial Bridge,

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

Com. Sub. for H. C. R. 11 - "Requesting the Division of Highways name bridge number: 46-50-16.56 (46A040) (39.34488, -79.94344), locally known as Thornton bridge, carrying U. S. Route 50 over Three Fork Creek & CSX Railroad in Taylor County, the 'U. S. Army Command Sergeant Major Timothy Allen Bolyard Memorial Bridge',"

H. C. R. 26, George Roush Memorial Bridge,

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

Com. Sub. for H. C. R. 26 - "Requesting the Division of Highways name bridge number 18-2-2.72 (18A004), locally known as Millwood Bridge, carrying West Virginia Route 2 over Mill Creek in Jackson County, the 'U. S. Army SGT Arthur "George" Roush Memorial Bridge',"

And,

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

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

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

With the recommendation that the committee substitutes each be adopted, but that they first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolutions (Com. Sub. for H. C. R. 7, Com. Sub. for H. C. R. 11, Com. Sub. for H. C. R. 26 and Com. Sub. for H. C. R. 32) were each referred to the Committee on Rules.

Delegate Butler, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

H. C. R. 4, Gold Star Families Highway,

H. C. R. 13, Chief Robert Edward Dorsey Memorial Highway,

H. C. R. 19, U. S. Marine Sgt. Stephen E. Drummond Memorial Bridge,

H. C. R. 23, U. S. Army SGT Rodney David King and U. S. Army SGT James Harris King Memorial Bridge,

H. C. R. 43, U. S. Army Air Corps T SGT Ralph H. Ray Bridge,

And,

H. C. R. 44, U. S. Marine Corps PFC Randall Carl Phelps Memorial Bridge,

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

In accordance with the former direction of the Speaker, the resolutions (H. C. R. 4, H. C. R. 13, H. C. R. 19, H. C. R. 23, H. C. R. 43 and H. C. R. 44) were each referred to the Committee on Rules.

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

Your Committee on the Judiciary has had under consideration:

H. B. 2538, Providing banking services for medical cannabis,

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

Com. Sub. for H. B. 2538 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §12-1-14, relating to providing banking services for medical cannabis; providing findings; defining terms; authorizing Treasurer to competitively bid for financial institutions to provide banking services; providing for disposition of penalties collected pursuant to the West Virginia Medical Cannabis Act; authorizing the Treasurer to hold funds outside treasury until permitted to transfer money to state main disbursement account; authorizing Treasurer to charge fees for providing services; creating the Treasurer's Medical Cannabis Fund; requiring the Enterprise

Resource Planning Board to configure wvOASIS to allow deposits in, investing moneys in, and making payments from the accounts established by the Treasurer at a selected financial institution; establishing that action under section not unlawful; providing that the Commissioner of Financial Institutions shall not prohibit, penalize incentivize or otherwise impair a financial institution from providing services under the Act in certain instances; providing that no cause of action exists against the Treasurer and state officers and employees involved in cannabis-related banking or financial services in their personal capacities in certain circumstances; and providing that the state will defend and indemnify the Treasurer and any state officers and employees involved in cannabis-related banking services provided within the scope of their duties or employment in accordance with the West Virginia Medical Cannabis Act,”

With the recommendation that the committee substitute do pass.

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

Your Committee on the Judiciary has had under consideration:

H. B. 2579, Relating to the collection of tax and the priority of distribution of an estate or property in receivership,

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

Com. Sub. for H. B. 2579 - “Bill to amend and reenact §11-10-11 of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-15-18a of said code, all relating to the collection of tax and the priority of distribution of an estate or property in receivership and the liability of the fiduciary,”

And,

H. B. 2618, Including undue influence as a factor in the definition of financial exploitation of an elderly person or protected person,

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

Com. Sub. for H. B. 2618 - “A Bill to amend and reenact §55-7J-1 of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-2-29b of said code, all relating to including the use of undue influence resulting in financial or asset loss or disadvantage to an elderly person, protected person or incapacitated adult in the definitions of civil and criminal financial exploitation of elderly persons, protected persons and incapacitated adults; definitions; and including the use of undue influence in the definition of the crime of an act of financial exploitation,”

With the recommendation that the committee substitutes each do pass.

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

Your Committee on the Judiciary has had under consideration:

S. B. 377, Relating to minimum wage and maximum hour standards,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

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

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 398, Relating to compensation for senior judges,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 398) was referred to the Committee on Finance.

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

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 451, Comprehensive education reform,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

At the respective requests of Delegate Summers, and by unanimous consent, the bill (Com. Sub. for S. B. 451) was taken up for immediate consideration, read a first time and ordered to second reading.

Messages from the Executive

Delegate Hanshaw (Mr. Speaker) presented a communication from His Excellency, the Governor, advising that on February 11, 2019, he approved **Com. Sub. for S. B. 17**.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 2307, Relating to creating a provisional license for practicing barbering and cosmetology.

A message from the Senate, by

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

Com. Sub. for S. B. 14 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §19-37-1, §19-37-2, §19-37-3, and §19-37-4, all relating to creating the West Virginia Farm-to-School Grant Program; setting out findings and purpose; creating the fund; providing method for allocating grants; limiting grants; authorizing rulemaking; and requiring program review and reports"; which was referred to the Committee on Agriculture and Natural Resources then Finance.

A message from the Senate, by

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

Com. Sub. for S. B. 19 - "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; setting forth legislative findings and intent; creating special revenue account designated the Senior Farmers Market Nutrition Program Fund; identifying source of funds; providing terms for expenditures; requesting additional moneys to be added to the fund; and directing that balance funds at the end of the fiscal year remain in the fund"; which was referred to the Committee on Agriculture and Natural Resources then Finance.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendments of the House of Delegates and the passage, as amended, to take effect from passage, of

Com. Sub. for S. B. 240, Repealing certain legislative rules no longer authorized or are obsolete.

A message from the Senate, by

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

Com. Sub. for S. B. 317 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-17-1, §20-17-2, §20-17-3, §20-17-4, §20-17-5, §20-17-6, §20-17-7, §20-17-8, §20-17-9, and §20-17-10, all relating generally to authorizing three or more contiguous counties to form a multicounty trail network authority; providing legislative findings; defining terms; providing that an authority is a public corporation and joint development entity; providing that a county that is adjacent to an authority may join the authority as a participating county upon approval of the board of the authority and the county commission of the county wishing to participate; providing that two existing authorities may merge upon approval of the boards of both authorities; providing for appointment of individuals to the board of an authority and for the filling of vacancies in the board; establishing the terms of appointment to a board; requiring quarterly meetings of a board; describing how a quorum is established; authorizing a board to promulgate bylaws and rules; providing that an authority is subject to Freedom of Information Act laws; describing the powers and duties of an authority; requiring a board to appoint an executive director; describing powers and duties of an executive director; authorizing employment of authority staff; requiring creation of an annual budget; providing for payment of an authority's expenses; allowing reimbursement of board member expenses; establishing financial audit requirements; requiring reporting and oversight of state funds; prohibiting certain actions by users of recreational area land and providing criminal penalties; limiting the liability of owners of land used by an authority; setting forth purchasing and bidding procedures for authority contracts and purchases; providing criminal penalties for violation of purchasing and bidding requirements; clarifying that certain provisions of the code prohibiting certain officers from having a pecuniary interest in contracts applies to board members, officers, personnel, and agents of an authority; providing civil remedies for participating counties challenging purchasing contracts violating certain requirements; and providing for severability"; which was referred to the Committee on Agriculture and Natural Resources then the Judiciary.

A message from the Senate, by

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

Com. Sub. for S. B. 352 - “A Bill to amend and reenact §15A-3-14 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §15A-3-14a, all relating to the Division of Corrections and Rehabilitation acquiring and disposing of services, goods, and commodities; clarifying notice requirements; allowing the division to require surety; expanding acceptable forms of surety; allowing the division to utilize best value procurement; providing exception; establishing procedure for best value procurement; allowing for direct award procurement; establishing procedure for direct award procurement; allowing the division to run criminal background checks, financial background checks, licensing background checks, and credit checks to determine eligibility for award of contract; enumerating grounds upon which division shall disqualify vendors from being awarded a contract or having contract renewed; creating special revenue fund; and providing for methods of disposition of surplus property owned by the division”; which was referred to the Committee on Government Organization then Finance.

A message from the Senate, by

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

Com. Sub. for S. B. 408 - “A Bill to amend and reenact §29-21-16 of the Code of West Virginia, 1931, as amended, relating to public defender services generally; clarifying the person to determine financial eligibility for public defender services; empowering court administrators in circuits which have one to make the eligibility determination; continuing the authority of public defender offices to make eligibility decisions in circuits with a public defender office but without a court administrator; and authorizing circuit courts to make eligibility decisions in circuits with neither a court administrator nor a public defender office”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

Com. Sub. for S. B. 496 - “A Bill to repeal §16-7-5a of the Code of West Virginia, 1931, as amended; to amend and reenact §16-7-5 of said code; and to amend said code by adding thereto a new article, designated §19-11E-1, §19-11E-2, §19-11E-3, §19-11E-4, §19-11E-5, §19-11E-6, §19-11E-7, §19-11E-8, §19-11E-9, §19-11E-10, §19-11E-11, §19-11E-12, §19-11E-13, §19-11E-14, §19-11E-15, §19-11E-16, and §19-11E-17, all relating generally to transferring authority to regulate milk from the Department of Health and Human Resources to the Department of Agriculture; transferring authority to regulate milk and milk products effective July 1, 2019; explaining purpose and scope of article; defining terms; requiring milk producers and those handling or transporting milk or milk products to have and maintain permits; establishing procedure for obtaining permits; mandating certified inspectors of milk production facilities maintain valid licenses; establishing milk and milk product labeling standards; defining ‘adulteration’; describing authority and duties of Commissioner of Department of Agriculture regarding milk and milk products; listing prohibited acts; establishing grounds and procedure for suspension, revocation, or denial of permits or licenses; providing for right of hearing and appeal by persons aggrieved by actions taken pursuant to article; establishing criminal penalties for violation of article or rules promulgated thereunder; establishing civil penalties for violation of article or rules promulgated thereunder; allowing commissioner to promulgate rules permitting consent decrees or negotiated settlements of civil penalties; establishing that fees received pursuant to article are to be deposited into Department of Agriculture’s fees account; permitting commissioner to enter into agreements with public or private entities to carry out provisions of the article; protecting trade secrets from disclosure; providing exception; establishing orderly transition of milk regulatory operations to Department of Agriculture; and mandating that Department of Health and Human Resources’ legislative rules regulating milk remain in effect until July 1, 2020, or until

earlier superseded by Department of Agriculture regulations”; which was referred to the Committee on Government Organization.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2019, and requested the concurrence of the House of Delegates in the passage, of

S. B. 499 - “A Bill to amend and reenact §11-10-3, §11-10-4, §11-10-7, §11-10-14, §11-10-15, and §11-10-16 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §11-10-18c; to amend and reenact §11-21-3, §11-21-51a, §11-21-59, and §11-21-71a of said code; to amend said code by adding thereto four new sections, designated §11-21-37a, §11-21-37b, §11-21-37c, and §11-21-59a; to amend said code by adding thereto a new article, designated §11-21A-1, §11-21A-2, §11-21A-3, §11-21A-4, §11-21A-5, §11-21A-6, §11-21A-7, §11-21A-8, §11-21A-9, §11-21A-10, §11-21A-11, and §11-21A-12; to amend and reenact §11-24-20 of said code, all relating generally to amending West Virginia tax laws to conform to changes in how partnerships and their partners and other pass-through entities and their equity owners are treated for federal income tax purposes for tax years beginning after December 31, 2017; amending West Virginia Tax Procedures and Administration Act, Personal Income Tax Act, and Corporation Net Income Tax Act to provide for administration, collection, and enforcement of income tax on certain partnerships and other pass-through entities treated as partnerships for federal income tax purposes and their partners and equity owners in conformity with changes made by United States Congress in how these entities and their equity owners are treated for federal income tax purposes for taxable years beginning after December 31, 2017; providing for application of West Virginia Tax Procedure and Administration Act to apply to imputed income taxes imposed on partnerships and other pass-through entities; imposing addition to tax for failure of partnership and other pass-through entity to file partnership’s returns and reports; imposing imputed personal income tax on certain partnerships and other pass-through entities treated like partnerships for federal income tax purposes based on federal audit adjustments; providing general rules and special rules for allocation and apportionment of business income; providing for filing of amended composite personal income tax returns by pass-through entities on behalf of nonresident equity owners; providing additional rules for reporting of federal changes to federal taxable incomes; providing amended rules for reporting of federal adjustments by Internal Revenue Service or other competent authority; providing rules for reporting adjustments by other states’ resident claims credit for tax paid to another state; providing for pass-through entity withholding on nonresidents when partnership or other pass-through entity pushes federal audit adjustments out to equity owners; adding a new article providing for administration, collection, and enforcement of additional West Virginia income taxes from certain partnerships and other pass-through entities treated like partnerships for federal income tax purposes, or their equity owners, that are attributable to federal audit adjustments; defining certain terms; providing for reporting of adjustments to federal taxable income; providing for reporting of federal audit adjustments resulting from federal audit of pass-through entity or from administrative adjustment requests; providing for assessment of additional West Virginia income taxes, interest, and additions to tax arising from federal adjustments to federal taxable income within applicable statute of limitations; allowing payment of estimated West Virginia income tax payments during course of federal audit of certain partnerships and other pass-through entities treated as partnerships for federal income tax purposes; providing for refund or credit of West Virginia income taxes attributable to finalized federal audit adjustments; providing rules for scope of audit adjustments and extensions of time; specifying effective dates; providing for legislative, interpretive, and procedural rules; providing for Tax Procedures and Administration Act and Tax Crimes and Penalties Act to apply to imputed income tax imposes on certain partnerships and other pass-through entities treated as partnerships for federal income tax purposes; providing additional rules for reporting of changes in federal taxable income of corporations; making technical corrections in existing code sections being amended; and specifying effective dates”; which was referred to the Committee on Finance.

A message from the Senate, by

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

S. B. 542 - "A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to registration fees for military-related special registration plates"; which was referred to the Committee on Technology and Infrastructure then Finance.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of a joint resolution, which was read by its title as follows:

Com. Sub. for S. J. R. 5 - "Proposing an amendment to the Constitution of the State of West Virginia, amending section nine, article IV thereof, relating to the impeachment of officials generally; clarifying that a separate vote in an impeachment trial is necessary to preclude a person convicted from holding a position of honor, trust, or profit under the state; clarifying that a separate vote of two thirds of the members of the Senate is necessary to disqualify a person having been impeached and convicted from an office of honor, trust, or profit under the state; providing that rules of practice and procedure for impeachment proceedings and impeachment trials are not subject to judicial review; specifying that state courts are without authority to stay or enjoin impeachment proceedings; designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

Resolutions Introduced

Delegates Staggers, Boggs, Barrett, Miley, Lavender-Bowe, Hartman, Sponaugle, C. Thompson, S. Brown, Angelucci, Caputo and Anderson offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. R. 14 - "Requesting the United States Congress to provide funding for the purchase of residential areas of Minden, Fayette County, West Virginia, due to the discovery of toxic substances."

Whereas, The health and welfare of the residents of Minden, Fayette County, have been adversely affected by the discovery of toxic waste being deposited by a company doing business in the State of West Virginia; and

Whereas, The efforts of the United States Environmental Protection Agency to remove the toxic waste from the affected areas of Minden have been ineffective and without resolve; and

Whereas, The property value of the affected areas of Minden has decreased substantially since the discovery of toxic substances, leaving the residents without a fair market value for their property and rendering them unable to relocate their families to a safe, secure area; therefore, be it

Resolved by the House of Delegates:

That the House of Delegates hereby requests the United States Congress to provide funding for the purchase of residential areas of Minden, Fayette County, that have been affected by the discovery of toxic substances that the United States Environmental Protection Agency cannot resolve; and, be it

Further Resolved, That the Clerk forward copies of this resolution to the West Virginia delegation to the Congress of the United States.

Delegates Boggs, Hartman, N. Brown, Angelucci, C. Thompson, S. Brown, Staggers, Howell and Pethel offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 64 - "Requesting the Division of Highways to name bridge number 04-5/6-7.33 (O4A193), locally known as the Riffle Box Beam Bridge, carrying County Route 5/6 over Perkins Fork of Cedar Creek in Braxton County, the 'U. S. Army CPL Jerry Lee Noble Memorial Bridge'."

