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FORTY-FIFTH DAY

Friday, February 22, 2019

FORTY-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 Thursday, February 21, 2019, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Summers asked and obtained unanimous consent that all bills on committee reports, with the exception of H. B. 2519, be taken up for immediate consideration, read a first time and ordered to second reading.

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

By Delegates Shott, Byrd, Fast, D. Kelly and Miller:

H. B. 3141 - "A Bill to amend and reenact §4-8-4 of the Code of West Virginia, 1931, as amended, relating to expanding areas of the capitol complex requiring capitol building commission authorization for certain renovations."

In accordance with the consent previously granted, the bill (H. B. 3141) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 408, Determining indigency for public defender services,

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

In accordance with the consent previously granted, the bill (Com. Sub. for S. B. 408) was taken up for immediate consideration, read a first time and ordered to second reading.

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

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

Com. Sub. for H. B. 2378 - "A Bill to amend and reenact §18A-3-6 of the Code of West Virginia, 1931, as amended, relating generally to grounds for revocation of a teaching certificate; and providing that a teaching certificate or license shall be automatically revoked if a teacher is convicted of certain crimes,"

And,

H. B. 2866, Relating to the termination, expiration, or cancellation of oil or natural gas leases,

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

Com. Sub. for H. B. 2866 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §36-4-9b, relating to the termination, expiration, or cancellation of oil or natural gas leases; providing a requirement for a lessee to execute and deliver to the lessor, within a specified time and without cost, a recordable release for terminated, expired, or canceled oil or natural gas leases; providing for a procedure by which a lessor may serve notice to a lessee, if a lessee fails to timely provide the release; providing requirements for the content of the notice; requiring a lessee to timely notify the lessor in writing of a dispute regarding the termination, expiration, or cancellation of the oil and natural gas lease; providing for an affidavit of termination, expiration, or cancellation with specified contents; providing that with proper notification by the lessor and in the absence of a dispute by the lessee, an affidavit of termination, expiration, or cancellation may be recorded with the county clerk; providing a requirement that county clerks accept and record said affidavit; and providing that communications between the parties do not affect any claim or defense,"

With the recommendation that the committee substitutes each do pass.

In accordance with the consent previously granted, the bills (Com. Sub. for H. B. 2378 and Com. Sub. for H. B. 2866) were taken up for immediate consideration, read a first time and ordered to second reading.

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. 2049, Relating to a prime contractor's responsibility for wages and benefits,

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

Com. Sub. for H. B. 2049 - "A Bill to amend and reenact §21-5-7 and §38-2-6 of the Code of West Virginia, 1931, as amended, relating to a prime contractor's responsibility for wages and benefits of employees of a subcontractor,"

H. B. 2662, Relating to certificates or employment of school personnel,

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

Com. Sub. for H. B. 2662 - "A Bill to amend and reenact §18A-2-5 and §18A-4-8e of the Code of West Virginia, a1931, as amended, all relating to certificates or employment of school personnel; providing that a service personnel contract of employment is automatically terminated if the employee

is convicted of certain crimes; and providing that a bus operator certificate is automatically revoked if the bus driver is convicted of certain crimes.”

And,

H. B. 2943, Relating to deliveries by wine specialty shop,

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

Com. Sub. for H. B. 2943 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §60-8-6b, relating to allowing a wine specialty shop to deliver wine purchased at the shop without obtaining a direct shippers license under certain circumstances,”

With the recommendation that the committee substitutes each do pass.

In accordance with the consent previously granted, the bills (Com. Sub. for H. B. 2049, Com. Sub. for H. B. 2662 and Com. Sub. for H. B. 2943) were taken up for immediate consideration, read a first time and ordered to second reading.

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 22nd 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. 2481, Permitting retail sale of alcoholic beverages on Sundays after 1 p.m.

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 22nd 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:

H. B. 2492, Relating to mandatory reporting procedures of abuse and neglect of adults and children.

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 22nd 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:

H. B. 2459, Exercising authority to exempt individuals domiciled within the state from certain restrictions contained in federal law.

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. 2831, Finding and declaring certain claims against the state and its agencies to be moral obligations of the state,

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

Com. Sub. for H. B. 2831 - "A Bill finding and declaring certain claims against the state and its agencies to be moral obligations of the state; and directing the Auditor to issue warrants for the payment thereof,"

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 2831) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2665, Supplemental appropriation for PEIA Rainy Day Fee,

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

In accordance with the consent previously granted, the bill (H. B. 2665) was taken up for immediate consideration, read a first time and ordered to second reading.

