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February 18, 2019
FORTY-FIRST DAY

Monday, February 18, 2019

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

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

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

The Clerk proceeded to read the Journal of Friday, February 15, 2019, being the first order of business, when the further reading thereof was dispensed with and the same approved.

At the request of Delegate Summers, and by unanimous consent, the House of Delegates proceeded to the Seventh Order of Business for the purpose of introducing a resolution.

Resolutions Introduced

Delegates Fleischauer, Anderson, Angelucci, Atkinson, Azinger, Barrett, Bates, Bibby, Boggs, N. Brown, S. Brown, Butler, Byrd, Cadle, Campbell, Canestraro, Capito, Caputo, Cooper, Cowles, Criss, Dean, Diserio, Doyle, Ellington, Espinosa, Estep-Burton, Evans, Fast, Fluharty, Foster, Graves, Hamrick, Hanna, Hansen, Hanshaw (Mr. Speaker), Hardy, Harshbarger, Hartman, Hicks, Higginbotham, Hill, Hollen, Hornbuckle, Hott, Householder, Howell, D. Jeffries, J. Jeffries, Jennings, D. Kelly, J. Kelly, Kessinger, Kump, Lavender-Bowe, Linville, Longstreth, Lovejoy, Malcolm, Mandt, C. Martin, P. Martin, Maynard, McGeehan, Miley, Miller, Nelson, Pack, Paynter, Pethtel, Phillips, Porterfield, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rohrbach, Rowan, Rowe, Shott, Skaff, Sponaule, Staggers, Steele, Storch, Summers, Swartzmiller, Sypolt, C. Thompson, R. Thompson, Tomblin, Toney, Walker, Waxman, Westfall, Williams, Wilson, Worrell and Zukoff offered the following resolution:

H. R. 15 - "Memorializing the life of the Honorable Mary Pearl Compton, teacher and public servant."

Whereas, Mary Pearl Compton was born on September 24, 1930, at Renick, Greenbrier County, West Virginia, the daughter of the late Russel K. and Susie Shisler Geyer; and

Whereas, Mary Pearl graduated from Concord College with a B.S. and went on to earn an M.A., C.A.S. from West Virginia University. She began her career as an educator in 1948 and taught in Monroe and Greenbrier counties; and

Whereas, Mary Pearl was first elected to the West Virginia House of Delegates in 1988 and was reelected in 1990, 1992, 1994, 1996, 1998 and 2000. During her fourteen years in the House of Delegates, she served as a member of the Committee on Education and as Vice Chair of the Committee on Agriculture and Natural Resources for the 70th and 71st Legislature and Chair of the Committee on Health and Human Resources for the 72nd, 73rd and 74th Legislature; and

Whereas, Mary Pearl was a trustee and elder of the Union Presbyterian Church. She was also a member of Delta Kappa Gamma, Kappa Delta Pi, the International Reading Association, and was a Charter Member of the Monroe Reading Council and a Charter Member and Past President of the

West Virginia State Reading Council. In addition, she was a member Monroe County Historical Society and a Charter Member and Past President of the Greenbrier County Historical Society; and

Whereas, Mary Pearl was predeceased by her husband, Delmar R. Compton, a sister, June S. Geyer Hill, and 2 half-brothers, Russell Hill Geyer and Thomas Hill Geyer. She is survived by two sisters, Betty Penrod and Pat Tomlinson of Lewisburg, and a brother, George Shisler Geyer, of Grand Blanc, Michigan. She is also survived by many nieces, nephews and cousins; and

Whereas, Sadly the Honorable Mary Pearl Compton passed away on June 21, 2017; therefore, be it

Resolved by the House of Delegates of the West Virginia Legislature:

That the House of Delegates hereby memorializes the life of the Honorable Mary Pearl Compton, teacher, principal, history buff and public servant; and, be it

Further Resolved, That the House of Delegates hereby extends its sincere sympathy at the passing of the Honorable Mary Pearl Compton; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the family of the Honorable Mary Pearl Compton.

At the respective requests of requests of Delegate Summers, and by unanimous consent, reference of the resolution (H. R. 15) to a committee was dispensed with, and it was taken up for immediate consideration.

The resolution was then read by the Clerk and put upon its adoption.

The question now being on the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 192**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Bates and Storch.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution (H. R. 15) adopted.

Committee Reports

Delegate Capito, Chair of the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 14th day of February, 2019, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

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

Delegate Capito, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 15th day of February, 2019, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

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

S. B. 267, Requiring State Board of Education adopt policy detailing level of computer science instruction,

S. B. 324, Relating to Commissioner of Agriculture employees,

And,

S. B. 354, Expiring funds to balance of Auditor's Office - Chief Inspector's Fund.

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. 3016, Relating to the State Aeronautics Commission,

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

In accordance with the former direction of the Speaker, the bill (H. B. 3016) was referred to the Committee on Finance.