Whereas, Jerry Lee Noble was born on March 28, 1932, in Breathitt County, Kentucky, the son of George Noble and Loraine Cole Noble. Jerry Lee Noble grew up and attended a one-room school in the Braxton County community of Riffle, West Virginia. He was inducted into the U. S. Army on October 8, 1952, as a Private First Class; and served in the Korean War and was wounded and reported missing in action on July 9, 1953; and

Whereas, CPL Jerry Lee Noble was discharged from the U. S. Army on November 18, 1954. During his service, CPL Jerry Lee Noble was awarded the Bronze Star for heroic action along with the Purple Heart. He was married to Marlene Hunter Noble and they were the parents of Jerry Don Noble, Janet Noble Gibson, and Beverly Noble Smith; and

Whereas, It is fitting that an enduring memorial be established to commemorate the service of CPL Jerry Lee Noble; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested name bridge number 04-5/6-7.33 (O4A193), locally known as the Riffle Box Beam Bridge, carrying County Route 5/6 over Perkins Fork of Cedar Creek in Braxton County the "U. S. Army CPL Jerry Lee Noble Memorial Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U. S. Army CPL Jerry Lee Noble Memorial Bridge"; and, be it

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

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

H. C. R. 65 - "Requesting the Division of Highways name a portion of WV 3, starting at the eastern city limits of Union and ending at the intersection with CR 11, Keenan Road, in Monroe County, the 'Vietnam Veterans Memorial Highway'."

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

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

Resolved by the Legislature of West Virginia:

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

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

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

Delegates D. Jeffries, Malcolm, C. Martin, Bibby, Mandt, D. Kelly, Jennings, Phillips, Sypolt, Wilson and Atkinson offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 66 - “Requesting the Division of Highways name bridge number 20-4-0.01 (20A006), (38.49033, -81.34935) locally known as Big Sandy Bridge, carrying WV Rt. 4 over Big Sandy Creek in Clendenin, Kanawha County, the ‘U. S. Army SPC Thurman “Duwayne” Young Memorial Bridge’.”

Whereas, 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, U. S. Army SPC Thurman “Duwayne” Young graduated from Herbert Hoover High School before entering the Army in 1969; he went to Vietnam serving as an Armored Personnel Carrier Operator in the Infantry and was honorably discharged in 1971; and

Whereas, Upon returning from serving his country in Vietnam, SPC Young married Linda Szeles. Duwayne and Linda spent 29 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 62 years, U. S. Army SPC Thurman “Duwayne” Young lost his hard-fought battle with cancer caused by exposure to Agent Orange while serving in Vietnam; and

Whereas, The naming of this bridge is an appropriate recognition of U. S. Army SPC Thurman “Duwayne” Young’s contributions and sacrifices made in service 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 bridge number 20-4-0.01 (20A006) (38.49033, -81.34935), locally known as Big Sandy Bridge, carrying WV Rt. 4 over Big Sandy Creek in Clendenin, Kanawha County, the “U. S. Army SPC Thurman ‘Duwayne’ Young Memorial Bridge”; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to erect signs at both ends of the bridge containing bold and prominent letters proclaiming the bridge as the “U. S. Army SPC Thurman ‘Duwayne’ Young Memorial Bridge”; and, be it

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

Delegates Hartman, Boggs, Caputo, N. Brown, Staggers, Sponaugle and C. Thompson offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 67 - "Requesting the Division of Highways name bridge number 38-15-0.11 (38A022), locally known as Stoney Creek Channel Beam, carrying County Route 15 over Stoney Creek in Pocahontas County, the 'Sharp Military Brothers Bridge'."

Whereas, U. S. Army SGT Jack Arnold Sharp was born on December 23, 1922, in Marlinton, and passed away on December 31, 2001, in Richwood. He grew up as the oldest child of Charles J. Sharp and Ora Thompson in Pocahontas County. He played football and graduated from Marlinton High School, and was married to Margaret Sharp for 58 years. SGT Sharp was a Construction Machine Operator in Co. B, 7th BN Engr Repl TC, and served from January 1943 to March 1946. He received the Good Conduct Medal, WWII Victory Ribbon and American Theater Ribbon; and

Whereas, U. S. Army SP4(T) Leslie Douglas Sharp was born on October 7, 1945, in Marlinton, currently living in Petersburg, with Jean his wife of 52 years and counting. He grew up the thirteenth child of Charles J. Sharp and Ora Thompson in Pocahontas County, played football and graduated from Marlinton High School. He received the Parachute Badge and the Armed Forces Expeditionary Medal while serving, and retired from the West Virginia State Police; and

Whereas, U. S. Navy RMSN Donald James Sharp was born on July 31, 1935, in Fairview, currently living in Berkley Springs, with his wife of 61 years, Millie. He grew up the eighth child of Charles J. Sharp and Ora Thompson in Pocahontas County, played football and graduated from Marlinton High School. He served in the Navy from July 1953 to July 1956 and received the National Defense Service Ribbon. He was shot in the line of duty, and retired from West Virginia State Police. He also served as a West Virginia Magistrate; and

Whereas, U. S. Navy PO2 Craig Arthur Sharp was born on July 21, 1933, in Fairview, currently living in Richmond, Virginia, with Betty Shinaberry his wife of 62 years and counting. He grew up the seventh child of Charles J. Sharp and Ora Thompson in Pocahontas County, played football and graduated from Marlinton High School. He enlisted on October 25, 1951, and separated on October 21, 1956, serving aboard the USS Ross. He received the National Defense Service Medal and retired from the U.S. Reformatory system; and

Whereas, U. S. Army TSGT Charles Hubert Sharp was born on August 24, 1929, in Woodrow and passed away on April 26, 2005. He grew up the fifth child of Charles J. Sharp and Ora Thompson in Pocahontas County. He played football and graduated from Marlinton High School, and was married to Norma Harris for 54 years. He served from December 1946 to December 1949, receiving the Army of Occupation Medal and WWII Victory Medal. In January 1950 he enlisted with the U. S. Air Force and retired from service on July 31, 1968. He was also a special photographer who took official military pictures of the little-known unofficial Japanese surrender at Yokohama, Japan; and

Whereas, U. S. Navy RM Dempsey Thompson Sharp was born on June 15, 1927, in Woodrow, currently living in Nelsonville, Ohio. He grew up the fourth child of Charles J. Sharp and Ora Thompson in Pocahontas County, played football and graduated from Marlinton High School and was married to Jean Walton for 62 years. He served from October 1944 to July 1946 aboard the USS William Ward Burrows and received the Pacific Theater Ribbon, American Theater Ribbon and WWII Victory Ribbon. He was recalled on August 10, 1950, served as Radio Operator V6, 6th Naval District and was separated on October 15, 1951. He retired from U. S. Department of Agriculture Soil Conservation, discovered new variety of blackberry in West Virginia and is a published author; and

Whereas, U. S. Navy SN Lee Warwick Sharp was born on January 25, 1926, in Onoto, and passed away on October 3, 2015, in Huntington. He grew up the third child of Charles J. Sharp and Ora Thompson in Pocahontas County. He played football, graduated from Marlinton High School Marlinton, and was married to Ann Bates for 49 years. He served from March 1944 to May 1946, and

received the Pacific Theater Ribbon, American Theater Ribbon and WWII Victory Ribbon. He retired a pipefitter from Ashland Oil & Refinery and designed a special insulation tool that is still in use today by Ashland Oil; and

Whereas, U. S. Army TEC #5 MC Earl Milburn Sharp was born on March 30, 1924, in Marlinton and passed away on October 23, 2006, in Roanoke, Virginia. He grew up as the second child of Charles J. Sharp and Ora Thompson in Pocahontas County. He played football, graduated from Marlinton High School, and was married to Mildred Kirkpatrick for 64 years. He served from March 1943 to December 1945, and received the Distinguished Unit Award, Good Conduct Medal, American Theater Ribbon, WWII Victory Ribbon and European-African-Middle Eastern Theater Ribbon. He retired as a Greyhound bus driver and was awarded the Carnegie Hero Award on his brother Lew's birthday in 1956. The Hero Award was for saving a woman in 1954 whose car was submerged under water in the swollen icy cold Coal River while on his bus route. Although he couldn't swim, he didn't hesitate to get the woman to safety; and

Whereas, It is fitting that an enduring tribute be established to honor the service of the Sharp brothers for their contributions for our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 38-15-0.11 (38A022), locally known as Stoney Creek Channel Beam, carrying County Route 15 over Stoney Creek in Pocahontas County, the "Sharp Military Brothers Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to have made and erected signs at both ends of the bridge containing bold and prominent letters proclaiming the bridge as the "Sharp Military Brothers Bridge"; and, be it

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

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

H. C. R. 68 - "Requesting the Division of Highways name that portion of U. S. Route 19 (Princeton Avenue) in Bluefield, beginning at Monroe Street and ending at Clay Street, in Mercer County, the 'Bluefield Police Lt. Aaron L. Crook Memorial Road'."

Whereas, Lieutenant Crook was born on August 31, 1984, to Shelda Jean Bennett Crook and the late Jackie Lee Crook. He grew up in Nimitz, attended Jumping Branch School from kindergarten to 5th grade, then Pipestem Christian Academy from which he graduated; and

Whereas, Lieutenant Crook joined the U. S. Marine Corps Reserves in 2006 where he was a heavy equipment operator, and was honorably discharged in 2014; and

Whereas, Lieutenant Crook received his Criminal Justice degree from Bluefield State College and joined the Bluefield Police Department on February 25, 2008, where he rose to the rank of Lieutenant; and

Whereas, Lieutenant Crook married Whitney Ann Brookman Crook in March 2009. They had their first child in August 2014, and a second child in June 2016; and

Whereas, Lieutenant Crook loved his family and country. He also loved the outdoors, especially fishing, and never passed up an opportunity to go fishing with his buddies; and

Whereas, Lieutenant Crook died on May 30, 2017, from injuries received while serving and protecting the good people of Bluefield and Mercer County; and

Whereas, Lieutenant Crook's survivors include his loving and devoted wife, Whitney Ann Brookman Crook; his two beautiful children, Brycen Lee Crook and Paislee Ann Crook; his mother, Shelda Jean Bennett Crook; his grandmother, Loretta Jean Titta; three brothers, Jason Alexander Crook, Jackie Lee Crook II, Brian Thomas Crook; and two-half siblings, Deborah Bennett and Terry Baich; and

Whereas, It is appropriate to name this road to honor Lieutenant Crook's service to his community and to his country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name that portion of Route US 19 (Princeton Avenue) in Bluefield, beginning at Monroe Street and ending at Clay Street, in Mercer County, the "Bluefield Police Lt. Aaron L. Crook Memorial Road"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is requested to have made and erect signs at both ends of the road, containing bold and prominent letters, proclaiming the road as the "Bluefield Police Lt. Aaron L. Crook Memorial Road"; and, be it

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

Delegates Linville, Graves, Hartman, Mandt, Cadle, Higginbotham, D. Kelly, Azinger, Barrett, Criss, Harshbarger, Kessinger, Longstreth, Maynard, Miller, Skaff and Westfall offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 69 - "Declaring the West Virginia Marching Band Invitational to be the State's official Marching Band Championship event."

Whereas, The VH1 Save The Music Foundation program that places musical instruments in West Virginia public middle schools has increased participation in middle and high school bands; and

Whereas, Public high schools of all sizes are enjoying a resurgence in band participation; and

Whereas, Until 2012, there was no statewide marching band championship open to all West Virginia secondary schools; and

Whereas, In that year the West Virginia Division of Culture and History hosted the first West Virginia Marching Band Invitational at Glenville State College; and

Whereas, There were 19 bands in the first competition which has grown to see as many as 37 bands participating at the University of Charleston's Laidley Field; and

Whereas, The Invitational may include as many as 2,400 students and 7,000 spectators who enjoy the day in Charleston; and

Whereas, This Invitational provides a showcase for the State's high school marching bands; and

Whereas, The students have the opportunity to see the WVU Pride of West Virginia perform; and

Whereas, This event highlights the value of arts education to encourage creativity, talent, and self-discipline; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby declares the West Virginia Marching Band Invitational to be the State's official Marching Band Championship event; and, be it

Further Resolved, That the Clerk forward a copy of this resolution to the appropriate officials with the West Virginia Marching Band Invitational.

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

By Delegates Wilson, C. Martin, Porterfield, Bibby, P. Martin, McGeehan, R. Thompson and Paynter:

H. J. R. 27 - "Proposing an amendment to the Constitution of the State of West Virginia, amending section one, article VI thereof; amending section two, article XIV thereof; and amending said Constitution by adding a new article, designated article XV, all relating to the legislative powers held by the people of the state and the Legislature; the power of the registered voters and the power of the Legislature to propose amendments to this Constitution; and the reservation by and to the people and registered voters of this state the powers of initiative, referendum, and recall at all levels of government in this state; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

And,

By Delegates Doyle, Hornbuckle, R. Thompson, Evans, Pyles, Williams, Zukoff, Pushkin, Longstreth, Fluharty and Diserio:

H. J. R. 28 - "Proposing an amendment to the Constitution of the State of West Virginia amending section fourteen, article VII thereof, relating to requiring a two-thirds vote to override a veto by the Governor; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

The following Joint Resolution was introduced pursuant to House Rule 92:

By Delegate Nelson:

H. J. R. 29 - "Proposing an amendment to the Constitution of the State of West Virginia, amending section three, article VI thereof, relating to limiting the number of years delegates may serve; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

Motions

Delegate C. Thompson filed a written motion to remove from the table the motion by Delegate Fluharty of February 7, 2019, that pursuant to House Rule 82, that H. B. 2733 be discharged from the Committee on Industry and Labor.

On this question, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 122**), and there were—yeas 41, nays 58, absent and not voting 1, with the yeas and absent and not voting being as follows:

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

Absent and Not Voting: Kump.

So, a majority of the members present and voting not having voted in the affirmative, the motion did not prevail.

Bills Introduced

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

By Delegates Foster, Hanshaw (Mr. Speaker), Householder, Shott, Howell, Pack and Hollen:

H. B. 2014 - “A Bill to repeal §47-22-9 and §47-22-10 of the Code of West Virginia, 1931, as amended; and to amend and reenact §47-22-1, §47-22-2, §47-22-3, §47-22-4, §47-22-6, §47-22-7, and §47-22-8 of said code, all relating to the protection of intellectual property and trade secrets; changing the ‘Uniform Trade Secrets Act’ to the ‘West Virginia Intellectual Property and Trade Secrets Act’; providing for definitions; setting forth criminal penalties for certain acts associated with the misappropriation of intellectual property and trade secrets; providing for injunctive and civil relief; allowing for punitive damages and attorney’s fees in certain circumstances; and clarifying applicability of amendments”; to the Committee on the Judiciary.

By Delegate Westfall:

H. B. 2993 - “A Bill to amend and reenact §33-17A-3 of the Code of West Virginia, 1931, as amended, relating to defining a reduction in coverage and clarifying what is a termination for property insurance purposes”; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Linville, Mandt and Criss:

H. B. 2994 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-7d, relating to requiring cursive writing to be taught in grades K-5”; to the Committee on Education.

By Delegate Hanshaw (Mr. Speaker):

H. B. 2995 - “A Bill to amend and reenact §7-7-4 of the Code of West Virginia, 1931, as amended, relating to providing county commissioners an ongoing mechanism to consider compensation increases for elected officials every two years”; to the Committee on Political Subdivisions then Finance.

By Delegates McGeehan and Howell:

H. B. 2996 - “A Bill to repeal §47-11A-1, §47-11A-2, §47-11A-3, §47-11A-4, §47-11A-5, §47-11A-6, §47-11A-7, §47-11A-8, §47-11A-9, §47-11A-11, §47-11A-12a and §47-11A-14 of the Code of West Virginia, 1931, as amended, all relating to repealing the article on unfair trade practices”; to the Committee on the Judiciary.

By Delegates Higginbotham, Kessinger and Waxman:

H. B. 2997 - "A Bill to amend and reenact §46A-5-101 of the Code of West Virginia, 1931, as amended, relating to conforming the state Consumer Credit and Protection Act to the federal Fair Debt Collection and Practices Act"; to the Committee on the Judiciary.