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

By Delegates Cowles, Hartman, Hardy, Espinosa, Ellington, Rowan, Pethel and Anderson:

H. B. 3140 - "A Bill to amend and reenact §20-1-7 of the Code of West Virginia, 1931, as amended, and to amend and reenact §20-5-4 of said code, all related to the ability of the Director of the Division of Natural Resources to authorize repair, renovation and rehabilitation for existing facilities, buildings, amenities, and infrastructure and exempting these certain Division of Natural Resources contracts from review and approval of the Division of Purchasing; and adding state forests to the definition of recreational facilities."

In accordance with the consent previously granted, the bill (H. B. 3140) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2396, West Virginia Fresh Food Act,

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

Com. Sub. for H. B. 2396 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §19-37-1, relating to requiring all state-funded institutions to purchase a minimum of five percent of fresh produce, meat and poultry products from in-state producers if available at equal or lower cost,"

H. B. 2519, The Campus Self Defense Act,

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

Com. Sub. for H. B. 2519 - "A Bill to amend and reenact §18B-1-3 and §18B-1-6 of the Code of West Virginia, 1931, as amended; to amend and reenact §18B-1B-4 of said code; to amend and reenact §18B-2A-4 of said code; to amend and reenact §18B-2B-6 of said code; and to amend said code by adding thereto a new section, designated §18B-4-5b, all relating to regulation or restriction of the carrying of a concealed pistol or revolver by a person who holds a current license to carry a concealed deadly weapon; authorizing regulation or restriction on the carrying of concealed pistols or revolvers in certain circumstances or areas of an institution of higher education; eliminating authority of the Higher Education Policy Commission, the Council for Community and Technical College Education and the institutional boards of governors to restrict or regulate the carrying of concealed pistols or revolvers in certain circumstances or areas of an institution of higher education; and designating these amendments as 'The Campus Self Defense Act'."

And,

H. B. 3016, Relating to the State Aeronautics Commission,

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

Com. Sub. for H. B. 3016 - "A Bill to repeal §29-2A-9, §29-2A-17, §29-2A-18, §29-2A-19, §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, §29-2A-11, §29-2A-14 and §29-2A-20 of said code, all relating to the State Aeronautics Commission; repealing provisions relating to state airways systems, investigations, inquiries and hearings, disposition of fees, joint hearings, cooperation with and reports to agencies of state the United States, the use of state and municipal facilities and services, commission orders, notices and opportunity for hearings, judicial review of commission actions, criminal penalties and exchange of information for violations of provisions of article, severability, repeal of inconsistent provisions, and short title; removing antiquated and inoperable provisions 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; continuing general powers related to planning, establishing, constructing, maintaining, and operating of airports; removing requirement for delivery of abstract of conviction to commission; and clarifying authority to require presentment of certificate, permit, rating or license and to enforce aeronautics laws."

With the recommendation that the committee substitutes each do pass.

In accordance with the consent previously granted, the bills (Com. Sub. for H. B. 2396 and Com. Sub. for H. B. 3016) were taken up for immediate consideration, read a first time and ordered to second reading.

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

By Delegates Criss, Ellington, Hartman, Bates and Barrett:

H. B. 3139 - "A Bill to amend and reenact §5-16-25 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §5-16-27; to amend said

code by adding thereto a new section, designated §11B-2-15a, all relating generally to funding of Public Employees Health Insurance Program; requiring the finance board to maintain a reserve fund at actuarially recommended amounts of at least 10 percent of plan costs; removing requirement to transfer moneys resulting from plan savings into reserve fund; removing requirement that excess funds be transferred to West Virginia Retiree Health Benefit Trust Fund; establishing PEIA Rainy Day Fee and providing for its assessment and collection in current fiscal year of the state; establishing PEIA Rainy Day Fund as special, nonexpiring, interest-bearing revenue account in the State Treasury to be funded by Rainy Day Fee assessments; authorizing the Secretary of Revenue to assess and collect fee and give special revenue agencies additional time to pay fee when undue hardship exists; providing for the administration of the fund, including investment of funds, transfer of funds, and purposes for which the fund can be used; and authorizing the promulgation of emergency and legislative rules.”

In accordance with the consent previously granted, the bill (H. B. 3139) was taken up for immediate consideration, read a first time and ordered to second reading.

Resolutions Introduced

Delegate Linville offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 77 - “Requesting the Division of Highways to name bridge number 17-79-119.96 (17A318), locally known as Lodgeville I-79 Bridge, carrying IS 79 over CR 50/16, 50/25 and Railroad in Harrison county, the ‘U.S.A.F. Lt Col Frederick Donald Belknap Memorial Bridge’.”