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. 2924, Permitting the West Virginia Tourism Office to decide to contract with the Division of Highways to sell advertising space on the WV511 website,

And,

H. B. 3093, Relating to standards for factory-built homes,

And reports the same back with the recommendation that they each 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. 2982, Amending and updating the laws relating to auctioneers,

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

Com. Sub. for H. B. 2982 - "A Bill to amend and reenact §19-2C-1, §19-2C-2, §19-2C-3, §19-2C-5, §19-2C-5a, §19-2C-6, §19-2C-6a, §19-2C-6c, §19-2C-8, §19-2C-8a, and §19-2C-9 of the Code

of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §19-2C-5b, all relating to amending and updating the laws relating to auctioneers by providing for definitions; providing for exemptions to license requirements; providing for June 30 as the date all licenses expire; establishing certain conditions for auctioneers to continue working after license expiration; providing for record retention requirements; providing for exams held twice a year; providing for auctioneers to submit to background checks; providing for authorization to conduct and use information relating to background checks; providing for confidentiality of background checks; providing for penalties for an unlicensed auctioneer; providing for additional circumstances to revoke a license; providing for written contracts with auctioneers and owners of property; and providing for auction houses and business entities to enter into contracts with auctioneers,”

And,

H. B. 3007, Authorizing the Commissioner of Agriculture to require background checks,

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

Com. Sub. for 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,”

With the recommendation that the committee substitutes each do pass.

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

Your Committee on Education has had under consideration:

H. B. 2865, Changing the school aid formula Step 7 allowances for instructional technology and enrollment advanced placement and dual credit,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2865) was referred to the Committee on Finance.

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

Your Committee on Education has had under consideration:

H. B. 2688, Requiring air conditioning on all school buses,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2688) was referred to the Committee on Finance.

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

H. B. 3083, Adding temporary work during the legislative session as exclusion to the term employment for purposes of unemployment compensation,

Com. Sub. for S. B. 356, Requiring MAPS provide state and federal prosecutors information,

S. B. 358, Exempting Purchasing Division purchases for equipment to maintain security at state facilities,

And,

Com. Sub. for S. B. 387, Relating generally to extradition,

And reports the same back with the recommendation that they 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:

H. B. 2966, County Budget Flexibility Act,

And,

Com. Sub. for S. B. 373, Relating to financial responsibility of inmates,

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

In accordance with the former direction of the Speaker, the bills (H. B. 2966 and Com. Sub. for S. B. 373) were each 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:

H. B. 2856, Relating to the administration of the operating fund of the securities division of the Auditor's office,

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

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

Your Committee on Finance has had under consideration:

H. B. 2515, Exempting the sale and installation of mobility enhancing equipment from the sales and use tax,

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

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

Your Committee on Finance has had under consideration:

H. B. 2667, Supplemental appropriation to the Department of Military Affairs and Public Safety, Division of Corrections,

And,

S. B. 452, Supplemental appropriation to Second Chance Driver's License Program,

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

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

Your Committee on Finance has had under consideration:

H. B. 2532, Allowing certain donations by persons renewing their driver's license or vehicle registration,

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

Com. Sub. for H. B. 2532 - "A Bill to amend and reenact §17A-2-12a of the Code of West Virginia, 1931, as amended, relating to allowing persons to donate to the West Virginia Farm Bureau, the West Virginia 4 H Program, or the West Virginia Future Farmers of America Education Foundation when renewing a driver's license or vehicle registration,"

And,

H. B. 2855, Allowing rebate moneys to be used for the operation and maintenance of accounting and transparency systems of the State Auditor,

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

Com. Sub. for H. B. 2855 - "A Bill to amend and reenact §12-3-10d of the Code of West Virginia, 1931, as amended, relating to allowing rebate moneys in Purchasing Card Administration Fund to be used for the operation and maintenance of accounting and transparency systems of the State Auditor,"

With the recommendation that the committee substitutes each do pass.