By Delegate Kessinger:

H. B. 2998 - "A Bill to amend and reenact §19-16-1, §19-16-2, §19-16-3, §19-16-4, §19-16-5, and §19-16-6 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto two new sections, designated, §19-16-3b and §19-16-9, all relating to agricultural and forest seeds; adding definitions; duties and authority of commissioner of agriculture; adding to label requirements; authorizing the commissioner to add a penalty to certificate of registration seed fees; requiring the keeping of certain records; prohibition of distribution of certain seeds in this state; providing for exemptions; and providing penalties for deficiencies"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Walker, C. Thompson and Pushkin:

H. B. 2999 - "A Bill to amend and reenact §19-16-3 and §19-16-3a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §19-16-3b; and to amend and reenact §60A-2-204 of said code, all relating to state certification of industrial hemp and medical cannabis seed; authorizing the Commissioner of Agriculture issue special business and residential incubator permits; encouraging state research and development; providing rule-making authority; and removing cannabis from Schedule 1 consistent with state law"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Hanshaw (Mr. Speaker):

H. B. 3000 - "A Bill to amend and reenact §61-5-17 of the Code of West Virginia, 1931, as amended, relating to crimes against public justice; obstructing an officer; and including court security officers in the definition of persons against whom obstructing an officer is a crime and adding protection for court security personnel and bailiffs as it relates to the potential to charge individuals for obstruction of such officers"; to the Committee on the Judiciary.

By Delegate Hanshaw (Mr. Speaker):

H. B. 3001 - "A Bill to amend and reenact §18-5-4 of the Code of West Virginia, 1931, as amended, relating to compensation of county board of education members; increasing compensation; allowing compensation for participating in certain statewide trainings, serving as a member on a governing council of an educational services cooperative or on an administrative council of a multicounty vocational center; and requiring compensation for certain meetings be paid out of local funds"; to the Committee on Education then Finance.

By Delegate Hanshaw (Mr. Speaker):

H. B. 3002 - "A Bill to amend and reenact §7-3-3 of the Code of West Virginia, 1931, as amended, relating to expanding county commissions' ability to dispose of county or district property; adding the ability of county commissions to dispose of the property to a nonprofit community or senior center organization without conducting a public sale"; to the Committee on Government Organization.

By Delegate Hanshaw (Mr. Speaker):

H. B. 3003 - "A Bill to amend and reenact §11-8-6e of the Code of West Virginia, 1931, as amended, relating generally to the effect on regular levy rate when appraisal results in tax increase; allowing an increase of not more than 10 percent in the total projected property tax revenues realized when current levy rates are imposed by the county commission and the municipalities, before requiring a reduction in the levy rate, or holding a public hearing in compliance with subsection (c) of this section"; to the Committee on Political Subdivisions then Finance.

By Delegates Walker, Pyles, Higginbotham, Angelucci, Skaff, Maynard, C. Thompson, Pushkin and S. Brown:

H. B. 3004 - "A Bill to amend and reenact §19-12E-4, §19-12E-5, §19-12E-6, §19-12E-7, and §19-12E-9 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §60A-7-708, all relating to amending the industrial hemp development act consistent with federal law; providing for the Commissioner of Agriculture to issue permits for growing industrial hemp; removing the requirement for permittees to submit to criminal history records checks; allowing for personal growing of industrial hemp without a permit; allowing permits for cannabis research; clarifying the commissioner may contract for testing; prohibiting asset forfeiture for growing industrial hemp; and correcting an internal code reference"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Kessinger:

H. B. 3005 - "A Bill to amend and reenact §16-5Y-5 of the Code of West Virginia, 1931, as amended, relating to requiring patients who are pregnant while undergoing medication-assisted treatment to receive prenatal care"; to the Committee on Health and Human Resources.

By Delegates Fleischauer, Rowe and Pushkin:

H. B. 3006 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-15g, relating to requiring county boards of education to provide days prior to early voting during primary and general elections for registering eligible students to vote and being transported to vote"; to the Committee on Education then Finance.

By Delegates Nelson, Harshbarger, Cadle, Atkinson, Cooper and Pack:

H. B. 3007 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-1-3b, relating to authorizing the Commissioner of Agriculture to require background checks as a condition of employment"; to the Committee on Government Organization.

By Delegate Hornbuckle:

H. B. 3008 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, and nine new sections designated §25-8-1, §25-8-2, §25-8-3, §25-8-4, §25-8-5, §25-8-6, §25-8-7, §25-8-8, and §25-8-9; all relating to creation of a task force to provide comprehensive reentry transitional services to offenders reentering communities by providing for a short title; providing for legislative findings; providing for membership of the task force; providing for no compensation to members; providing for staffing requirements; providing for duties of the task force; providing for funding; creating a fund; providing for the disposition of fund moneys; establishing requirements to apply for federal grant funding; requiring a strategic plan for funding; providing for standard reentry services; providing for family-based substance abuse services; providing for educational services; providing for drug treatment and mentoring services; providing for responsible reintegration services; providing for elderly and family reunification services; providing for children of incarcerated parents services; providing for reports to the legislature; providing a severability clause; and providing for an effective date"; to the Committee on the Judiciary then Finance.

By Delegate Hornbuckle:

H. B. 3009 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13EE-1, relating to creating 'The Young Professional Tax Credits' for student loans; and allowing tax credits for student loans for graduates between ages 18 and 40, together with a refundable child care credit"; to the Committee on Education then Finance.

By Delegates Skaff, Rowe, Byrd, Pushkin, Robinson, Estep-Burton and Malcolm:

H. B. 3010 - "A Bill to amend and reenact §5-10A-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §5-10D-1 of said code; and to amend said code by adding thereto

a new article, designated §16-5VV-1, §16-5VV-2, §16-5VV-3, §16-5VV-4, §16-5VV-5, §16-5VV-6, §16-5VV-7, §16-5VV-8, §16-5VV-9, §16-5VV-10, §16-5VV-11, §16-5VV-12, §16-5VV-13, §16-5VV-14, §16-5VV-15, §16-5VV-16, §16-5VV-17, §16-5VV-18, §16-5VV-19, §16-5VV-20, §16-5VV-21, §16-5VV-22, §16-5VV-23, §16-5VV-24, §16-5VV-25, §16-5VV-26, §16-5VV-27, §16-5VV-28, §16-5VV-29, §16-5VV-30, §16-5VV-31, §16-5VV-32, §16-5VV-33, §16-5VV-34 and §16-5VV-35, all relating to the Consolidated Public Retirement Board; providing that the board administer the 911 Emergency Services Retirement System; establishing the 911 Emergency Services Retirement System; setting forth definitions including application of honorable service condition to plan participants; providing effective dates and voting requirement; establishing federal qualification requirements; providing for liberal construction; providing that plan is not a substitute for social security; providing for and setting membership standards; setting forth required contributions from members and employers; creating fund and providing for investments; providing for transfer from Public Employees Retirement System; setting time limits; setting forth notice requirements; providing for the commencement of benefits, federal law maximum benefit limitations, minimum required distributions and direct rollovers; providing for retirement credited through member's use of accrued annual or sick leave; providing for retirement benefits; setting forth annuity options; providing for refunds in certain circumstances; providing for deferred retirement; providing for forfeitures of benefits; providing awards and benefits for duty-related disability and for other causes; requiring physical examinations; establishing criteria for termination of disability; providing for prior disability; providing awards and benefits to surviving spouse and additional death benefits and scholarships for dependent children; providing for burial benefit; prohibiting double death benefits; establishing exemption from taxation, garnishment and other process; authorizing certain deductions; establishing the effect of qualified domestic relation orders; prohibiting fraud; establishing criminal penalties; requiring repayment in certain circumstances; providing for treatment of prior military service; establishing effective date of the system; providing voluntary employer participation; establishing starting date for benefits; limiting county liability; and providing for no forfeiture of benefits if system terminates"; to the Committee on Pensions and Retirement then Finance.

By Delegates C. Thompson, S. Brown, Sponaugle, Fleischauer, Estep-Burton and Lavender-Bowe:

H. B. 3011 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-11-22, relating to prohibiting provisions within settlement agreements that prevent the disclosure of factual information related to a claim filed in a civil action or a complaint filed in an administrative action, regarding: (1) Sexual assaults; (2) acts of sexual harassment; (3) acts of discrimination and harassment, retaliation or failure to prevent an act of harassment based on sex in the workplace; and (4) acts of discrimination and harassment, or retaliation based on sex in violation of the West Virginia Fair Housing Act; and providing exceptions"; to the Committee on the Judiciary.

By Delegates Kessinger, Toney, P. Martin, Linville, Hill, Queen, Worrell, Capito, Maynard, Harshbarger and Hanna:

H. B. 3012 - "A Bill to amend and reenact §11-21-8 of the Code of West Virginia, 1931, as amended, relating to providing new graduates of an in-state or out-of-state higher educational institution, an in-state community or technical college, or an in-state trade school, a \$1,000 tax credit on the personal property tax of the graduate for five taxable years; providing rule-making authority to the Tax Commissioner; and removing expired language from this section"; to the Committee on Education then Finance.

By Delegates Skaff, S. Brown, Estep-Burton, Williams, Zukoff, Angelucci, Walker and Hornbuckle:

H. B. 3013 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §11-21-10b, relating to establishing a tax credit against West Virginia

personal income tax liability tax credit for student loan payments; providing for definitions; establishing the tax credit; providing for the tax credit be claimed by the taxpayer the year of graduation; providing the tax credit may be claimed for nine tax years after graduation; providing that any year the tax credit is not claimed is forfeited; establishing certain conditions for the taxpayer to claim the credit; and permitting the Tax Commissioner to require forms, filings or other such methods to claim the tax credit”; to the Committee on Education then Finance.

By Delegate Butler:

H. B. 3014 - “A Bill to amend and reenact §29-18-4a of the Code of West Virginia, 1931, as amended, relating to aligning the salary of the Director of the State Rail Authority with similar positions in state government; and providing that the Secretary of Transportation set the salary with the consent of the authority”; to the Committee on Finance.

By Delegates Skaff, Estep-Burton, S. Brown, Williams, Zukoff, Angelucci, Walker, Linville, Queen and Hornbuckle:

H. B. 3015 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article and six sections designated §11-13EE-1, §11-13EE-2, §11-13EE-3, §11-13EE-4, §11-13EE-5, and §11-13EE-6, all relating to creating a residential tax credit for graduates with an associates degree, bachelor’s degree, or graduate degree; providing for a short title; providing for definitions; establishing the amount of credit allowed; establishing conditions for the credit to take effect; providing for an application to receive the credit; providing for a report to regarding the credit and its costs to the Governor, the President of the Senate, and Speaker of the House; and providing rule-making authority to the Tax Commissioner”; to the Committee on Education then Finance.

By Delegate Butler:

H. B. 3016 - “A Bill to repeal §29-2A-9, §29-2A-10, §29-2A-11, §29-2A-11a, §29-2A-11b, §29-2A-11c, §29-2A-11d, §29-2A-11e, §29-2A-11f, §29-2A-12, §29-2A-13, §29-2A-14, §29-2A-17, §29-2A-18, §29-2A-19, §29-2A-20, §29-2A-21, §29-2A-22, §29-2A-23, §29-2A-24, §29-2A-25, §29-2A-26, §29-2A-27, and §29-2A-28 of the Code of West Virginia, 1931, as amended; and to amend and reenact §29-2A-1, §29-2A-2, §29-2A-3, §29-2A-4, §29-2A-5, §29-2A-6, §29-2A-7, and §29-2A-8 of said code, all relating to the State Aeronautics Commission; removing antiquated and inoperable provisions and sections; modifying and deleting definitions; continuing the State Aeronautics Commission; modifying and updating membership requirements, powers, and duties of the commission; setting forth quorum and meeting requirements; providing for the organization and operation of the commission; modifying provisions related to the director of the commission; updating provisions related to funding and federal aid; and continuing general powers related to planning, establishing, constructing, maintaining, and operating of airports”; to the Committee on Government Organization then Finance.

By Delegates Kessinger and Foster:

H. B. 3017 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-1n, relating to the deregulation of natural gas for certain consumers; bypassing the jurisdiction of the Public Service Commission for certain natural gas consumers; clarifying that certain high volume natural gas consumer are sophisticated commercial consumers capable of choosing from natural gas supply sources; providing that the jurisdiction of the Public Service Commission does not extend to certain entities engaged in the selling, giving, buying, providing, transporting or supplying of natural gas to any one or more persons or entities with a certain projected annual gas usage in West Virginia; allowing any person or entity with a certain projected annual gas usage in West Virginia to purchase and receive natural gas from various sources without the permission, consent, review or input of the Public Service Commission; providing circumstances to be met to bypass Public Service Commission; and clarifying that any person, corporation, limited liability company or any other entity or body engaged in the selling, giving, buying, providing,

transporting or supplying of natural gas to any one or more persons or entities in accordance with section is not a public utility, intrastate pipeline or common carrier subject to the jurisdiction of the Public Service Commission”; to the Committee on Energy.

By Delegate Shott:

H. B. 3018 - “A Bill to amend and reenact §5-16-8a of the Code of West Virginia, 1931, as amended, relating to the West Virginia Public Employees Insurance Agency’s reimbursement of air-ambulance providers who provide emergency transportation to individuals covered by the plan”; to the Committee on the Judiciary then Finance.

By Delegates D. Jeffries, Fleischauer, Miley, Malcolm, Atkinson, Ellington, Worrell, Pack, Summers, Fast and Bibby:

H. B. 3019 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-1D-1, §16-1D-2, §16-1D-3, and §16-1D-4; and to amend said code by adding thereto three new sections, designated §33-15-4s, §33-15-4t and §33-15-22, all relating generally to transparency in health care; creating the Health Care Transparency Act; requiring the Bureau for Public Health to produce an estimate for creating and maintaining a health care price transparency tool, with technical support from the Health Care Authority, that is accessible by the public; setting forth transparency tool requirements; establishing new disclosure requirements for health care providers, hospitals, and insurers; requiring insurers to develop an access plan for consumers; establishing how surprise bills are to be handled in certain circumstances; defining the term ‘surprise bill;’ and requiring rule-making”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Espinosa:

H. B. 3020 - “A Bill to amend and reenact §18B-5-3 of the Code of West Virginia, 1931, as amended, relating to the authority of the Higher Education Policy Commission, the Council for Community and Technical College Education, and institutional governing boards to enter into contracts for programs, services and facilities; and providing for specified flexibility entering into agreements with certain affiliated nonprofit corporations”; to the Committee on Education.

By Delegate Espinosa:

H. B. 3021 - “A Bill to amend and reenact §19-23-14 of the Code of West Virginia, 1931, as amended, requiring the payment of all civil penalties imposed against thoroughbred horse racing licensees or permit holders to be paid into a fund for expenses associated with the post-mortem examination of all thoroughbreds that suffer breakdowns and are euthanized on a racetrack or that otherwise expire on a racetrack; to require that any funds in excess of \$10,000 in such fund at the end of a fiscal year, less outstanding obligations, may be expended by the racing commission to aid in the rescue, retraining, rehabilitation and aftercare of thoroughbred racehorses that are no longer able to compete on the racetracks in this state; to authorize the racing commission to promulgate rules to govern the expenditure of any funds used to aid in the rescue, retraining, rehabilitation and aftercare of thoroughbred racehorses that are no longer able to compete on the racetracks in this state; and, to require the payment of all civil penalties imposed against greyhound racing licensees or permit holders to be paid into a fund to be expended for greyhound adoption programs involving West Virginia whelped dogs owned by residents of this state pursuant to rules promulgated by the racing commission”; to the Committee on Finance.

By Delegate Hanshaw (Mr. Speaker):

H. B. 3022 - “A Bill to amend and reenact §6-7-2a of the Code of West Virginia, 1931, as amended, relating to requiring the Governor to fix the salaries of certain state appointed officers after the office is vacated or after July 1, 2019, whichever occurs first”; to the Committee on Finance.

By Delegate Barrett:

H. B. 3023 - "A Bill to amend and reenact §30-29-1 of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-7-11a of said code, all relating to including home confinement officers in definition of law-enforcement officers; and authorizing home confinement officers to carry a concealed firearm in certain facilities limited to other law-enforcement officers"; to the Committee on the Judiciary.

By Delegate Hanshaw (Mr. Speaker):

H. B. 3024 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-1n, relating to creating a pilot program to encourage utility infrastructure development to certain lands; declaring certain legislative findings; defining certain terms; requiring the West Virginia Development Office to consider certain applications; requiring the Public Service Commission consider certain plans; providing the Public Service Commission with the authority to allow certain public utility infrastructure projects to recover certain costs via ratemaking; providing for the expiration of certain statutory provisions; and providing for an effective date of the provisions of this section"; to the Committee on Government Organization.