Whereas, Frederick Donald Belknap was born July 31, 1929, on a farm on Little Termite Creek, two miles west of Wallace, in Harrison County, West Virginia. His parents were Dewey and Thelma Belknap. He graduated from Wallace High School in 1948 and attended West Virginia University from 1948 – 1953, where he worked as a waiter in Terrace Hall, a women’s residence hall, to earn his meals; and

Whereas, Upon graduation from West Virginia University with a Bachelor’s Degree in Education, Frederick Donald Belknap was commissioned a second lieutenant in the United States Air Force, having participated in reserve officer training while at the University; and

Whereas, Frederick Donald Belknap married Hester “Hedy” Ogden also of Wallace, West Virginia, on September 10, 1951. The couple had four children; and

Whereas, Frederick Donald Belknap enjoyed a nearly 25-year long career in the Air Force, being trained as a navigator, graduating first in his class, later rated Master Navigator, and rising to the rank of Lieutenant Colonel; and

Whereas, During his career Lt Col Belknap flew in missions worldwide in C124 “GlobeMaster” aircraft, participating in troop carrier and cargo missions to Germany and the rest of Europe. In 1957 he was involved in airlifting U. S. Marines to Lebanon on orders of President Dwight D. Eisenhower, and carried out other missions in Greece, Egypt, Jordan, Libya and Morocco. In 1959, Colonel Belknap was trained as a missile launch officer and served as a Nuclear Missile Launch Officer in Germany from 1961 to 1964. Following various assignments stateside, Colonel Belknap was assigned to Saigon, Vietnam, in 1970 where he served as psychological warfare officer with the Joint United States Public Affairs Office until June, 1974; and

Whereas, Upon returning from Vietnam, Colonel Belknap was assigned to Langley Air Force Base in Hampton, Virginia, from where he flew missions in Southeast Asia. At the time of his retirement in

1977, Colonel Belknap had flown thousands of miles in C124, C119, and C130 aircraft, including combat missions, and had been awarded a Bronze Star; and

Whereas, After his Air Force career, Colonel Belknap and his wife returned to Harrison County where he served as personnel coordinator for District 4 of the West Virginia Department of Highways from 1978 to 1989. He was a member of the West Milford Lions Club and VFW, and served as a leader for his grandson's Boy Scout Troop and was inducted into the Order of the Arrow. He enjoyed hunting, fishing, gardening, camping, gathering with old friends from all over, and attending Mountaineer football games. Colonel Belknap died February 23, 2017, at the age of 87, having lived a life of service to his country, his community and his family; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 17-79-119.96 (17A318), locally known as Lodgeville I-79 Bridge, carrying IS 79 over CR 50/16, 50/25 and Railroad in Harrison county, the "U.S.A.F. Lt Col Frederick Donald Belknap 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.A.F. Lt. Col. Frederick Donald Belknap Memorial Bridge"; and, be it

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

Delegates Robinson, Estep-Burton and Rowe offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 78 - "Requesting the Division of Highways name bridge number 20-61/7-0.56 (20A185), locally known as Pratt Pony Truss, carrying County Route 61/7 over Paint Creek in Kanawha County, the 'U. S. Air Force Amn Kenneth Wayne Hammar Memorial Bridge'."

Whereas, Kenneth Wayne Hammar was born on July 12, 1967, to John W. Hammar, Jr. and Linda Ramsey Hammar. He spent the beginning of his life living with his mother and paternal grandparents John W Hammar and Mary Ellen Hammar in Pratt, West Virginia while his father worked out-of-state. His family later moved to Handley, West Virginia. He was christened at the Church of the Good Shepard in Hansford, West Virginia, where he later served as an acolyte. As a child, he enjoyed taking long walks with his grandmother across the bridge from Pratt to Hansford to visit family and friends. He attended Pratt Elementary School, East Bank Middle School and East Bank High School, where he was a boxing champion; and

Whereas, Kenneth Wayne Hammar joined the United States Air Force in 1985. He was deployed to Turkey in 1986 and suffered a tragic accident that cost him his life; and

Whereas, It is fitting that an enduring memorial be established to commemorate U. S. Air Force Amn Kenneth Wayne Hammar and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways name bridge number 20-61/7-0.56 (20A185), locally known as Pratt Pony Truss, carrying County Route 61/7 over Paint Creek in Kanawha County, the "U. S. Air Force Amn Kenneth Wayne Hammar Memorial Bridge"; and, be it

Further Resolved, That 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. Air Force Amn Kenneth Wayne Hammar Memorial Bridge"; and, be it

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

Motions

Delegate McGeehan was recognized and moved, pursuant to House Rule 82, that H. B. 2732 be discharged from the Committee on the Judiciary.

Delegate Summers moved that the motion be tabled.