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

Your Committee on Finance has had under consideration:

H. B. 2854, Exempting sales from the consumers sales and service tax and use tax by not for profit volunteer school support groups raising funds for schools,

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

Com. Sub. for H. B. 2854 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-15-9q, relating to exempting sales by not-for-profit volunteer school support organizations for the purpose of raising funds for their schools from the consumers sales and service tax and use tax; specifying time limitations for fundraisers; specifying that the exemption applies without regard to whether the organization holds, or does not hold, an exemption under §501(c)(3) or §501(c)(4) of the Internal Revenue Code,"

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. 2907, Requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation,

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

Com. Sub for H. B. 2907 – "A Bill to amend and reenact §62-7-10 of the Code of West Virginia, 1931, as amended; and to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §62-7-10a, all relating to the requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation; requiring a form for commitments to prisons; requiring a form for commitments from magistrate or circuit courts to jails; clarifying the costs of incarceration; and clarifying the method of transmittal of commitment orders,"

H. B. 2933, Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury,

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

Com. Sub. for H. B. 2933 - "A Bill to amend and reenact §61-8D-3 of the Code of West Virginia, 1931, as amended, relating to modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury and child abuse or neglect creating risk of injury,"

And,

H. B. 2980, Mine Trespass Act,

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

Com. Sub. for H. B. 2980 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §22A-13-1, §22A-13-2, §22A-13-3, §22A-13-4, §22A-13-5 and §22A-13-6, all relating to creating the Mine Trespass Act; providing a short title; providing for criminal penalties; providing a hold harmless clause; and providing for temporary exemption from environmental regulations,"

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:

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

And,

Com. Sub. for S. B. 270, Streamlining process for utilities access to DOH rights-of-way,

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

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

Your Committee on Banking and Insurance has had under consideration:

H. B. 2968, Adding remote service unit to the definition of customer bank communications terminals,

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. 2968) was referred to the Committee on the Judiciary.

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

Your Committee on Government Organization has had under consideration:

H. B. 2886, Establishing requirements for a Division of Motor Vehicles office or Division of Motor Vehicles Now kiosk to be present in a county,

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

Com. Sub. for H. B. 2886 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §17A-2-26, relating to establishing requirements for a Division of Motor Vehicles office or Division of Motor Vehicles Now kiosk to be present in a county; establishing definitions for this section; establishing conditions for a Division of Motor Vehicles office location to be within a county; establishing exemptions under certain conditions; establishing requirements for a Division of Motor Vehicles Now kiosk to be located in a county; establishing the maximum number of Division of Motor Vehicles Now kiosks are to be determined; and requiring the provisions of this section be implemented by July 1, 2021,"

And,

H. B. 2929, Authorizing the West Virginia Tourism Office to enter into an agreement with the Division of Highways to provide staff at the welcome centers,

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

Com. Sub. for H. B. 2929 - "A Bill to amend and reenact §5B-2I-4 of the Code of West Virginia, 1931, as amended, relating to authorizing the West Virginia Tourism Office to enter into an agreement

with the Division of Highways to provide staff at the welcome centers and highway rest areas; and to create displays promoting in state tourism at the welcome centers and rest areas,”

With the recommendation that the committee substitutes each do pass.

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. 2521, Relating to permitting fur-bearer parts.

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. 60 - “A Bill to amend and reenact §30-20A-1, §30-20A-2, §30-20A-3, §30-20A-4, §30-20A-5, §30-20A-6, and §30-20A-7 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto nine new sections, designated §30-20A-8, §30-20A-9, §30-20A-10, §30-20A-11, §30-20A-12, §30-20A-13, §30-20A-14, §30-20A-15, and §30-20A-16, all relating to licensing the practice of athletic training; making the practice of athletic training unlawful without license or permit; establishing applicable law; defining terms; establishing eligibility for license; defining the scope of practice; establishing requirements for reciprocal agreements; establishing requirements for temporary permits; establishing renewal requirements; establishing requirements for delinquent or expedited licenses; establishing requirements for an active license; creating exemptions; requiring display of license; establishing complaint process and investigation procedures; establishing grounds for disciplinary action; establishing hearing procedures and right to appeal; providing for judicial review of decision; and providing criminal penalties”; which was referred to the Committee on Health and Human Resources.

A message from the Senate, by

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

Com. Sub. for S. B. 66 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §46A-6N-1, §46A-6N-2, §46A-6N-3, and §46A-6N-4, all relating to prohibiting certain misleading lawsuit advertising practices; providing for certain disclosures and warnings in lawsuit advertising for the protection of patients; and imposing criminal penalties”; 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. 393 - “A Bill to amend and reenact §19-19-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §19-19-7, all relating to the right to farm; providing for an amended definition of ‘agriculture’; providing for protections to agriculture operations from nuisance litigation if the facility has been in operation for more than one year; providing for the exclusive compensatory damages that may be awarded to a claimant where the alleged nuisance originates from an agricultural operation; and prohibiting punitive damages being awarded to a claimant for nuisance actions originating from an agricultural operation”; 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. 516 - "A Bill to amend and reenact §49-4-112 of the Code of West Virginia, 1931, as amended, relating to the payment of attorney's fees in subsidized adoptions or guardianships directly to the attorney; requiring an attorney to submit certain documentation to the caseworker responsible for the child or children; and requiring Department of Health and Human Resources to pay invoices within 45 days, if funds are available"; 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. 518 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §60A-4-417, relating to restricting the sale and trade of dextromethorphan; defining terms; setting age limits; and providing for a misdemeanor penalty"; which was referred to the Committee on Health and Human Resources.