By Delegates Westfall, Maynard, Graves, Pushkin, Canestraro and Miller:

H. B. 3025 - "A Bill to amend and reenact §19-23-6, §19-23-7, and §19-23-12b of the Code of West Virginia, 1931, as amended; to amend and reenact §29-22A-3, §29-22A-7, §29-22A-8, §29-22A-9, and §29-22A-12 of said code; to amend and reenact §29-22C-7, §29-22C-8, and §29-22C-10 of said code; and to amend and reenact §60-7-12 of said code, all relating to providing for the Racing Commission to approve number of racing days requested by racing association; eliminating racing day requirement to maintain video lottery license; eliminating prohibition of ATM's on casino floors; eliminating recall elections for video lottery and racetrack table games; and allowing video lottery licensees to serve alcoholic beverages during hours of operation"; to the Committee on the Judiciary then Finance.

By Delegate Hornbuckle:

H. B. 3026 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-97; and to amend said code by adding thereto a new section, designated §11-24-44, all relating to establishing personal or corporate income tax credit for businesses who hire, promote and develop women and minorities into executive, professional or administrative roles; findings; determination of eligibility for credit, amount of credit, effective date"; to the Committee on Small Business, Entrepreneurship and Economic Development then Finance.

By Delegate Butler:

H. B. 3027 - "A Bill to amend and reenact §17-2D-2 of the Code of West Virginia, 1931, as amended, relating generally to the West Virginia Highway Design-Build Pilot Program; allowing Division of Highways to contractually obligate no more than \$350 million on any one design-build project for fiscal years beginning after June 30, 2019; allowing up to \$350 million to be contractually obligated for individual projects financed with bonds under authority of the Roads to Prosperity Amendment of 2017 after June 30, 2019; providing that design-build projects financed with bonds under authority of the Roads to Prosperity Amendment of 2017 do not count toward the annual cap on the design-build program; and clarifying terminology"; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegate Hornbuckle:

H. B. 3028 - "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, and §21-3E-5, all relating to enacting a workplace violence prevention for health care and social service workers act; providing

legislative findings, definitions, workplace violence prevention standard and requirements for such”; to the Committee on the Judiciary.

By Delegates Pyles and Diserio:

H. B. 3029 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article and eight sections, designated §30-2B-1, §30-2B-2, §30-2B-3, §30-2B-4, §30-2B-5, §30-2B-6, §30-2B-7, and §30-2B-8; all relating to requiring court reporters be licensed, creating a board of examiners; establishing the duties of the board; creating an application procedure for a license; establishing a state examination; providing for certain exceptions to examination under certain circumstances; requiring character interviews if an applicant has a criminal record for certain circumstances; creating the Court Reporter’s Fund; providing for the disposition of moneys in the fund; requiring court reporters to file all documents the court reporter creates when performing reporting services with the clerk of the court within three days of performing reporting services; establishing penalties for failing to file all records for which reporting services were performed; providing exemptions to this article under certain conditions; establishing rule making authority; providing for a severability clause; and providing an effective date”; to the Committee on the Judiciary then Finance.

By Delegates Pyles, Longstreth, Staggers, Diserio, Swartzmiller, Doyle and Rowan:

H. B. 3030 - “A Bill to amend and reenact §5-10-14 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Public Employees Retirement Act; and purchase of retroactive service credit, for periods of employment in which contributions were not deducted from the employee’s pay, in installments rather than in a lump sum”; to the Committee on Pensions and Retirement then Finance.

By Delegates C. Martin, Howell, Paynter, Fleischauer, Hansen, Walker, Pyles, Nelson and Hott:

H. B. 3031 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §60-2-17a; to amend and reenact §60-6-7, §60-6-8, and §60-6-9 of said code; to amend and reenact §60-7-2, §60-7-3, §60-7-4, §60-7-5, and §60-7-6 of said code; to amend said code by adding thereto a new section, designated §60-7-6a; to amend said code by adding thereto a new section, designated §60-7-8a; to amend and reenact §60-7-12 of said code; and to amend and reenact §61-8-27 of said code, all relating to permitting the Alcohol Beverage Control Administration to request the assistance of law enforcement; clarifying that consumption of alcoholic liquors in public is unlawful; clarifying that West Virginia licensees can only sell liquor by the drink; clarifying certain licensing requirements for licensure; clarifying prohibition on liquor bottle sales in Class A licenses; providing guidance on certain lawful conduct such as wine bottle sales and frozen drink machines; creating a private fair and festival license; definitions; license requirements; license fee; creating the private hotel license and license fee; creating a private 9-hole golf course license and fee; definitions; license requirements; license fee; permitting a private resort hotel to have inner-connection with a resident brewer who has a brewpub; providing a 30-day requirement to issue or deny a completed license application; creating a reactivation fee for licensees who fail to timely file their renewal application and pay their annual license fees; permitting a license privilege for certain licensees to operate a connected but separately operated Class A on-premises license and a Class B off-premises license; clarifying that certain state licensed gaming is permissible in a private club; and permitting minors to attend a private 9-hole golf course and a private fair or festival under certain conditions”; to the Committee on the Judiciary.

By Delegates Cadle, Cooper, Howell, Harshbarger, Hott, Westfall, Sponaugle and Linville:

H. B. 3032 - “A Bill to amend and reenact §20-2-5g of the Code of West Virginia, 1931, as amended, relating to modifying the types of bolts and arrows that may be used in crossbow hunting”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Lovejoy, Fluharty, Lavender-Bowe, Walker, Fleischauer, Robinson, Diserio, Canestraro, Campbell, Pushkin and Miller:

H. B. 3033 - "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 moneys to be added to the fund"; to the Committee on Agriculture and Natural Resources then Finance.

By Delegates Lovejoy, Canestraro, Fluharty, Miller and Campbell:

H. B. 3034 - "A Bill to amend and reenact §7-14D-2 of Code of West Virginia, 1931, as amended, relating to Deputy Sheriff Retirement System; amending definition of 'partially disabled'; to the Committee on Pensions and Retirement then Finance.

By Delegates Pyles, Pushkin, Longstreth, Staggers, Rowe, Diserio, Swartzmiller, Doyle, Canestraro and Rowan:

H. B. 3035 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5-10-15d; to amend said code by adding thereto a new section, designated §7-14D-27a; to amend said code by adding thereto a new section, designated §8-22A-27a; to amend said code by adding thereto a new section, designated §15-2-28a; to amend said code by adding thereto a new section, designated §15-2A-19a; to amend said code by adding thereto a new section, designated §16-5V-30a; and to amend said code by adding thereto a new section, designated §18-7A-17c, all relating to providing members of certain state, county, and municipal public employee retirement plans an option to purchase service credit for time served in the Peace Corps; establishing time limits and conditions to exercise the option; providing for purchase by lump sum or installment payments; establishing method of calculation of actuarial reserve purchase amount; and cancelling the service credit if payments are not completed"; to the Committee on Pensions and Retirement then Finance.

By Delegates Sponaugle, Miller, Hott, C. Thompson, Boggs, Hartman, N. Brown, Staggers, Barrett, Caputo and Miley:

H. B. 3036 - "A Bill to amend and reenact §15-2A-6 of the Code of West Virginia, 1931, as amended, relating to the West Virginia State Police Retirement System; permitting retiring at age 50 after 20 years of service, with 75 percent of full benefits"; to the Committee on Pensions and Retirement then Finance.

By Delegates Campbell, Higginbotham, Lovejoy, Canestraro, Pack, Paynter, Wilson, Angelucci, Miller, Maynard and Longstreth:

H. B. 3037 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §62-1-5b, relating to criminal procedure; body search procedure; and providing for a felony offense for failure to disclose possession of hypodermic needles"; to the Committee on the Judiciary.

By Delegates Pushkin, S. Brown, Estep-Burton, Williams, Barrett, Maynard, Lavender-Bowe, Hornbuckle and C. Thompson:

H. B. 3038 - "A Bill to repeal §33-16E-1 of the Code of West Virginia, 1931, as amended; and to amend and reenact §33-16E-2, §33-16E-4, §33-16E-5, §33-16E-6 and §33-16E-7, all relating to increasing access to contraceptive drugs, devices, and procedures"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Foster, Phillips, Malcolm and D. Jeffries:

H. B. 3039 - "A Bill to amend and reenact §48-9-206 and §48-9-402 of the Code of West Virginia, 1931, as amended, all relating to a court's consideration of the expression of a preference by a child

in certain child custody matters; and removing language giving priority to the preference of a 14-year-old"; to the Committee on the Judiciary.

By Delegates Foster and Steele:

H. B. 3040 - "A Bill to repeal §23-2-1d of the Code of West Virginia, 1931, as amended, relating to prime contractors liability for subcontractors failure to make proper payments for workers' compensation coverage"; to the Committee on Industry and Labor then the Judiciary.

By Delegates Fleischauer, Walker, Hansen, Williams, Byrd, McGeehan, Phillips, Zukoff, Storch and Wilson:

H. B. 3041 - "A Bill to amend and reenact §3-3-2a of the Code of West Virginia, 1931, as amended, relating to electioneering or distributing literature at early voting locations"; to the Committee on Political Subdivisions then the Judiciary.

By Delegates Foster, Westfall, Kessinger, Maynard, S. Brown and Skaff:

H. B. 3042 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-5-12d, relating to requiring prescriptions be made by electronic means; and providing exceptions"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 3043 - "A Bill to amend and reenact §8-13-13 of the Code of West Virginia, 1931, as amended, relating to clarifying that municipalities may enact ordinances for rates, fees, and charges based upon actual use of services and not solely based upon an individual's employment in municipality"; to the Committee on the Judiciary.

By Delegates Williams, Summers, Fleischauer, Pyles, Walker, Hansen, Caputo, Miley, Zukoff, Queen and Sybolt:

H. B. 3044 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17-30-1, §17-30-2, §17-30-3, §17-30-4 and §17-30-5, all relating to requiring the Commissioner of Highways to develop a formula for allocating road funds among districts, for the benefit of the counties; making legislative findings; requiring the commissioner to solicit and consider public comments; requiring the commissioner to include certain factors in the formula; and requiring the commissioner to submit the formula to the Legislature for approval as a legislative rule"; to the Committee on Government Organization.

By Delegates Cowles, Maynard, Barrett, Skaff, Boggs and Williams:

H. B. 3045 - "A Bill to amend and reenact §7-18-2 of the Code of West Virginia, 1931, as amended, relating to exempting certain complimentary hotel rooms from hotel occupancy tax"; to the Committee on Finance.

By Delegates Doyle, Lavender-Bowe, Campbell and S. Brown:

H. B. 3046 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §54-2-22, relating to compensation paid to landowners when interest in property taken by eminent domain is for a nongovernmental entity"; to the Committee on the Judiciary.

By Delegates Maynard, Hollen, Pack, Angelucci, Linville, Lovejoy, Miller, Paynter, J. Jeffries, Jennings and Queen:

H. B. 3047 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5V-36, relating to providing that moneys in the West Virginia Emergency Medical Services Retirement Fund are exempt from any state or municipal tax, are not subject to execution, garnishment, attachment or any other process whatsoever with the exception that the

benefits or contributions under the system shall be subject to 'qualified domestic relations orders,' and are generally unassignable"; to the Committee on the Judiciary then Finance.

By Delegates Staggers, Steele, Angelucci, Miley and Shott:

H. B. 3048 - "A Bill to amend and reenact §18B-2A-1 of the Code of West Virginia, 1931, as amended, relating to permitting adjunct professors to serve on the institutional governing boards; providing for a term limit for adjunct professors to serve on the governing board; restricting county elected officials from serving on the governing boards of community or technical colleges; and permitting adjunct professors to serve on the governing boards of community and technical colleges"; to the Committee on Education.

By Delegates Staggers, Angelucci, Jennings, Maynard and Summers:

H. B. 3049 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-5-29, relating to public health; improving dissemination of boiled water advisories to affected communities through local health departments and local emergency management 911 answering points, and through text or voice alert mass notification systems"; to the Committee on Health and Human Resources.

By Delegates Howell, Hanshaw (Mr. Speaker), Householder, Pack, Boggs, Hamrick, Miley, Storch, Wilson and Byrd:

H. B. 3050 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13EE-1, §11-13EE-2, §11-13EE-3, §11-13EE-4, and §11-13EE-5, all relating to establishing the West Virginia Municipal Broadband Expansion Act; providing legislative findings and purpose; defining terms; providing rule-making authority; providing for customer tax rebate and tax credit incentives; setting standards for service providers; and establishing equipment value"; to the Committee on the Judiciary.

By Delegates Bibby, Hardy, Cooper, J. Jeffries, Espinosa, Waxman, Wilson, Paynter, Fast, C. Martin and D. Jeffries:

H. B. 3051 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §12-4-7a, relating to requiring state, county, and municipal government agencies to provide all employees an annual statement of total compensation; providing the annual statement of compensation for all employees to the State Auditor; and requiring the State Auditor to post information relating to the annual statement of total compensation for all employees at all agencies"; to the Committee on Government Organization.

By Delegates Fleischauer, Pushkin, N. Brown, Hill, Hartman, Sponaugle, C. Thompson, Miley, Lavender-Bowe, Estep-Burton and Walker:

H. B. 3052 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-15-4s, relating to ensuring coverage for residents with preexisting conditions"; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Hott, Harshbarger, C. Martin, D. Kelly, Sponaugle, Rowan, Westfall, Phillips, Hollen, Toney and Mandt:

H. B. 3053 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-39, relating to rules for hunting antlered deer"; to the Committee on Agriculture and Natural Resources then Government Organization.

By Delegates Howell, C. Martin, Pack, Hamrick and Wilson:

H. B. 3054 - "A Bill to amend and reenact §5A-3-45 of the Code of West Virginia, 1931, as amended, relating to the state agency for surplus property; requiring the state agency that is the current owner of property to remove all livery or other features identifying the property as state

property prior to disposition; and permitting the state agency for surplus property to establish any form or requirement to ensure livery is removed”; to the Committee on Government Organization.

By Delegates Hornbuckle, Doyle, Pyles, Longstreth and Diserio:

H. B. 3055 - “A Bill to amend and reenact §11-8-16 of the Code of West Virginia, 1931, as amended, relating to permitting levies to pass with a majority of the vote”; to the Committee on the Judiciary.

By Delegate Pethtel:

H. B. 3056 - “A Bill to amend and reenact §19-18-1 of the Code of West Virginia, 1931, as amended, relating to providing protections, under certain circumstances, to owners of livestock and other domestic animals when retrieving the animals after they have trespassed on the property of another”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Shott:

H. B. 3057 - “A Bill to amend and reenact §62-15-9a of the Code of West Virginia, 1931, as amended, relating to the Adult Drug Court Participation Fund; restructuring the language within the code; and establishing how the money in the fund may be used”; to the Committee on the Judiciary then Finance.

By Delegates Hornbuckle, Pushkin, Longstreth, Skaff, Hicks, Diserio, Caputo and Stagers:

H. B. 3058 - “A Bill to amend and reenact §18A-4-10 of the Code of West Virginia, 1931, as amended, relating to granting full time employees of county boards of education three months of paid leave following the birth of a child, or the placement of a child in the home through adoption or foster care; and providing that the leave is in addition to any other leave available to the employee”; to the Committee on Education then Finance.

By Delegates Campbell, Higginbotham, Canestraro, Lovejoy, Lavender-Bowe, Harshbarger, Pack, Wilson, Worrell, Angelucci and Diserio:

H. B. 3059 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-65, relating to buck deer rifle hunting season; starting season two days earlier and requiring purchase of stamp”; to the Committee on Agriculture and Natural Resources then Finance.

By Delegates Criss and Nelson:

H. B. 3060 - “A Bill to amend and reenact §31-17A-2 of the Code of West Virginia, 1931, as amended, relating to amending the definition of ‘mortgage loan originator’; clarifying the definition”; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Nelson, Criss, Westfall, Skaff and Hartman:

H. B. 3061 - “A Bill to amend and reenact §46A-4-101 and §46A-4-107 of the Code of West Virginia, 1931, as amended, all relating to requirements for making consumer loans in West Virginia; modifying the authority to make regulated consumer loans; providing that a person must first obtain a license from the Commissioner of Banking authorizing him or her to make regulated consumer loans before engaging in the business of making regulated consumer loans, taking assignments of or undertaking direct collection of payments from or enforcement of rights against consumers arising from regulated consumer loans; and adjusting threshold amounts of consumer loans for which certain finance charges can be imposed”; to the Committee on Banking and Insurance then the Judiciary.

By Delegate Porterfield:

H. B. 3062 - "A Bill to amend and reenact §11A-3-4, §11A-3-19, §11A-3-52, and §11A-3-56 of the Code of West Virginia, 1931, as amended; and to amend and reenact §11A-4-6 of said code, all relating to sale of delinquent tax liens; redemption; fees; purchaser's obligations and rights; changing time for redemption and time to set aside a deed; and reducing the time to redeem by persons with disabilities"; to the Committee on the Judiciary then Finance.