A message from the Senate, by

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

Com. Sub. for S. B. 563 - "A Bill to amend and reenact §61-8B-11 of the Code of West Virginia, 1931, as amended, relating generally to evidence in prosecutions for sexual offenses; prohibiting an alleged victim from being required to submit to or undergo certain physical examinations in prosecutions for sexual offenses; defining 'sexual offense'; and providing that an alleged victim's refusal to submit to or undergo certain physical examinations does not preclude admission of evidence regarding other relevant physical examinations"; 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

S. B. 590 - "A Bill to amend and reenact §20-2-22a, §20-2-23, and §20-2-26 of the Code of West Virginia, 1931, as amended, all relating to permitting guided bear hunts by licensed outfitters and guides; providing the Director of the Division of Natural Resources rule-making authority; setting license fee for outfitter and guide applications; and providing penalties for guides and outfitters"; which was referred to the Committee on Agriculture and Natural Resources then the Judiciary.

Resolutions Introduced

Delegates Evans, R. Thompson, Rodighiero, Zukoff, Williams, Pyles, Robinson, Doyle, Hornbuckle, S. Brown and Swartzmiller offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 73 - "Requesting the Division of Highways name bridge number 24-161-14.11 (24A189), locally known as Blackwolf Bridge, carrying WV 161 over the Tug Fork in McDowell County, the 'U. S. Army SGT Matthew T. Miller Memorial Bridge'."

Whereas, Matthew Thomas Miller was a resident of Anawalt, West Virginia, in McDowell County, and a 2007 graduate of Mount View High School; and

Whereas, Soon after graduation, Matthew Thomas Miller joined the United States Army and rose to the rank of Sergeant of the 3rd Platoon, Delta Company, 3rd Battalion, 187 Regiment "Rakkasans", 101 Airborne Division based at Fort Campbell, Kentucky; and

Whereas, SGT Matthew Thomas Miller was deployed to Afghanistan during Operation Enduring Freedom; and

Whereas, SGT Matthew Thomas Miller, a highly trained warrior, was a combat infantryman and paratrooper trained also as a driver and mechanic; and

Whereas, SGT Matthew Thomas Miller was awarded Afghanistan Campaign Medal with Campaign Star, Army Commendation Medal, Army Achievement Medal, Good Conduct Medal, National Defense Service Medal, Global War on Terrorism Service Medal, Noncommissioned Officer Professional Development Ribbon, NATO Medal, Combat Infantryman Badge, Air Assault Badge, and Expert Marksmanship Badge with Carbine Bar; and

Whereas, After being discharged from the U. S. Army, SGT Matthew Thomas Miller suffered from Post Traumatic Stress Disorder (PTSD), a challenge that he worked every day to overcome. Mathews lost his battle with PTSD and his life on January 22, 2018; and

Whereas, SGT Matthew Thomas Miller was a well-loved member of his community; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 24-161-14.11 (24A189), locally known as Blackwolf Bridge, carrying WV 161 over the Tug Fork in McDowell County, the "U. S. Army SGT Matthew T. Miller 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 SGT Matthew T. Miller 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 Maynard, J. Jeffries, Paynter, Rohrbach, Hornbuckle, Lovejoy, Linville and Mandt offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 74 - "Requesting the Division of Highways name a portion of Two-Mile Road (WV Route 36) beginning 1.3 miles from the start of the hollow and Two-Mile Road a distance of .6 mile total, or 1.9 miles from the start of the hollow, in Lincoln County, the 'U. S. Army PFC James Leslie Pridemore Memorial Road'."

Whereas, James Leslie Pridemore was born October 2, 1949, in Lincoln County, West Virginia, the son of Forrest Pridemore, Jr. and Sara Catherine Pridemore; and

Whereas, PFC James Leslie Pridemore enlisted in the United States Army following graduation from high school and started a Vietnam tour of duty on March 4, 1968; and

Whereas, PFC James Leslie Pridemore was killed on May 29, 1968, by an exploding grenade; and

Whereas, It is fitting that an enduring memorial be established to commemorate PFC James Leslie Pridemore and his contributions and supreme sacrifice to our state and to his country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a portion of Two-Mile Road (WV Route 36) beginning 1.3 miles from the start of the hollow and Two-Mile Road a distance of .6 mile total, or 1.9 miles from the start of the hollow, in Lincoln County, the "U. S. Army PFC James Leslie Pridemore Memorial Road"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to have made and be placed signs at both ends identifying the portion of road as the "U. S. Army PFC James Leslie Pridemore Memorial Road"; and, be it

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

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

H. C. R. 75 - "Requesting the Division of Highways name bridge number 23-10-12.56 NB & SB (23A377, 23A378), locally known as Lyburn Bridge, carrying WV 10 over Land Relief in Logan County, the 'U. S. Army SSG Henry Kilgore Bridge'."

Whereas, Henry Kilgore was born on December 22, 1922, in Draffin, Kentucky, one of ten children in his family; and

Whereas, Like many in the Appalachian region at the time, Henry Kilgore's family struggled to make ends meet and at age 14, Henry left school to work in the coal mines to support his family; and

Whereas, Due to a lack of modern equipment, Henry Kilgore mined coal with a pick and shovel and hauled it out with a mule and a cart; and

Whereas, At the age of twenty, Henry Kilgore was drafted into the U. S. Army to serve his country during World War II. He served in the 33rd Sig Light Construction where he ultimately reached the rank of Staff Henry; and

Whereas, SSG Kilgore served in Normandy, Northern France, Ardennes, Rhineland, and Central Europe. He was also present at the Battle of the Bulge and arrived on the beaches of Iwo Jima as American soldiers famously raised an American flag; and

Whereas, SSG Kilgore was honorably discharged from the Army on December 19, 1945; and

Whereas, SSG Kilgore came home to go back into the coal mines to continue to work for the rest of his working life; and

Whereas, SSG Kilgore married his soul mate, Leona Bartley Kilgore, on February 6, 1946. They were blessed to raise six daughters; and

Whereas, SSG Kilgore selflessly worked in the mines to support his family, even though working conditions were frequently unsafe. He was injured numerous times while on the job, including an occasion where his head was pinned in a roof fall. He was hospitalized for an extended period of time after the accident, suffering broken bones in his face and severe injuries to his eye; and

Whereas, SSG Kilgore also acted many times, both during his service in the war and his job as a miner, without concern for his own safety; and

Whereas, For these reasons it is fitting and proper that the bridge be named in honor of SSG Kilgore; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 23-10-12.56 NB & SB (23A377, 23A378), locally known as Lyburn Bridge, carrying WV 10 over Land Relief in Logan County, the "U. S. Army SSG Henry Kilgore 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 SSG Henry Kilgore 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.

Special Calendar

Third Reading

Com. Sub. for H. B. 2768, Reducing the use of certain prescription drugs; 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. 193**), and there were—yeas 73, nays 27, absent and not voting none, with the nays being as follows:

Nays: Angelucci, Barrett, S. Brown, Byrd, Cadle, Canestraro, Caputo, Diserio, Doyle, Estep-Burton, Evans, Fleischauer, Fluharty, Hansen, Hornbuckle, Lavender-Bowe, Miley, Miller, Pushkin, Pyles, Robinson, Rowe, Staggers, C. Thompson, Tomblin, Walker and Zukoff.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2768) 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. 2834, Updating and modernizing the minimum spacing provisions for the drilling of horizontal deep wells; 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. 194**), and there were—yeas 100, nays none, absent and not voting none.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2834) 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. 2849, Establishing different classes of pharmacy technicians; on third reading, coming up in regular order, was read a third time.

Delegate Cadle requested to be excused from voting on the passage of Com. Sub. for H. B. 2849 under the provisions of House Rule 49.

The Speaker replied that the Delegate was a member of a class of persons possibly to be affected by the passage of the bill and directed the Member to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 195**), and there were—yeas 100, nays none, absent and not voting none.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2849) 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

S. B. 377, Relating to minimum wage and maximum hour standards; on second reading, coming up in regular order, was reported by the Clerk.

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

“ARTICLE 5C. MINIMUM WAGE AND MAXIMUM HOURS STANDARDS FOR EMPLOYEES.

§21-5C-1. Definitions.

As used in this article:

(a) ‘Commissioner’ means the Commissioner of Labor or his or her duly authorized representatives.

(b) ‘Wage and hour director’ means the wage and hour director appointed by the Commissioner of Labor as Chief of the Wage and Hour Division.

(c) ‘Wage’ means compensation due an employee by reason of his or her employment.

(d) ‘Employ’ means to hire or permit to work.

(e) ‘Employer’ includes the State of West Virginia, its agencies, departments, and all its political subdivisions, any individual, partnership, association, public or private corporation, or any person or group of persons acting directly or indirectly in the interest of any employer in relation to an employee; and who employs during any calendar week six or more employees as herein defined in any one separate, distinct, and permanent location or business establishment: *Provided*, That prior to January 1, 2015, the term “employer” does not include any individual, partnership, association, corporation, person or group of persons, or similar unit if 80 percent of the persons employed by him or her are

subject to any federal act relating to minimum wage, maximum hours, and overtime compensation: *Provided, however,* That after December 31, 2014, for the purposes of §21-5C-3 of this code, the term “employer” does not include any individual, partnership, association, corporation, person or group of persons, or similar unit if 80 percent of the persons employed by him or her are subject to any federal act relating to maximum hours and overtime compensation.