By Delegates Bibby, Hardy, Espinosa, Summers, Kessinger, Westfall, Hanna, Wilson, Butler, Higginbotham and Cooper:

H. B. 3063 - "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, up to \$500, for amounts expended on qualified educational expenses for each of the taxpayer's children that participated in home educational instruction or attended a private school for the most recent academic year"; to the Committee on Education then Finance.

By Delegate Steele:

H. B. 3064 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-3E-1, §16-3E-2, §16-3E-3, §16-3E-4, §16-3E-5 and §16-3E-6, all relating to establishing an intravenous drug user treatment and commitment process; defining terms; establishing a commitment procedure; requiring rule-making; and providing that an individual's gun rights are unaffected"; to the Committee on Prevention and Treatment of Substance Abuse then the Judiciary.

By Delegate J. Kelly:

H. B. 3065 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §22-10A-1, §22-10A-2, §22-10A-3, §22-10A-4, §22-10A-5, §22-10A-6, §22-10A-7, §22-10A-8, §22-10A-9, and §22-10A-10, all relating to creating the Orphan Oil and Gas Well Prevention Act; providing for a short title; providing for Legislative findings and declarations; providing for restrictions to permit oil and natural gas wells, certain prohibitions, and requiring plugging assurance requirements; providing for limitations on the transfer of wells; providing for responsibility of previous operators to plug transferred wells; providing for different methods for operators to provide plugging assurance of wells including for wells not producing in paying quantities; providing administrative and management responsibilities for the Chief of the Office of Oil and Gas and the State Treasurer regarding plugging assurance funds; providing clarifications regarding the duties of mineral and surface owners; providing for rule-making authority and severability; and providing an effective date"; to the Committee on Energy.

By Delegate Steele:

H. B. 3066 - "A Bill to amend the Code of West Virginia, as amended, by adding thereto a new section, designated §62-12-30, relating to extended supervision for certain drug offenders; establishing supervised release penalty of up to 10 years for certain drug offenders; establishing when period of supervised release begins; providing for supervision by multijudicial circuit probation officers; clarifying terms of supervised release same as those for probation; establishing a fee for supervised release; establishing that court may modify or revoke supervised release; providing court required probation officer provide written conditions; providing for supervised release following revocation; providing for delayed revocation"; to the Committee on the Judiciary.

By Delegate Westfall:

H. B. 3067 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-6O-1, §46A-6O-2, §46A-6O-3, §46A-6O-4, §46A-6O-5, §46A-6O-6, §46A-6O-7, §46A-6O-8, and §46A-6O-9, all relating to third-party litigation financing; providing that a litigation financier shall register as a litigation financier in this state; providing registration requirements for business entities, partnerships, and individuals; providing that litigation financiers

shall secure a bond or an irrevocable letter of credit; providing to whom the bond is payable; requiring that the litigation financiers amend their registration if their information changes or becomes inaccurate; providing that the Secretary of State may promulgate rules; providing that the terms of the litigation financing transaction shall be set forth in a completed, written contract; providing that the litigation financing contract shall contain a right of rescission; providing that a litigation financing contract shall contain certain written acknowledgements and disclosures; providing that a litigation financier shall not pay or offer to pay commissions, referral fees, or other consideration to any attorney, law firm, medical provider, chiropractor, or physical therapist or any of their employees for referring a consumer to the litigation financier; providing that a litigation financier shall not accept commissions, referral fees, or other consideration; providing that a litigation financier shall not advertise false or misleading information; providing that a litigation financier shall not refer a consumer to a specific attorney, law firm, medical provider, chiropractor, or physical therapist; providing an exception; providing that a litigation financier shall supply copies of the contract to the consumer or consumer's attorney; providing that a litigation financier shall not attempt to waive any of consumer's remedies; providing that a litigation financier shall not attempt to effect arbitration or otherwise effect waiver of a consumer's right to a jury trial; providing that a litigation financier shall not offer legal advice; providing that a litigation financier shall not assign the litigation financing contract; providing that a litigation financing contract shall contain certain disclosures and terms; providing form disclosures; providing that a violation shall render the contract unenforceable; providing that a court may award costs and attorneys' fees against defendant; clarifying authority of the Attorney General; providing that a contingent right to receive an amount under a legal claim may be assigned by a consumer; providing a priority of liens; providing exceptions for certain liens and claims; providing a maximum annual fee; providing a maximum frequency annual fee charges; providing that fees may compound semiannually but not based on any lesser time period; providing means for calculating annual percentage fee or rate of return; providing maximum terms for fees; and restricting incorporation of prior obligations"; to the Committee on the Judiciary.

By Delegates C. Thompson, Angelucci, Fleischauer and Lavender-Bowe:

H. B. 3068 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-2G-1, §19-2G-2, §19-2G-3, and §19-2G-4, all relating to sales by pet stores of dogs, cats or rabbits; providing definitions; requiring all such animals to be obtained from an animal control agency or shelter; maintaining records; and civil penalty"; to the Committee on the Judiciary.

By Delegate Shott:

H. B. 3069 - "A Bill to amend and reenact §61-7-14 of the Code of West Virginia, 1931, as amended, relating to the right of certain persons to limit possession of firearms on premises; and providing a limitation on certain persons possessing firearms upon property owned or leased by a chemical manufacturing facility or oil and gas refinery operating under an air quality permit issued by the West Virginia Department of Environmental Protection, Division of Air Quality on which the primary business conducted is the manufacture, use, storage, or transportation of hazardous, combustible, or explosive materials; and providing conditional exceptions to that limitation"; to the Committee on the Judiciary.

By Delegate Hollen:

H. B. 3070 - "A Bill to amend and reenact §15-2A-6 of the Code of West Virginia, 1931, as amended, relating to the accrued benefit of retirees in the West Virginia State Police Retirement System Plan B"; to the Committee on Pensions and Retirement then Finance.

By Delegates Lavender-Bowe, Rohrbach, Rowe, Fleischauer, Doyle, Staggers, C. Thompson, Zukoff, Estep-Burton and Walker:

H. B. 3071 - "A Bill to amend and reenact §11-17-4b of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §16-5AA-1, 16-5AA-2, and 16-5AA-3, all relating to electronic cigarettes; increasing the tax on electronic cigarette liquid; providing legislative findings; defining terms; creating the Young West Virginians Tobacco Cessation

Initiative Fund; directing the Department of Health and Human Resources to administer the fund; and providing directives on expending funds to cover costs of administration and to promote tobacco use reduction in young West Virginians”; to the Committee on Health and Human Resources then Finance.

By Delegate Fleischauer:

H. B. 3072 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §24-2G-1, §24-2G-2, §24-2G-3, §24-2G-4 and §24-2G-5, all relating to permitting customers and developers to enter into solar power purchase agreements; setting forth the benefits, purpose and considerations; and granting rule-making authority”; to the Committee on Energy.

By Delegates Skaff, Steele, Robinson, Capito and Byrd:

H. B. 3073 - “A Bill to amend and reenact §29-21-16 of the Code of West Virginia, 1931, as amended, relating to authorizing a court administrator to make determinations of financial eligibility for public defender services”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 3074 - “A Bill to amend and reenact §48-9-601 of the Code of West Virginia, 1931, as amended, relating to ensuring that legal or biological parents have equal access to any and all copies of birth registry forms submitted to the hospital by the mother, or any other person, for the purpose of registering the birth of the child with the West Virginia Vital Registration Office”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Criss:

H. B. 3075 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-1-3a, relating to terminating the Public Service Commission”; to the Committee on the Judiciary.

By Delegate Criss:

H. B. 3076 - “A Bill to repeal §17C-17B-3 of the Code of West Virginia, 1931, as amended; and to amend and reenact §17C-17B-1, §17C-17B-2, §17C-17B-4 and §17C-17B-5 of said code, all relating to transferring the jurisdiction over the administration and enforcement of state statutes and rules relating to inspecting vehicles and loads for safety, size, weight, and vehicular weight, and the jurisdiction over the issuance of permits for excess vehicular weight from the Public Service Commission to the State Police”; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegates Skaff, Estep-Burton, Pushkin, Byrd, Walker, Rowe and Robinson:

H. B. 3077 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-2-38, relating to permitting election day registration of voters”; to the Committee on Political Subdivisions then the Judiciary.

By Delegates Estep-Burton, C. Thompson, Lavender-Bowe and Doyle:

H. B. 3078 - “A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new article, designated §21-5F-1, §21-5F-2, §21-5F-3, §21-5F-4, §21-5F-5, §21-5F-6, §21-5F-7, §21-5F-8, §21-5F-9, §21-5F-10, §21-5F-11, §21-5F-12, §21-5F-13, §21-5F-14, §21-5F-15, §21-5F-16, §21-5F-17, §21-5F-18, §21-5F-19, §21-5F-20, §21-5F-21, §21-5F-22, §21-5F-23, §21-5F-24, §21-5F-25, §21-5F-26, §21-5F-27, §21-5F-28, §21-5F-29, §21-5F-30, §21-5F-31, §21-5F-32, §21-5F-33, §21-5F-34, §21-5F-35, §21-5F-36, §21-5F-37, §21-5F-38, §21-5F-39, §21-5F-40, §21-5F-41, §21-5F-42, §21-5F-43, §21-5F-44, §21-5F-45, §21-5F-46, §21-5F-47, §21-5F-48, §21-5F-49, §21-5F-50, §21-5F-51, §21-5F-52, §21-5F-53, §21-5F-54, §21-5F-55, §21-5F-56, §21-5F-57, §21-5F-58, §21-

5F-59, §21-5F-60, §21-5F-61, §21-5F-62, §21-5F-63, §21-5F-64, §21-5F-65, §21-5F-66, §21-5F-67, §21-5F-68, §21-5F-69, §21-5F-70, §21-5F-71, §21-5F-72, §21-5F-73, §21-5F-74, §21-5F-75, §21-5F-76, §21-5F-77, §21-5F-78, §21-5F-79, §21-5F-80, §21-5F-81, §21-5F-82, §21-5F-83, §21-5F-84, §21-5F-85, §21-5F-86, and §21-5F-87, all relating generally to paid family and medical leave; intent; definitions; benefit eligibility leave entitlement and expiration; limitations, disqualifications and employee penalties; benefit amounts and duration; time of payment; contesting application; premiums; elective coverage; tribes; notice to employers; application, certification and verification; voluntary plan; advisory committee; child support; employment protection; recovery of benefit payments; employer requirements; appeals; interest on delinquent premiums; lien for premiums; order and notice of assessment; jeopardy assessment; distraint, seizure and sale; notice and order to withhold and deliver; warrant; collection by civil action; injunction proceedings; charge off of uncollectible accounts; premiums due and payable upon termination or disposal of business; employer penalties; other benefits; health benefits; employee notice of rights; employer prohibitions; investigations and appeals; remedies; posting of notice; family and medical leave enforcement account; other laws-discrimination; miscellaneous rights; coordination of leave under other laws; federal income taxes; no continuing right; family and medical leave insurance account; small business assistance; rules; reports; collective bargaining; and ombudsperson”; to the Committee on Banking and Insurance then Finance.

By Delegates Zukoff and Storch:

H. B. 3079 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-71c, relating to withholding tax on income from natural resources royalty payments; defining terms; providing exceptions to the withholding tax requirement; requiring annual withholding statements and filing requirements; requiring electronic filing under specified circumstances; creating penalties; providing for rulemaking; and providing internal effective date”; to the Committee on Energy then Finance.

By Delegates Skaff, Rowe, Hornbuckle, Boggs, Ellington, Sponaugle, Longstreth and Williams:

H. B. 3080 - “A Bill to amend and reenact §11B-2-20 of the Code of West Virginia, 1931, as amended, relating to redirecting a percentage of any surplus to state institutions of higher education to restore their state allocation funding levels to adjusted 2013 fiscal year appropriation levels”; to the Committee on Education then Finance.

By Delegates Fluharty, Lovejoy, Hornbuckle, Maynard, Bates, Hansen and Pushkin:

H. B. 3081 - “A Bill to amend the Code of West Virginia, 1931, by adding thereto three new sections, designated §11-13EE-1, §11-13EE-2, and §11-13EE-3; and to amend and reenact §55-7D-1 and §55-7D-3 of said code; all relating to Good Samaritan Food Donation Act; establishing a tax credit against corporation net income tax for retail food distributors that donate certain surplus food products to nonprofit organizations; providing for credit to apply to either personal income or corporate net income tax liabilities; placing limitations and qualifications for the tax; directing the Tax Commissioner to promulgate rules and forms; and directing the Department of Health and Humans Resources to distribute certain information regarding tax credit availability”; to the Committee on Finance.

By Delegates Fluharty and Barrett:

H. B. 3082 - “A Bill to repeal §55-9-1, §55-9-2, and §55-9-3 of the Code of West Virginia, 1931, as amended, all relating to repealing antiquated provisions relating to void gaming contracts, recovery and loss of money in gaming, and recovery of gaming losses by bill in equity”; to the Committee on Small Business, Entrepreneurship and Economic Development then the Judiciary.

By Delegates Hanshaw (Mr. Speaker) and Miley:

H. B. 3083 - "A Bill to amend and reenact §21A-1A-17 of the Code of West Virginia, 1931, as amended, relating to unemployment compensation and adding temporary work by employees during the legislative session is excluded from the term employment"; to the Committee on the Judiciary.

By Delegate Hanshaw (Mr. Speaker)**[By Request of the Executive]:**

H. B. 3084 - "A Bill supplementing and amending by adding a new item of appropriation of public moneys out of the Treasury in the State Fund, General Revenue, to Governor's Office, Civil Contingent Fund, fund 0105, fiscal year 2019, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Miley**[By Request of the Executive]:**

H. B. 3085 - "A Bill supplementing and amending by increasing an existing item of appropriation and adding new item of appropriation of public moneys out of the Treasury in the State Fund, General Revenue, to the State Board of Education, State Department of Education, Fund 0313, fiscal year 2019, organization 0402, and to the State Board of Education, Vocational Division, fund 0390, fiscal year 2019, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2019. Whereas, The Governor submitted to the Legislature the Executive Budget document, dated January 9, 2019, which included a Statement of the State Fund, General Revenue, setting forth therein the cash balance as of July 1, 2018, and further included a revised estimate of revenues for the fiscal year 2019, less net appropriation balances forwarded and regular appropriations for the fiscal year 2019; and"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Miley**[By Request of the Executive]:**

H. B. 3086 - "A Bill to amend and reenact §5-22-1 of the Code of West Virginia, 1931, as amended, and to amend and reenact §5A-3-3c of said code, relating to allowing for contracts for construction, demolition or rehabilitation resulting from the response, recovery and relief related to a declared state of emergency to be entered into by state spending units without bids"; to the Committee on Government Organization.

By Delegates Hanshaw (Mr. Speaker) and Miley**[By Request of the Executive]:**

H. B. 3087 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-3-10f, relating to interagency procurement of commodities and services, and authorizing state spending units to enter into contracts for commodities and services with other state spending units"; to the Committee on Finance.

By Delegates Miley, Miller and Canestraro:

H. B. 3088 - "A Bill to amend and reenact §7-7-4 of the Code of West Virginia, 1931, as amended, relating to providing county commissioners an ongoing mechanism to consider compensation increases for elected officials every two years"; to the Committee on Political Subdivisions then Finance.

By Delegates Miley, Pushkin, Staggers, Estep-Burton, Angelucci, Lavender-Bowe, Bates and Walker:

H. B. 3089 - "A Bill to amend and reenact §30-3-13 and §30-3-13a of the Code of West Virginia, 1931, as amended, all relating to modifying licensing requirements for the practice of telemedicine and surgery or podiatry; and providing exceptions, notice requirements, and criminal penalties"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Hanshaw (Mr. Speaker):

H. B. 3090 - "A Bill to amend and reenact §18A-4-7a of the Code of West Virginia, 1931, as amended, relating to employment, promotion and transfer of professional personnel by county boards of education; requiring a random selection system when two or more employees with the same certification establish an identical seniority date; and specifying requirements of system"; to the Committee on Education.

By Delegate Sybolt:

H. B. 3091 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §48-5-210, relating to requiring receipt of the reason, order, notice, or other information relating to a person being required to undergo a psychological or mental health evaluation during divorce and child custody proceedings"; to the Committee on the Judiciary.

By Delegates Atkinson, J. Kelly, Westfall, Criss, Nelson, D. Jeffries, Jennings, Hollen, Butler, P. Martin and Cowles:

H. B. 3092 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-1n, relating to creating a pilot program to encourage utility infrastructure development to certain lands; declaring certain legislative findings; defining certain terms; requiring the West Virginia Development Office to consider certain applications; requiring the Public Service Commission consider certain plans; providing the Public Service Commission with the authority to allow certain public utility infrastructure projects to recover certain costs via ratemaking; providing for the expiration of certain statutory provisions; and providing for an effective date of the provisions of this section"; to the Committee on Government Organization.

By Delegate Cowles:

H. B. 3093 - "A Bill to amend and reenact §8A-11-1 of the Code of West Virginia, 1931, as amended, relating to standards for factory-built homes; providing for building code requirements for manufactured housing to be the same as for requirements for other single-family homes"; to the Committee on Government Organization.

By Delegates Longstreth, Fleischauer, Doyle, Pyles, Williams, Pushkin, Zukoff and Evans:

H. B. 3094 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-10-3B; and to amend and reenact §3-10-3, §3-10-4, §3-10-5, §3-10-6, §3-10-7, and §3-10-8 of said code, all relating to political affiliation of elected officials; providing legislative findings regarding constitutional conflicts and public policy to protect the voters choices; providing that if an elected official changes parties resulting in vacancy of elected office, requiring that vacancies in certain elected offices be filled by persons of the same political party of which the person vacating the office was a member at his or her time of election"; to the Committee on the Judiciary.

By Delegates Summers, Hollen, Graves, Anderson, Malcolm, Pack, Pethel and Evans:

H. B. 3095 - "A Bill to amend the Code of West Virginia, 1931, as amended, 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 establishing a minimum monthly retirement annuity for certain retirants with 25 or more years of credited service"; to the Committee on Pensions and Retirement then Finance.

By Delegate Hanshaw (Mr. Speaker):

H. B. 3096 - "A Bill to repeal §18B-1B-6 of the Code of West Virginia, 1931, as amended; to repeal §18B-1D-3, §18B-1D-6 and §18B-1D-7 of said code; to repeal §18B-7-8 and §18B-7-16 of said code; to repeal §18B-10-4 of said code; to amend and reenact §18B-1-1a, §18B-1-2, and §18B-1-6 of said code; to amend and reenact §18B-1A-4 and §18B-1A-5 of said code; to amend and reenact §18B-

1B-1, §18B-1B-2, §18B-1B-3, §18B-1B-4, and §18B-1B-5 of said code; to amend and reenact §18B-1D-1, §18B-1D-2, §18B-1D-4, §18B-1D-5, and §18B-1D-8 of said code; to amend and reenact §18B-2A-3, §18B-2A-4, §18B-2B-6, and §18B-2B-7 of said code; to amend and reenact §18B-3-3 of said code; to amend and reenact §18B-4-1, §18B-4-2, and §18B-4-7 of said code; to amend and reenact §18B-10-1 and §18B-10-2 of said code; to amend and reenact §18B-13-5 of said code; to amend and reenact §18B-19-1, §18B-19-2, §18B-19-3, §18B-19-4, §18B-19-5, §18B-19-6, §18B-19-7, §18B-19-9, §18B-19-11, §18B-19-13, §18B-19-14, and §18B-19-17 of said code; all relating to four-year higher education; altering the process for the approval, evaluation, and compensation of presidents; eliminating outdated reporting requirements; eliminating provisions relating to statewide compacts; repealing outdated study, transfer, transition, and code sections; establishing legislative intent; defining terms; providing rulemaking authority for the Office of Postsecondary Education and governing boards; clarifying legislative financing and funding goals; providing a process for submission of budget requests and appropriations; establishing the Office of Postsecondary Education as the successor to the Higher Education Policy Commission; establishing the Office of Postsecondary Education board of managers; providing procedures for meetings for the Office of Postsecondary Education; establishing the authorities of the Office of Postsecondary Education; establishing the authorities of the director of the Office of Postsecondary Education; clarifying the master planning process for four-year institutions of higher education; clarifying the process of institutional and system report cards; clarifying the duties of governing boards; clarifying the authorities of the chancellor of the community and technical college system; limiting the authority of institutions of higher education to increase tuition for state residents; revising the approval processes relating to capital and real estate transactions and related planning for four-year institutions of higher education; and eliminating requirements relating to higher education facilities information systems”; to the Committee on Education then Finance.

By Delegates Skaff, Barrett, Williams, Boggs, Storch, Maynard and Miley:

H. B. 3097 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-6L-1, §11-6L-2, §11-6L-3, §11-6L-4, §11-6L-5, §11-6L-6, and §11-6L-7; and to amend said code by adding thereto a new article, designated §11-13EE-1, §11-13EE-2, §11-13EE-3, §11-13EE-4, §11-13EE-5, §11-13EE-6, §11-13EE-7, §11-13EE-8, §11-13EE-9, §11-13EE-10, §11-13EE-11, §11-13EE-12, §11-13EE-13, §11-13EE-14, §11-13EE-15, §11-13EE-16, §11-13EE-17, and §11-13EE-18, all relating to creating the West Virginia Innovation Free-Trade Business Technology Property Valuation Act and the West Virginia Innovation Free-Trade Tax Credit Act; defining terms; specifying method for valuation of certain property; providing for application to county assessors by specified date; providing procedure for protest and appeal of determination by county assessor; requiring the West Virginia Development Office to report to the Joint Committee on Government and Finance on the economic impact; specifying effective date; making legislative findings; allowing credits and exemptions from certain taxes; providing for computation of credit, application of credit and period for which credit is allowed; requiring application to claim credit; requiring that new jobs be good-paying jobs with health benefits; requiring identification of investment credit property and recomputation of credit in event of premature disposition of investment property; providing for forfeiture of unused tax credits and redetermination of credit allowed; imposing recapture tax under specified circumstances to recover state taxes and property taxes; allowing transfer of qualified investment to successors; providing for tax credit review and accountability; specifying effective date and termination date; providing rule-making authority; and providing a severability clause”; to the Committee on Finance.

By Delegates Williams, Lavender-Bowe, C. Thompson, Estep-Burton, Westfall, Cooper, Campbell, Fluharty and Pushkin:

H. B. 3098 - “A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §60-4-3c, relating to allowing the same business owner to brew and sell beer to also distill and sell liquor”; to the Committee on Government Organization.

By Delegates Pushkin, Criss, Estep-Burton, Robinson, Fluharty and Skaff:

H. B. 3099 - "A Bill to amend and reenact §60-4-3a of the Code of West Virginia, 1931, as amended, relating to eliminating payments to the Alcohol Beverage Control Commissioner from distilleries and mini-distilleries that the commissioner distributes to market zone retailers"; to the Committee on Government Organization.

By Delegates Espinosa, Cowles and Householder:

H. B. 3100 - "A Bill to amend and reenact §11-16-3, §11-16-5, §11-16-6a, §11-16-6b, §11-16-8, §11-16-9, §11-16-10, §11-16-12, and §11-16-17a of the Code of West Virginia, 1931, as amended, all relating to clarifying certain provisions of the Nonintoxicating Beer Act by creating a temporary license for nonintoxicating beer floor plan extensions of existing licensee floorplans; implementing a fee for the license; removing the two growler limit per patron per day for licensees who sell growlers for off premises consumption; providing a 30-day requirement to issue or deny a license application once the application is completed; implementing a reactivation fee for licensees that fail to timely file their renewal applications and pay their license fees; creating a transportation permit for nonintoxicating beer; implementing a fee for the permit; licensing brewers, resident brewers and distributor representatives; implementing a fee for the license; removing the bond requirements for brewers, resident brewers, distributors and Class S licenses; requiring nonintoxicating beer label registration; and implementing a fee for the registration and subsequent renewals every three years"; to the Committee on Government Organization.

By Delegate Westfall:

H. B. 3101 - "A Bill to repeal §7-1-3ss of the Code of West Virginia, 1931, as amended; to amend and reenact §11-16-3, §11-16-5, §11-16-6a, §11-16-6b, §11-16-9, and §11-16-18 of said code; to amend said code by adding thereto a new section, designated §11-16-11b; to amend and reenact §60-1-5a of said code; to amend said code by adding thereto a new section, designated §60-2-17a; to amend and reenact §60-3-12 of said code; to amend and reenact §60-3A-18 and §60-3A-25 of said code; to amend and reenact §60-4-3a and §60-4-3b of said code; to amend and reenact §60-6-7, §60-6-8, and §60-6-9 of said code; to amend and reenact §60-7-2, §60-7-3, §60-7-4, §60-7-5, §60-7-6, and §60-7-12 of said code; to amend said code by adding thereto a new section, designated §60-7-8a; to amend and reenact §60-8-3, §60-8-20, and §60-8-34 of said code; and to amend and reenact §61-8-27 of said code, all relating generally to modernizing certain nonintoxicating beer, nonintoxicating craft beer, beer, wine, and liquor laws by permitting certain hours of operation; defining terms; repealing section of the code authorizing county option elections on Sunday sales; defining terms; removing the two growler limit per patron per day for licensees who sell growlers for off-premises consumption; increasing allowable growler size to 128 ounces; creating a sampling license for retailers authorized to sell growlers and setting a fee for the license; placing limitations on complimentary samples; requiring complimentary food be available; setting forth age restrictions; placing restrictions on licensed representatives of a brewer, resident brewer, or distributor who attend sampling events; creating a temporary license for nonintoxicating beer floorplan extensions of existing licensee floorplans; implementing a fee for the new license; implementing a reactivation fee for licensees that fail to timely file their renewal applications and pay their license fees; creating a one-day special license for certain nonprofit and tax exempt entities hosting artistic, athletic, charitable, educational, or religious events to purchase and sell nonintoxicating beer and nonintoxicating craft beer; providing limitations on special licenses; setting forth requirements for special licenses; setting forth the commissioner's authority; reducing the membership requirement for a private golf club; creating alternating wine proprietorships for wineries and farm wineries; setting forth requirements for the parties to the alternating wine proprietorship agreements; setting forth production standards, including amount of raw West Virginia products which are required to be used; licensure requirements; clarifying that the Alcohol Beverage Control Administration may request the assistance of county and municipal law enforcement; clarifying days and hours for liquor sales; permitting a distillery or mini-distillery to apply, pay the fee, and qualify for a Class A private club

license; clarifying types of sales permitted by a distillery or mini-distillery; providing a five percent markup rate for mini-distilleries for sampling; declaring that the mere addition of a mini-distillery does not change the nature or use of agricultural property for building code and property tax classification purposes; clarifying sampling procedures and requirements for wineries and farm wineries; prohibiting the adulteration of any alcoholic liquor by adding liquid designed to increase alcohol content or potency; permitting certain charitable events to auction wine bottles for off-premises consumption; penalties; clarifying that certain West Virginia licensees can only sell liquor by the drink; clarifying certain requirements for licensure; clarifying prohibition on liquor bottle sales in Class A licenses; providing guidance on certain lawful conduct such as wine bottle sales and frozen drink machines, and prohibiting the sale of premixed alcoholic liquors, with certain exceptions; creating a private club and carryout license with attendant requirements therefor; permitting the sale of wine in Division II and III college stadiums; creating a private fair and festival license; setting forth qualifications for applicants; placing limitations on complimentary samples; requiring complimentary food be available; setting forth age restrictions; placing restrictions on licensed representatives of a brewer, resident brewer, or distributor who attends or operates sampling events; clarifying that private resort hotel licensees may operate a resident brewer and brew pub; authorizing issuance of private club and carryout licenses and establishing criteria and setting a fee therefor; authorizing issuance of private hotel licenses and establishing criteria and fees therefor; setting forth qualifications for applicants; setting a license fee; permitting minors to attend private fairs or festivals under certain conditions; clarifying prohibition against bring your own bottle with exceptions for wine under certain circumstances; directing the commissioner to propose rules for allowing patrons to bring wine into licensed premises and restaurant facilities with an allowance for a corkage fee; stating that any such rule shall not take effect until approved by the Legislature; permitting the commissioner to sanction a licensee for failing to comply with the 48-hour notification requirement; and requiring promulgation of proposed legislative rules”; to the Committee on Government Organization.

By Delegates Espinosa, Cowles, Summers, Householder and Westfall:

H. B. 3102 - “A Bill to amend and reenact §60-1-5a of the Code of West Virginia, 1931, as amended; to amend and reenact §60-4-3b of said code; to amend and reenact §60-6-8 of said code; and to amend and reenact §60-8-3, §60-8-17 and §60-8-20 of said code, all relating to creating alternating wine proprietorships for wineries and farm wineries; clarifying sampling procedures and requirements for wineries and farm wineries; permitting certain charitable events to auction wine bottles for off-premises consumption; clarifying alcoholic liquors are sold by the drink in certain Class A licenses; stating when lawful to conduct wine bottle sales in certain Class A licenses; permitting the sale of wine in Division II and III college stadiums; providing a 30-day requirement to issue or deny a completed license application; and creating a re-activation fee for licensees that fail to timely file their renewal applications and pay their license fees”; to the Committee on Government Organization.

By Delegates Espinosa and Householder:

H. B. 3103 - “A Bill to amend and reenact §60-4-3a of the Code of West Virginia, 1931, as amended, relating to authorizing operators of a distillery or mini-distillery to offer for purchase and consumption liquor on the premises if purchased and consumed at a licensed Class A private club operating on the premises of the distillery or mini-distillery; and allowing distilleries and mini-distilleries to sell and serve alcohol beginning at 10:00 a.m. on Sundays”; to the Committee on Government Organization.

By Delegate Hamrick:

H. B. 3104 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-16-16a, relating to the allowing an out-of-state person engage in business without a West Virginia license as a producer, exporter, importer, retailer or wholesaler if a nonintoxicating beer is not available within the state”; to the Committee on Government Organization.

By Delegate Espinosa:

H. B. 3105 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §60-2-17a; to amend and reenact §60-6-7, §60-6-8, and §60-6-9 of said code; to amend and reenact §60-7-2, §60-7-3, §60-7-4, §60-7-5, §60-7-6, and §60-7-12 of said code; to amend said code by adding thereto two new sections, designated §60-7-6a and §60-7-8a; and to amend and reenact §61-8-27 of said code, all relating to permitting the Alcohol Beverage Control Administration to request the assistance of law enforcement; clarifying that consumption of alcoholic liquors in public is unlawful; clarifying that West Virginia licensees can only sell liquor by the drink; clarifying certain licensing requirements for licensure; clarifying prohibition on liquor bottle sales in Class A licenses; providing guidance on certain lawful conduct such as wine bottle sales and frozen drink machines; creating a private fair and festival license; definitions; license requirements; license fee; creating the private hotel license and license fee; creating a private nine-hole golf course license and fee; definitions; license requirements; license fee; permitting a private resort hotel to have inner-connection with a resident brewer who has a brewpub; providing a 30-day requirement to issue or deny a completed license application; creating a reactivation fee for licensees who fail to timely file their renewal application and pay their annual license fees; permitting a license privilege for certain licensees to operate a connected but separately operated Class A on-premises license and a Class B off-premises license; clarifying that certain state licensed gaming is permissible in a private club; and permitting minors to attend a private nine-hole golf course and a private fair or festival under certain conditions"; to the Committee on Government Organization.

By Delegates Howell, C. Martin, Hamrick and Wilson:

H. B. 3106 - "A Bill to amend and reenact §60-3A-17 of the Code of West Virginia, 1931, as amended, relating to requiring retail licensees to purchase at least 10 percent of available SKUs from the commissioner; removing pricing restrictions for retail licensees; removing square footage requirements to conduct or restrict alcohol sales; establishing certain conditions for a retail licensee to display at least one of every SKU for sale by a retail licensee to its patrons; and requiring the commissioner to supply or reasonably attempt to supply a prepaid order for a retail licensee"; to the Committee on Government Organization.

By Delegate S. Brown:

H. B. 3107 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §12-4-18, relating to requiring the Secretary of the Department of Revenue to post on the Internet a unified economic development report to provide policymakers and taxpayers with a comprehensive accounting of all economic development spending; providing that confidentiality provisions contained in the code do not apply to information required under this section; and requiring state agencies to help the secretary collect and compile the information required to be reported by this section"; to the Committee on Government Organization then Finance.