(f) ‘Employee’ includes any individual employed by an employer but shall not include: (1) Any individual employed by the United States; (2) any individual engaged in the activities of an educational, charitable, religious, fraternal, or nonprofit organization where the employer-employee relationship does not in fact exist, or where the services rendered to such organizations are on a voluntary basis; (3) newsboys, shoeshine boys, golf caddies, pinboys, and pin chasers in bowling lanes; (4) traveling salesmen and outside salesmen; (5) services performed by an individual in the employ of his or her parent, son, daughter, or spouse; (6) any individual employed in a bona fide professional, executive, or administrative capacity; (7) any person whose employment is for the purpose of on-the-job training; (8) any person having a physical or mental handicap so severe as to prevent his or her employment or employment training in any training or employment facility other than a nonprofit sheltered workshop; (9) any individual employed in a boys or girls summer camp; (10) any person 62 years of age or over who receives old-age or survivors benefits from the Social Security Administration; (11) any individual employed in agriculture as the word “agriculture” is defined in the Fair Labor Standards Act of 1938, as amended; (12) any individual employed as a firefighter by the state or agency thereof; (13) ushers in theaters; (14) any individual employed on a part-time basis who is a student in any recognized school or college; (15) any individual employed by a local or interurban motorbus carrier; (16) so far as the maximum hours and overtime compensation provisions of this article are concerned, any salesman, parts man, or mechanic primarily engaged in selling or servicing automobiles, trailers, trucks, farm implements, or aircraft if employed by a nonmanufacturing establishment primarily engaged in the business of selling such vehicles to ultimate purchasers; (17) any employee with respect to whom the United States Department of Transportation has statutory authority to establish qualifications and maximum hours of service; (18) any person employed on a per diem basis by the Senate, the House of Delegates, or the Joint Committee on Government and Finance of the Legislature of West Virginia, other employees of the Senate or House of Delegates designated by the presiding officer thereof, and additional employees of the Joint Committee on Government and Finance designated by such joint committee; ~~or~~ (19) any person employed as a seasonal employee of a commercial whitewater outfitter where the seasonal employee works less than seven months in any one calendar year and, in such case, only for the limited purpose of exempting the seasonal employee from the maximum ~~wage~~ hours provisions of §21-5C-3 of this code; or (20) any person employed as a seasonal employee of an amusement park where the seasonal employee works less than seven months in any one calendar year and, in such case, only for the limited purpose of exempting the seasonal employee from the maximum hours provisions of §21-5C-3 of this code.

(g) ‘Workweek’ means a regularly recurring period of 168 hours in the form of seven consecutive 24-hour periods, need not coincide with the calendar week, and may begin any day of the calendar week and any hour of the day.

(h) ‘Hours worked’ means the hours for which an employee is employed: *Provided,* That in determining hours worked for the purposes of §21-5C-2 and §21-5C-3 of this code, there shall be excluded any time spent in changing clothes or washing at the beginning or end of each workday, time spent in walking, riding, or traveling to and from the actual place of performance of the principal activity or activities which ~~such~~ the employee is employed to perform and activities which are preliminary to or postliminary to ~~said~~ the principal activity or activities, subject to such exceptions as the commissioner may by rules ~~and regulations~~ define.

(i) 'Amusement park' means any person or organization which holds a permit for the operation of an amusement ride or amusement attraction under §21-10-1 et seq. of this code."

Delegate Lovejoy moved to amend the Judiciary Committee amendment on page two, section one, lines twenty-nine, thirty and thirty-one, by striking out "(8) any person having a physical or mental handicap so severe as to prevent his or her employment or employment training in any training or employment facility other than a nonprofit sheltered workshop".

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

The yeas and nays having been ordered, they were taken (**Roll No. 196**), and there were—yeas 46, nays 54, absent and not voting none, with the yeas being as follows:

Yeas: Angelucci, Atkinson, 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, Miley, Miller, Pethtel, Pushkin, Pyles, Robinson, Rodighiero, Rohrbach, Rowe, Skaff, Sponaule, Staggers, Swartzmiller, C. Thompson, R. Thompson, Tomblin, Walker, Williams, Worrell and Zukoff.

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

Delegate Robinson moved to amend the Judiciary Committee amendment on page two, section 1, lines thirty-two and thirty-three, by striking out: "(10) any person 62 years of age or over who receives old-age or survivors benefits from the Social Security Administration" and the semicolon.