By Delegates S. Brown, Hornbuckle, Williams, Pyles, Byrd and Walker:

H. B. 3108 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §19-37-1, §19-37-2 and §19-37-3; to amend said code by adding thereto a new article, designated §51-12-1 and §51-12-2; to amend and reenact §60A-2-204 of said code; and to amend said code by adding thereto a new section, designated §61-11-27, all relating to the normalization of cannabis laws; providing legislative findings; permitting adult uses of cannabis; providing for cannabis testing; prohibiting state civil asset forfeiture; providing notice of transitional services to incarcerated offenders; requiring the expungement of cannabis offender records"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates S. Brown, Angelucci and Walker:

H. B. 3109 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-2F-1, §15-2F-2 and §15-2F-3, all relating to implementing the Statewide

Sexual Assault Evidence Collection Kit Tracking System; requiring reports; requiring a working group be formed; and requiring rule-making”; to the Committee on the Judiciary.

By Delegates S. Brown, Hanna, Angelucci and Walker:

H. B. 3110 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-11-9a, relating to removing the statute of limitations on any misdemeanor which involves a child under 18 years of age”; to the Committee on the Judiciary.

By Delegate S. Brown:

H. B. 3111 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-11A-9, relating to creating the Sexual Assault Victims’ Bill of Rights; declaring additional rights bestowed upon sexual assault survivors regarding medical forensic examinations, sexual assault evidence collection kits, and other similar topics; clarifying the right of a victim to be accompanied by a personal representative during certain proceedings; requiring sexual assault victims be informed or notified of certain rights; incorporating other rights contained in code; and defining terms”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Hanshaw (Mr. Speaker):

H. B. 3112 - “A Bill to repeal §11-13Q-20 the Code of West Virginia, 1931, as amended; to repeal §11-13R-11 of said code; to repeal §11-13S-10 of said code; to repeal §11-13U-8 of said code; to repeal §11-13X-11 of said code; to repeal §11-13AA-9 of said code; to repeal §11-13BB-11 of said code; to amend said code by adding thereto a new article, designated §5-9A-1, §5-9A-2, §5-9A-3 and §5-9A-4; to amend and reenact §5B-2-16 of said code; and to amend said code by adding thereto a new section, designated §5B-2-17, all relating to job creation and incentives; repealing existing requirements for tax credit analysis by the State Tax Department; creating the Tax and Economic Incentives Review Committee; providing for the review of all tax and economic incentives relating to job creation once every four years; providing guidelines for the review of incentives; providing for reports to the Governor and the Legislature relating to tax and economic incentives; specifying programs for use of moneys in the entrepreneurship and innovation fund; creating the West Virginia Entrepreneurship and Innovation Authority; granting the authority the power to act in its own power; providing that the West Virginia Development Office shall provide staff for the authority; detailing the duties of the authority to encourage and coordinate programs and investments which enhance the competitiveness of West Virginia companies in the global economy; providing the authority with the ability to expend and distribute moneys in the Entrepreneurship and Innovation Fund; and defining terms”; to the Committee on Finance.

By Delegate Byrd:

H. B. 3113 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-46, relating to directing county school boards to construct covered bus stops for public school children”; to the Committee on Education then Finance.

By Delegate Sypolt:

H. B. 3114 - “A Bill to amend and reenact §18A-5-2 of the Code of West Virginia, 1931, as amended, relating to eliminating the requirement that schools be closed on election days”; to the Committee on Education then the Judiciary.

By Delegate Pushkin:

H. B. 3115 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-5-28, relating to extending the prescription length of certain life sustaining emergency prescriptions”; to the Committee on Prevention and Treatment of Substance Abuse then Health and Human Resources.

By Delegate Caputo:

H. B. 3116 - "A Bill to amend and reenact §11-16-6a and §11-16-6b of the Code of West Virginia, 1931, as amended, relating to removing current limitations on sales of nonintoxicating beer and nonintoxicating craft beer growlers by brewers, brewpubs, retailers and private clubs"; to the Committee on Government Organization.

By Delegates Sypolt and Jennings:

H. B. 3117 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §4-16-1, relating to prohibiting the Legislature from negotiating with illegal strikers"; to the Committee on the Judiciary.

By Delegate Sypolt:

H. B. 3118 - "A Bill to amend and reenact §4-1-6 the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §4-2A-5a; and to amend said code by adding thereto a new section, designated §18A-5-7a, all relating to mandatory drug testing for state legislators and teachers; to the Committee on Education then the Judiciary.

By Delegate Azinger:

H. B. 3119 - "A Bill to amend and reenact §6B-2-5 of the Code of West Virginia, 1931, as amended, relating generally to the ethical standards for elected and appointed officials and public employees; and increasing the class size of similarly situated persons or businesses that includes a person who is also a public official, excluding members of the Legislature, that determines whether a public official may vote on a matter before him or her"; to the Committee on the Judiciary.

By Delegates Doyle, Pyles and Hansen:

H. B. 3120 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-17-1, §20-17-2, §20-17-3, §20-17-4, §20-17-5, §20-17-6, §20-17-7, §20-17-8, §20-17-9, §20-17-10, §20-17-11, §20-17-12, §20-17-13, and §20-17-14, all relating to requiring the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drinks and for beer, ale or other malt drinks of any alcoholic content and for certain other beverage containers; requiring the use of unredeemed bottle deposits; prescribing the powers and duties of certain state agencies and officials; and prescribing penalties and remedies"; to the Committee on Industry and Labor then Government Organization.

By Delegates S. Brown, Pyles, Zukoff, Walker and Lavender-Bowe:

H. B. 3121 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-17-1, §21-17-2, §21-17-3, §21-17-4, §21-17-5, §21-17-6, §21-17-7, §21-17-8, §21-17-9, and §21-17-10, all relating to enacting fair workweek employment standards; requiring certain retail, hospitality, and food services establishments, and property services companies to meet certain employment standards; requiring advance notice of work schedules and compensation for changed work schedules; providing a right to rest between work shifts; requiring offer of work to existing employees; providing protections for the exercise of rights; prohibiting retaliation; and including provisions for rules, certain notice requirements, required employer records, and enforcement, including criminal penalties"; to the Committee on Industry and Labor then the Judiciary.

By Delegates S. Brown, Pyles, Zukoff, Walker and Lavender-Bowe:

H. B. 3122 - "A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding a new section, designated §18B-4-5b, relating to requiring state institutions of higher education and community and technical colleges to adopt policies and programs relating to sexual assault, domestic violence, dating violence, and stalking involving students"; to the Committee on Education then the Judiciary.

By Delegates S. Brown, Pyles and Lavender-Bowe:

H. B. 3123 - "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, and §11-28-6, all relating to creating the Taxpayer Protection Act; providing definitions; when a recipient corporation is subject to subsidy recapture or rescission; enforcement actions; providing that enforcement records are public records; and providing for severability"; to the Committee on Finance.

By Delegates Fleischauer, Higginbotham, Walker, S. Brown, Miley, C. Thompson, Linville, Lovejoy, Canestraro, Fluharty and Byrd:

H. B. 3124 - "A Bill to amend and reenact §61-6-21 of the Code of West Virginia, 1931, as amended, relating to prohibiting civil rights violations based on disability, gender identity or sexual orientation; criminal penalties; when evidence of constitutionally protected speech or associations is not admissible in criminal prosecutions; exceptions; providing for sentencing alternatives for persons convicted of violations; and designating amendments to this section as 'Angel's Law'; to the Committee on the Judiciary.

By Delegates Doyle, Campbell, Lavender-Bowe, Zukoff, Evans, Dean and Hornbuckle:

H. B. 3125 - "A Bill to amend and reenact §18B-1B-4 of the Code of West Virginia, 1931, as amended, relating to directing the Higher Education Policy Commission to coordinate a plan to provide the first two years of post-secondary education for free tuition to state high school graduates"; to the Committee on Education then Finance.

By Delegate Queen:

H. B. 3126 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-15-9q, relating to providing an exemption from the consumer sales and service tax for purchases of certain services and tangible personal property sold for the repair, remodeling and maintenance of aircraft with an empty weight of 13,500 pounds or greater; defining terms; specifying a method for claiming exemption; authorizing emergency rules and promulgation of legislative rules; and establishing the effective date of the section"; to the Committee on Finance.

By Delegates Ellington, Porterfield, Kessinger, Fast, Wilson, Jennings and Worrell:

H. B. 3127 - "A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to the Secondary School Activities Commission and participation by home schooled students in extracurricular activities"; to the Committee on Education.

The following bills were introduced pursuant to House Rule 92:

By Delegates Toney, Paynter, Hornbuckle, Campbell, Dean and Evans:

H. B. 3128 - "A Bill to amend and reenact §18A-2-13 of the Code of West Virginia, 1931, as amended, relating to changing the recommended guidelines for full-day and half-day cooks to the minimum ratio of one cook for every 110 meals prepared and served"; to the Committee on Education then Finance.

By Delegates Hornbuckle and Higginbotham:

H. B. 3129 - "A Bill to repeal §16A-5-10 the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §5B-8-1, §5B-8-2, §5B-8-3, §5B-8-4, §5B-8-5, §5B-8-6, §5B-8-7, §5B-8-8, §5B-8-9, §5B-8-10, §5B-8-11, §5B-8-12, §5B-8-13, §5B-8-14, §5B-8-15, and §5B-8-16; to amend and reenact §16A-15-4 of said code; and to amend said code by adding thereto a new section, designated §60A-7-708, all relating to decriminalizing cannabis; providing a short title; providing legislative purpose and findings; providing for definitions; permitting the possession of cannabis and cannabis products by adults; permitting production and adult use of cannabis; restricting public smoking of cannabis; prohibiting false identification to obtain cannabis;

providing for the unlawful extraction of cannabis; providing for the lawful operation of a cannabis facility; permitting growing and possession of cannabis by adults; providing procedure for municipalities to enact an ordinance to permit cannabis production and sales; regulating market activity for the production, sales, transfer and transport of cannabis; establishing diversity licensing goals for minority, women, and veteran owned businesses; establishing mechanisms for permitting and licensing production and sales facilities by the Department of Commerce and localities; authorizing the department to promulgate rules, establish licensing and administrative penalties relating to the production, sales, transfer and transport cannabis in authorizing counties; authorizing the Department of Revenue to promulgate rules and administer tax collections; authorizing localities to regulate manufacturing and sales locations; providing for safety warning and inserts on cannabis products; authorizing a special excise tax on cannabis; creating a new fund and dedicating proceeds of the fund to additional funds; creating new funds for excise tax deposits; providing for a portion of tax collected benefit municipal governments where market activity occurs; providing current laws relating to employment, vehicle operation, underage use or private property use preserved; providing for background checks to employ anyone in a cannabis establishment; establishing certain conditions for employees to pass background checks; providing that no medical cannabis provisions are affected; expanding protections to employees relating to employment and the use of medical cannabis; and prohibiting asset forfeiture”; to the Committee on the Judiciary then Finance.

By Delegates Toney, Phillips, Steele, Pack, Lovejoy, Maynard, Paynter, Dean, Hornbuckle, Campbell and Evans:

H. B. 3130 - “A Bill to amend and reenact §18A-4-8 and §18A-4-8a of the Code of West Virginia, 1931, as amended, all relating to creating three separate job titles for school bus operators; and establishing pay scales”; to the Committee on Education.

Special Calendar

Third Reading

Com. Sub. for H. B. 2330, Allowing honorably discharged veterans who possess certain military ratings to qualify to take an examination for licensing as a plumber, electrician, and sprinkler fitter; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 123**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Kump.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2330) passed.

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

Com. Sub. for H. B. 2405, Imposing a healthcare related provider tax on certain health care organizations; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 124**), and there were—yeas 89, nays 10, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Foster, Hardy, Linville, C. Martin, P. Martin, McGeehan, Paynter, Porterfield, Steele and Wilson.

Absent and Not Voting: Kump.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2405) passed.

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

Com. Sub. for H. B. 2468, Department of Agriculture Capital Improvements Fund; on third reading, coming up in regular order, was, on motion of Delegate Summers, postponed one day.

Com. Sub. for H. B. 2674, Creating a student loan repayment program for a mental health provider; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 125**), and there were—yeas 95, nays 4, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Butler, McGeehan, Steele and Wilson.

Absent and Not Voting: Kump.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2674) passed.

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

Com. Sub. for H. B. 2734, Relating to reduced rates for low-income residential customers of privately owned sewer and combined water and sewer utilities; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 126**), and there were—yeas 97, nays 2, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Foster and Steele.

Absent and Not Voting: Kump.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2734) passed.

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

Com. Sub. for H. B. 2813, Relating generally to collection of use tax; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 127**), and there were—yeas 89, nays 10, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Bibby, Butler, Harshbarger, Howell, J. Jeffries, Maynard, McGeehan, Paynter, Wilson and Worrell.

Absent and Not Voting: Kump.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2813) passed.

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

Second Reading

Com. Sub. for S. B. 18, Relating to crimes committed on State Capitol Complex; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 61, Adding certain crimes for which prosecutor may apply for wiretap; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on the Judiciary, was reported by the Clerk on page one, after the enacting clause by striking out the remainder of the bill and inserting in lieu thereof the following:

“ARTICLE 1D. WIRETAPPING AND ELECTRONIC SURVEILLANCE ACT.

§62-1D-8. County prosecuting attorney or duly appointed special prosecutor may apply for order authorizing interception.

The prosecuting attorney of any county or duly appointed special prosecutor may apply to one of the designated circuit judges referred to in §62-1D-7 of this code and the judge, in accordance with the provisions of this article, may grant an order authorizing the interception of wire, oral, or electronic communications by an officer of the investigative or law-enforcement agency when the prosecuting attorney or special prosecutor has shown reasonable cause to believe the interception would provide evidence of the commission of: (1) Kidnapping or abduction, as defined and prohibited by the provisions of §61-2-14 and §61-2-14a of this code and including threats to kidnap or demand ransom, as defined and prohibited by the provisions of §61-2-14c of this code; (2) any offense included and prohibited by §25-4-11, §61-5-8, §61-5-9, and §61-5-10 or §62-8-1 of this code to the extent that any of said sections provide for offenses punishable as a felony; (3) felony violations of §60A-1-101 *et seq.* of this code; (4) violations of §61-14-1 *et seq.* of this code; (5) violations of §61-2-1 of this code; (6) violations of §61-2-12 of this code; (7) felony violations of §61-8B-1 *et seq.* of this code; (8) violations of §61-1-1 of this code; (9) violations of §61-13-3 of this code; (10) extortion, as defined in §61-2-13 of this code; or (11) any aider or abettor to any of the offenses referenced in this section or any conspiracy to commit any of the offenses referenced in this section if any aider, abettor, or conspirator is a party to the communication to be intercepted.”

On motion of Delegates Storch and Steele, the amendment recommended by the Judiciary Committee was amended on page one, after the article heading by inserting the following:

“§62-1D-6. Admissibility of evidence.

Evidence obtained, directly or indirectly, by the interception of any wire, oral or electronic communication shall be received in evidence only in grand jury proceedings and criminal proceedings in magistrate court, ~~and~~ circuit court and any other court of competent jurisdiction: *Provided*, That evidence obtained in violation of the provisions of this article shall not be admissible in any proceeding.”

And,

On page one, following line seventeen, by adding the following section:

“§62-1D-9. Lawful disclosure or use of contents of communication.

(a) Any investigative or law-enforcement officer who has obtained knowledge of the contents of any wire, oral or electronic communication or evidence derived therefrom, may disclose the contents to another investigative or law-enforcement officer of any state or any political subdivision thereof, the United States or any territory, protectorate, or possession of the United States, including the District of Columbia, only to the extent that the disclosure is required for the proper performance of the official duties of the officer making or receiving the disclosure, however, a record of such disclosure and the date, time, method of disclosure, and the name of the person or persons to whom disclosure is made shall be forwarded, under seal, to the designated circuit judge who authorized such interception, who shall preserve said record for not less than ten years. In the event the designated judge shall leave office prior to the expiration of this ten-year period, he or she shall transfer possession of said record to another designated judge.

(b) Any investigative or law-enforcement officer who has obtained knowledge of the contents of any wire, oral, or electronic communication or evidence derived therefrom or any investigative or a law-enforcement officer of any state or any political subdivision thereof, the United States or any territory, protectorate or possession of the United States, including the District of Columbia, who obtains such knowledge by lawful disclosure may use the contents to the extent that the use is appropriate to the proper performance of his or her official duties under the provisions of this article.

(c) Any person who has received any information concerning a wire, oral, or electronic communication intercepted in accordance with the provisions of this article or evidence derived therefrom, may disclose the contents of that communication or the derivative evidence while giving testimony under oath or affirmation in any criminal proceeding held under the authority of this state, ~~or of any political subdivision of this state,~~ or the federal courts of the United States.

(d) An otherwise privileged wire, oral, or electronic communication intercepted in accordance with, or in violation of, the provisions of this article does not lose its privileged character: *Provided*, That when an investigative or law-enforcement officer, while engaged in intercepting wire, oral, or electronic communications in the manner authorized by this article, intercepts a wire, oral, or electronic communication and it becomes apparent that the conversation is attorney-client in nature, the investigative or law-enforcement officer shall immediately terminate the monitoring of that conversation: *Provided, however*, That notwithstanding any provision of this article to the contrary, no device designed to intercept wire, oral, or electronic communications shall be placed or installed in such a manner as to intercept wire, oral, or electronic communications emanating from the place of employment of any attorney at law, licensed to practice law in this state.

(e) When an investigative or law-enforcement officer, while engaged in intercepting wire, oral, or electronic communications in the manner authorized herein, intercepts wire, oral, or electronic communications relating to offenses other than those specified in the order of authorization, the

contents thereof, and evidence derived therefrom, may be disclosed or used as provided in §62-1D-9(a), and §62-1D-9(b) of this code. Such contents and any evidence derived therefrom may be used under §62-1D-9(c) of this code when authorized or approved by the designated circuit judge where such judge finds on subsequent application that the contents were otherwise intercepted in accordance with the provisions of this article. The application shall be made as soon as may be practicable after such contents or the evidence derived therefrom is obtained.

(f) Any law-enforcement officer of the United States, who has lawfully received any information concerning a wire, oral or electronic communication or evidence lawfully derived therefrom, may disclose the contents of that communication or the derivative evidence while giving testimony under oath or affirmation in any criminal proceeding held under the authority of this state or of the United States.

(g) Any information relating to criminal activities other than those activities for which an order to intercept communications may be granted pursuant to §62-1D-8 of this code may be disclosed only if such relates to the commission of a felony under the laws of this state or of the United States, and such information may be offered, if otherwise admissible, as evidence in any such criminal proceeding.”

The Judiciary Committee amendment, as amended, was then adopted.

The bill was then ordered to third reading.

Com. Sub. for S. B. 323, Establishing revenue fund and source to support Department of Agriculture’s improvement to facilities; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for H. B. 2109, Extending the maximum period of confinement a judge may impose for certain, first-time probationary violations; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 2609, Relating to presumptions of abandonment and indication of ownership in property; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 2647, Self Storage Limited License Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 2720, Authorizing certain investigators and first responders to carry firearms; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 2761, Modernizing the self-service storage lien law; on second reading, coming up in regular order, was, on motion of Delegate Summers, postponed one day.

H. B. 2878, Relating to updating the controlled substances listed on schedule one; on second reading, coming up in regular order, was read a second time.

An amendment offered by Delegates Pushkin and Fluharty, was reported by the Clerk, on page six, section two hundred four, by striking out line one hundred thirty in its entirety.

On page six, section two hundred four, by striking out lines one hundred forty-two through line one hundred fifty.

And,

On page nineteen, line four hundred seventy-three, following the period, by inserting the following:

“§60A-2-210. Schedule IV.

(a) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation.

(b) *Narcotic drugs.* — Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-
2-propionoxybutane).

(c) Depressants.

Alprazolam;

Barbital;

Bromazepam;

Camazepam;

Carisoprodol;

Chloral betaine;

Chloral hydrate;

Chlordiazepoxide;

Clobazam;

Clonazepam;

Clorazepate;

Clotiazepam;

Cloxazolam;

Delorazepam;

Diazepam;
Dichloralphenazone;
Estazolam;
Ethchlorvynol;
Ethinamate;
Ethyl loflazepate;
Fludiazepam;
Flunitrazepam;
Flurazepam;
Fospropofol;
Halazepam;
Haloxazolam;
Ketazolam;
Loprazolam;
Lorazepam;
Lormetazepam;
Mebutamate;
Medazepam;
Meprobamate;
Methohexital;
Methylphenobarbital (mephobarbital);
Midazolam;
Nimetazepam;
Nitrazepam;
Nordiazepam;
Oxazepam;
Oxazolam;

Paraldehyde;

Petrichloral;

Phenobarbital;

Pinazepam;

Prazepam;

Quazepam;

Temazepam;

Tetrazepam;

Triazolam;

Zaleplon;

Zolpidem;

Zopiclone.

Suvorexant ([[(7R)-4-(5-chloro-1,3-benzoxazol-2-yl)-7-methyl-1,4-diazepan-1-yl] [5-methyl-2-(2H-1,2,3-triazol-2-yl)phenyl]methanone).

(d) Any material, compound, mixture or preparation which contains any quantity of Fenfluramine and Dexfenfluramine.

(e) Stimulants.

Cathine ((+)-norpseudoephedrine);

Diethylpropion;

Fencamfamin;

Fenproporex;

Mazindol;

Mefenorex;

Modafinil;

Pemoline (including organometallic complexes and chelates thereof);

Phentermine;

Pipradrol;

Sibutramine;

SPA ((-)-1-dimethylamino-1,2-diphenylethane);

Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl [(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid);

(f) *Other substances.* —

Pentazocine;

Butorphanol.

Tramadol (2-[(dimethylamino)methyl]-1-(3-methoxyphenyl) cyclohexanol);

Amyl nitrite, butyl nitrite, isobutyl nitrite and the other organic nitrites are controlled substances and no product containing these compounds as a significant component shall be possessed, bought or sold other than pursuant to a bona fide prescription or for industrial or manufacturing purposes.

(g) Hallucinogenic substances-

(1) Marihuana; and

(2) Tetrahydrocannabinols; synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, immediate derivatives and their isomers with similar chemical structure and pharmacological activity such as the following:

delta-1 Cis or trans tetrahydrocannabinol, and their optical isomers;

delta-6 Cis or trans tetrahydrocannabinol, and their optical isomers;

delta-3,4 Cis or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)”

Whereupon,

Delegate Pushkin asked and obtained unanimous consent that the amendment be reformed as follows:

On page six, section two hundred four, by striking out line one hundred thirty in its entirety.

On page six, section two hundred four, by striking out lines one hundred forty-two through line one hundred fifty.

And,

On page nineteen, line four hundred seventy-three, following the period, by inserting the following:

“§60A-2-210. Schedule IV.

(a) Schedule IV shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or

preparation which contains any quantity of the following substances, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation.

(b) *Narcotic drugs.* — Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

Not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane).

(c) *Depressants.*

Alprazolam;

Barbital;

Bromazepam;

Camazepam;

Carisoprodol;

Chloral betaine;

Chloral hydrate;

Chlordiazepoxide;

Clobazam;

Clonazepam;

Clorazepate;

Clotiazepam;

Cloxazolam;

Delorazepam;

Diazepam;

Dichloralphenazone;

Estazolam;

Ethchlorvynol;

Ethinamate;
Ethyl loflazepate;
Fludiazepam;
Flunitrazepam;
Flurazepam;
Fospropofol;
Halazepam;
Haloxazolam;
Ketazolam;
Loprazolam;
Lorazepam;
Lormetazepam;
Mebutamate;
Medazepam;
Meprobamate;
Methohexital;
Methylphenobarbital (mephobarbital);
Midazolam;
Nimetazepam;
Nitrazepam;
Nordiazepam;
Oxazepam;
Oxazolam;
Paraldehyde;
Petrichloral;
Phenobarbital;
Pinazepam;

Prazepam;

Quazepam;

Temazepam;

Tetrazepam;

Triazolam;

Zaleplon;

Zolpidem;

Zopiclone.

Suvorexant ((7R)-4-(5-chloro-1,3-benzoxazol-2-yl)-7-methyl-1,4-diazepan-1-yl) [5-methyl-2-(2H-1,2,3-triazol-2-yl)phenyl]methanone).

(d) Any material, compound, mixture or preparation which contains any quantity of Fenfluramine and Dexfenfluramine.

(e) Stimulants.

Cathine ((+)-norpseudoephedrine);

Diethylpropion;

Fencamfamin;

Fenproporex;

Mazindol;

Mefenorex;

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Pemoline (including organometallic complexes and chelates thereof);

Phentermine;

Pipradrol;

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SPA ((-)-1-dimethylamino-1,2-diphenylethane);

Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl [(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid);

(f) *Other substances.* —

Pentazocine;

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Tramadol (2-[(dimethylamino)methyl]-1-(3-methoxyphenyl) cyclohexanol);

Amyl nitrite, butyl nitrite, isobutyl nitrite and the other organic nitrites are controlled substances and no product containing these compounds as a significant component shall be possessed, bought or sold other than pursuant to a bona fide prescription or for industrial or manufacturing purposes.

(g) Hallucinogenic substances-

(2) Marijuana; and

(2) Tetrahydrocannabinols; synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, immediate derivatives and their isomers with similar chemical structure and pharmacological activity such as the following:

delta-1 Cis or trans tetrahydrocannabinol, and their optical isomers;

delta-6 Cis or trans tetrahydrocannabinol, and their optical isomers;

delta-3,4 Cis or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)”

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

The yeas and nays having been ordered, they were taken (**Roll No. 128**), and there were—yeas 42, nays 57, absent and not voting 1, with the yeas and absent and not voting being as follows:

Yeas: Angelucci, Barrett, Bates, Boggs, N. Brown, S. Brown, Byrd, Campbell, Canestraro, Caputo, Diserio, Doyle, Estep-Burton, Evans, Fleischauer, Fluharty, Hansen, Hartman, Hicks, Higginbotham, Hornbuckle, Lavender-Bowe, Linville, Longstreth, Lovejoy, McGeehan, Miley, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Skaff, Sponaugle, Staggers, Steele, C. Thompson, R. Thompson, Tomblin, Walker, Williams and Zukoff.

Absent and Not Voting: Kump.

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

The bill was then ordered to engrossment and third reading.

First Reading

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

Com. Sub. for H. B. 2173, Allowing state and federal law-enforcement officers to testify as to the contents and evidence of a wiretap or electronic surveillance,

Com. Sub. for H. B. 2338, Allowing the owner of an antique military vehicle to display alternate registration insignia,

Com. Sub. for H. B. 2359, Relating to exemptions to the commercial driver's license requirements,

Com. Sub. for H. B. 2673, Creating the Oil and Gas Abandoned Well Plugging Fund,

H. B. 2692, Relating to primary elections and procedures,

H. B. 2709, Relating to hunting licenses,

Com. Sub. for H. B. 2715, Relating to Class Q special hunting permit for disabled persons,

H. B. 2739, Relating to contributions on behalf of employees to a retirement plan administered by the Consolidated Public Retirement Board,

H. B. 2743, Eliminating reference to municipal policemen's pension and relief funds and firemen's pension and relief funds in section restricting investment,

Com. Sub. for H. B. 2793, Expanding applicability of educational facilities for the West Virginia College Prepaid Tuition and Savings Program,

H. B. 2819, Relating generally to contractors,

Com. Sub. for H. B. 2821, Updating provisions for command, clerical and other pay,

Com. Sub. for H. B. 2848, Relating to the West Virginia ABLE Act,

And,

H. B. 2992, Relating to governmental websites.

Leaves of Absence

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

Miscellaneous Business

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

- Delegates Pushkin and Fleischauer regarding the amendment offered to H. B. 2878
- Delegate Fluharty during Remarks by Members

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

- Delegates Nelson and Westfall for H. B. 2770
- Delegate Zach Maynard for H. B. 2875

- Delegate Nelson for H. B. 2969

- Delegate Pyles for H. B. 2898, H. B. 2902, H. B. 2906, H. B. 2955, H. B. 2971, H. B. 2978, H. B. 2979, H. B. 2988, H. B. 2994, H. B. 2999, H. B. 3006, H. B. 3038, H. B. 3048, H. B. 3068, H. B. 3072, H. B. 3077, H. B. 3078, H. B. 3079, H. B. 3080, H. B. 3081, H. B. 3098, H. B. 3099, H. B. 3107, H. B. 3109, H. B. 3113 and H. B. 3125

- Delegate Lavender-Bowe for H. B. 3108

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

- Delegate Paynter for H. B. 2597

At 12:10 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, February 13, 2019.

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

SPECIAL CALENDAR

Wednesday, February 13, 2019

36th Day

11:00 A. M.

THIRD READING

- Com. Sub. for S. B. 18 - Relating to crimes committed on State Capitol Complex (SHOTT) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 61 - Adding certain crimes for which prosecutor may apply for wiretap (SHOTT) (REGULAR)
- Com. Sub. for S. B. 323 - Establishing revenue fund and source to support Department of Agriculture's improvement to facilities (WESTFALL) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2109 - Extending the maximum period of confinement a judge may impose for certain, first-time probationary violations (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2468 - Department of Agriculture Capital Improvements Fund (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2609 - Relating to presumptions of abandonment and indication of ownership in property (SHOTT) (REGULAR)
- H. B. 2647 - Self Storage Limited License Act (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2720 - Authorizing certain investigators and first responders to carry firearms (SHOTT) (REGULAR)
- H. B. 2878 - Relating to updating the controlled substances listed on schedule one (ELLINGTON) (REGULAR)

SECOND READING

- Com. Sub. for S. B. 451 - Comprehensive education reform (FINANCE COMMITTEE AMENDMENT PENDING) (HAMRICK) (REGULAR)
- Com. Sub. for H. B. 2173 - Allowing state and federal law-enforcement officers to testify as to the contents and evidence of a wiretap or electronic surveillance (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2338 - Allowing the owner of an antique military vehicle to display alternate registration insignia (HOWELL) (REGULAR)

- Com. Sub. for H. B. 2359 - Relating to exemptions to the commercial driver's license requirements (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2673 - Creating the Oil and Gas Abandoned Well Plugging Fund (HOUSEHOLDER) (REGULAR)
- H. B. 2692 - Relating to primary elections and procedures (HOWELL) (REGULAR)
- H. B. 2709 - Relating to hunting licenses (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2715 - Relating to Class Q special hunting permit for disabled persons
- H. B. 2739 - Relating to contributions on behalf of employees to a retirement plan administered by the Consolidated Public Retirement Board (HOUSEHOLDER) (REGULAR)
- H. B. 2743 - Eliminating reference to municipal policemen's pension and relief funds and firemen's pension and relief funds in section restricting investment (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2761 - Modernizing the self-service storage lien law (SHOTT) (JULY 1, 2019)
- Com. Sub. for H. B. 2793 - Expanding applicability of educational facilities for the West Virginia College Prepaid Tuition and Savings Program (HOUSEHOLDER) (REGULAR)
- H. B. 2819 - Relating generally to contractors (FINANCE COMMITTEE TITLE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2821 - Updating provisions for command, clerical and other pay (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2848 - Relating to the West Virginia ABLE Act (HOUSEHOLDER) (REGULAR)
- H. B. 2992 - Relating to governmental websites (HOWELL) (REGULAR)

FIRST READING

- S. B. 377 - Relating to minimum wage and maximum hour standards (JUDICIARY COMMITTEE AMENDMENT PENDING) (SHOTT) (REGULAR)
- H. B. 2472 - Providing a special license plate for pollinators (TECHNOLOGY AND INFRASTRUCTURE COMMITTEE AMENDMENT PENDING) (BUTLER) (REGULAR)
- Com. Sub. for H. B. 2538 - Providing banking services for medical cannabis (SHOTT) (EFFECTIVE FROM PASSAGE)

- Com. Sub. for H. B. 2579 - Relating to the collection of tax and the priority of distribution of an estate or property in receivership (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2618 - Including undue influence as a factor in the definition of financial exploitation of an elderly person or protected person (SHOTT) (REGULAR)
- H. B. 2716 - Relating to motorboat lighting and equipment requirements (HOWELL) (REGULAR)
- H. B. 2846 - Designating a "Back the Blue" plate in support of law-enforcement personnel (BUTLER) (REGULAR)

HOUSE CALENDAR

Wednesday, February 13, 2019

36th Day

11:00 A. M.

SECOND READING

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

**WEST VIRGINIA
HOUSE OF DELEGATES**

WEDNESDAY, FEBRUARY 13, 2019

COMMITTEE ON THE JUDICIARY

9:00 A.M. – ROOM 418M

COMMITTEE ON GOVERNMENT ORGANIZATION

9:00 A.M. – ROOM 215E

COMMITTEE ON RULES

10:45 A.M. – BEHIND THE CHAMBER

VETERANS AFFAIRS & HOMELAND SECURITY

1:00 P.M. – ROOM 432M

COMMITTEE ON EDUCATION

2:00 P.M. – ROOM 432M

TUESDAY, FEBRUARY 19, 2019

PUBLIC HEARING

COMMITTEE ON THE JUDICIARY SUBCOMMITTEE

8:00 A.M. – HOUSE CHAMBER

ARTICLE V CONVENTION OF THE STATES PROPOSALS

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