And,

By renumbering the numerical sequencing contained in subsection (f) accordingly.

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

The yeas and nays having been ordered, they were taken (**Roll No. 197**), and there were—yeas 44, nays 56, absent and not voting none, with the yeas 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, Linville, Longstreth, Lovejoy, Mandt, Miley, Miller, Pethtel, Pushkin, Pyles, Robinson, Rodighiero, Rohrbach, Rowe, Skaff, Sponaule, Staggers, Swartzmiller, C. Thompson, R. Thompson, Tomblin, Walker, Williams and Zukoff.

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

Delegate Robinson moved to amend the Judiciary Committee amendment on page two, section one, lines thirty-six and thirty-seven, by striking out: "(14) any individual employed on a part-time basis who is a student in any recognized school or college" and the semicolon.

And,

By renumbering the numerical sequencing contained in subsection (f) accordingly.

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

The yeas and nays having been ordered, they were taken (**Roll No. 198**), and there were—yeas 44, nays 55, absent and not voting 1, with the yeas and absent and not voting being as follows:

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

Absent and Not Voting: S. Brown.

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

The amendment recommended by the Judiciary Committee was then adopted.

The bill was then ordered to third reading.

Com. Sub. for H. B. 2439, Relating to fire service equipment and training funds for volunteer and part-volunteer fire companies; 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. 2542, Permitting directors of county emergency phone systems to obtain mobile-phone emergency lines; 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. 2947, Relating generally to telemedicine prescription practice requirements and exceptions; on second reading, coming up in regular order, was read a second time.

Delegate Staggers moved to amend the bill on page five, by striking out lines ninety-eight through one hundred and inserting in lieu thereof the following:

“(3) The prescribing limitations in this subsection do not apply when a physician submits an order to dispense a opioid substance, listed in Schedule II of the Uniform Controlled Substances Act, to a hospital patient for immediate administration in an intensive care setting.”

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

The yeas and nays having been ordered, they were taken (**Roll No. 199**), and there were—yeas 19, nays 80, absent and not voting 1, with the yeas and absent and not voting being as follows:

Yeas: Angelucci, N. Brown, S. Brown, Cadle, Caputo, Diserio, Estep-Burton, Fleischauer, Hicks, Kump, Lavender-Bowe, Longstreth, Miley, Pyles, Staggers, Swartzmiller, C. Thompson, Walker and Zukoff.

Absent and Not Voting: Wilson.

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.

H. B. 2958, Authorizing the State Auditor to conduct regular financial examinations or audits of all volunteer fire companies; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

At 12:47 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 4:00 p.m.

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Afternoon Session

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The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

In the absence of objection, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

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. 3018, Relating to the West Virginia Public Employees Insurance Agency's reimbursement of air-ambulance providers,

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. 3018) was referred to the Committee on Finance.

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. 3057, Relating to the Adult Drug Court Participation Fund,

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

In accordance with the former direction of the Speaker, the bill (H. B. 3057) was referred to the Committee on Finance.

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

Your Committee on Education has had under consideration:

H. B. 3012, Providing new graduates of an in-state or out-of-state higher educational institution a tax credit on the personal property tax,

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

In accordance with the former direction of the Speaker, the bill (H. B. 3012) was referred to the Committee on Finance.

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. 2932, Transferring regulation and licensing of charitable bingo, charitable raffles, and charitable raffle boards,

And,

H. B. 2954, Defining certain terms used in insurance,

And reports the same back with the recommendation that they each 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:

Com. Sub. for S. B. 157, Authorizing Department of Administration promulgate legislative rules,

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 (Com. Sub. for S. B. 157) was referred to the Committee on the Judiciary.

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

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 199, Authorizing certain miscellaneous agencies and boards promulgate legislative rules,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 199) was referred to the Committee on the Judiciary.

Special Calendar

-continued-

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. 2486, Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation,

And,

Com. Sub. for H. B. 2975, Relating to imposition of sexual acts on persons incarcerated.

Pending announcements, Delegate Summers moved to adjourn.

Delegate Summers subsequently asked unanimous consent that the motion be withdrawn, which consent was not granted, objection being heard.

Delegate Summers then so moved, which motion prevailed.

Conference Committee Report Availability

At 4:21 p.m., the Clerk announced that the report of the Committee of Conference on **H. B. 2351**, Relating to regulating prior authorizations, shall be available in the Clerk's Office.

Miscellaneous Business

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

- Delegate Westfall for H. B. 2377

- Delegate Porterfield for H. B. 2035, H. B. 2197, H. B. 2203, H. B. 2212, H. B. 2216, H. B. 2217, H. B. 2447, H. B. 2495 and H. B. 2814

- Delegate Steele for H. B. 2966

- Delegate Rohrbach for H. B. 3093

At 4:21 p.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, February 19, 2019.

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

SPECIAL CALENDAR

Tuesday, February 19, 2019

42nd Day

11:00 A. M.

THIRD READING

- S. B. 377 - Relating to minimum wage and maximum hour standards (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2439 - Relating to fire service equipment and training funds for volunteer and part-volunteer fire companies (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2542 - Permitting directors of county emergency phone systems to obtain mobile-phone emergency lines (HOWELL) (JULY 1, 2019)
- Com. Sub. for H. B. 2947 - Relating generally to telemedicine prescription practice requirements and exceptions (ELLINGTON) (REGULAR)
- H. B. 2958 - Authorizing the State Auditor to conduct regular financial examinations or audits of all volunteer fire companies (HOWELL) (REGULAR)

SECOND READING

- Com. Sub. for H. B. 2486 - Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2975 - Relating to imposition of sexual acts on persons incarcerated (SHOTT) (REGULAR)

FIRST READING

- Com. Sub. for S. B. 270 - Streamlining process for utilities access to DOH rights-of-way (SHOTT) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 356 - Requiring MAPS provide state and federal prosecutors information (SHOTT) (REGULAR)
- S. B. 358 - Exempting Purchasing Division purchases for equipment to maintain security at state facilities (SHOTT) (REGULAR)
- Com. Sub. for S. B. 387 - Relating generally to extradition (SHOTT) (REGULAR)
- S. B. 452 - Supplemental appropriation to Second Chance Driver's License Program (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 2515 - Exempting the sale and installation of mobility enhancing equipment from the sales and use tax (FINANCE COMMITTEE TITLE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)

- Com. Sub. for H. B. 2532 - Allowing certain donations by persons renewing their driver's license or vehicle registration (HOUSEHOLDER) (REGULAR)
- H. B. 2667 - Supplemental appropriation to the Department of Military Affairs and Public Safety, Division of Corrections (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2854 - Exempting sales from the consumers sales and service tax and use tax by not for profit volunteer school support groups raising funds for schools (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2855 - Allowing rebate moneys to be used for the operation and maintenance of accounting and transparency systems of the State Auditor (HOUSEHOLDER) (REGULAR)
- H. B. 2856 - Relating to the administration of the operating fund of the securities division of the Auditor's office (FINANCE COMMITTEE TITLE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)
- H. B. 2872 - Authorizing law-enforcement officers to assist the State Fire Marshal (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2886 - Establishing requirements for a Division Motor Vehicles office or Division of Motor Vehicles Now kiosk to be present in a county (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2907 - Requiring a form of a certified commitment order to the Division of Corrections and Rehabilitation (SHOTT) (REGULAR)
- H. B. 2924 - Permitting the West Virginia Tourism Office to decide to contract with the Division of Highways to sell advertising space on the WV511 website (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2929 - Authorizing the West Virginia Tourism Office to enter into an agreement with the Division of Highways to provide staff at the welcome centers (HOWELL) (REGULAR)
- H. B. 2932 - Transferring regulation and licensing of charitable bingo, charitable raffles, and charitable raffle boards (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2933 - Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse resulting in injury (SHOTT) (REGULAR)
- H. B. 2954 - Defining certain terms used in insurance (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2980 - Mine Trespass Act (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2982 - Amending and updating the laws relating to auctioneers (HOWELL) (REGULAR)
- Com. Sub. for H. B. 3007 - Authorizing the Commissioner of Agriculture to require background checks (HOWELL) (REGULAR)

- H. B. 3039 - Relating to a court's consideration of the expression of a preference by a child in certain child custody matters (SHOTT) (REGULAR)
- H. B. 3083 - Adding temporary work during the legislative session as exclusion to the term employment for purposes of unemployment compensation (SHOTT) (REGULAR)
- H. B. 3093 - Relating to standards for factory-built homes (HOWELL) (REGULAR)

HOUSE CALENDAR

Tuesday, February 19, 2019

42nd 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)

H. B. 2692 - Relating to primary elections and procedures (HOWELL) (REGULAR)

H. B. 2819 - Relating generally to contractors (FINANCE COMMITTEE AMENDMENT PENDING) (HOUSEHOLDER) (REGULAR)

WEST VIRGINIA HOUSE OF DELEGATES

TUESDAY, FEBRUARY 19, 2019

**PUBLIC HEARING
COMMITTEE ON THE JUDICIARY SUBCOMMITTEE
8:00 A.M. – HOUSE CHAMBER
ARTICLE V CONVENTION OF THE STATES PROPOSALS**

**COMMITTEE ON EDUCATION
9:00 A.M. – ROOM 432M**

**COMMITTEE ON FINANCE
9:00 A.M. – ROOM 460M**

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

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

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

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