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. 252**), and there were—yeas 49, nays 47, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: Angelucci, Azinger, Bates, Bibby, Boggs, N. Brown, S. Brown, Byrd, Campbell, Canestraro, Diserio, Doyle, Estep-Burton, Evans, Fleischauer, Fluharty, Hansen, Hartman, Hicks, Hornbuckle, J. Jeffries, Kump, Lavender-Bowe, Longstreth, Lovejoy, McGeehan, Miley, Miller, Paynter, Pethtel, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rowe, Skaff, Sponaugle, Staggers, Swartzmiller, C. Thompson, R. Thompson, Tomblin, Walker, Williams, Wilson and Zukoff.

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the motion to discharge was laid upon the table.

Special Calendar

Unfinished Business

The following resolutions, coming up in regular order, as unfinished business, were reported by the Clerk and adopted:

H. R. 5, Honoring U. S. Army SPC4 Carmel Harvey Jr., Medal of Honor recipient,

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

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

And,

H. C. R. 48, Urging the Commissioner of the Bureau for Public Health to designate Alzheimer's disease and other dementias as a public health issue.

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

Third Reading

Com. Sub. for S. B. 13, Relating to distributions from State Excess Lottery Fund; 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. 253**), and there were—yeas 86, nays 10, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: Butler, Cadle, Kump, C. Martin, P. Martin, Pack, Porterfield, Robinson, Toney and Worrell.

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 13) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

Com. Sub. for S. B. 13 - “A Bill to amend and reenact §29-22-18a of the Code of West Virginia, 1931, as amended, relating to distributions from the State Excess Lottery Revenue Fund to racetrack purse funds.”

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

S. B. 442, Supplementing, amending, and decreasing appropriation to Insurance Commission; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 254**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 442) passed.

Delegate Summers moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 255**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 442) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

S. B. 443, Supplemental appropriation of federal moneys to DHHR divisions; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 256**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 443) passed.

Delegate Summers moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 257**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 443) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

S. B. 444, Supplemental appropriation to DHHR divisions; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 258**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 444) passed.

Delegate Summers moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 259**), and there were—yeas 95, nays 1, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: Howell.

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 444) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

Com. Sub. for H. B. 2532, Allowing certain donations by persons renewing their driver's license or vehicle registration; 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. 260**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2532) 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. 2540, Prohibiting the waste of game animals, game birds or game fish; 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. 261**), and there were—yeas 79, nays 17, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: Bibby, S. Brown, Butler, Fast, Fluharty, Hansen, Hicks, Howell, D. Jeffries, J. Jeffries, Jennings, Kump, Lovejoy, P. Martin, McGeehan, Walker and Wilson.

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2540) passed.

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

Com. Sub. for H. B. 2540 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-5i, relating to prohibiting the waste of any edible portion of big game or game fish; making it unlawful to take any big game and detach or remove the head, hide, antlers, tusks, paws, claws, gallbladder, teeth, beards, or spurs only and leave the carcass to waste; setting forth exceptions; and establishing criminal penalties for violations."

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. 2541, Requiring certain safety measures be taken at public schools; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 262**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2541) passed.

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

H. B. 2730, Increasing the compensation of the membership of the State Police and the salaries for public school teachers and school service personnel; on third reading, coming up in regular order, was read a third time.

Delegate Bibby was addressing the House when Delegate Swartzmiller arose to a point of order, regarding the content of the Member's remarks not being directed to the question before the House, to which point the Speaker replied that the point was well taken.

Subsequently,

Delegate Wilson moved the previous question, which demand was sustained.

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. 263**), and there were—yeas 48, nays 48, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: Angelucci, Barrett, Bates, Boggs, N. Brown, S. Brown, Byrd, Canestraro, Cowles, Diserio, Estep-Burton, Evans, Fast, Fluharty, Hansen, Hartman, Hicks, Hornbuckle, Householder, Lavender-Bowe, Longstreth, Lovejoy, Maynard, McGeehan, Miley, Miller, Nelson, Pack, Paynter, Pethtel, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rohrbach, Rowe, Skaff, Sponaugle, Staggers, Storch, Swartzmiller, C. Thompson, R. Thompson, Tomblin, Waxman, Williams and Zukoff.

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members present and voting not having voted in the affirmative, the motion for the previous question was rejected.

Delegate Waxman was addressing the House when Delegate Robinson arose to a point of order, regarding the content of the Member's remarks not being directed to the question before the House, to which point the Speaker replied that the point was well taken but that some latitude in explaining positions would be allowed.

Delegates Campbell, Azinger, Boggs, Criss, Dean, Espinosa, E. Evans, Fluharty, Higginbotham, Householder, Linville, Mandt, Miller, Pushkin, Rowan, Summers, C. Thompson, R. Thompson, Tomblin, Toney and Zukoff requested to be excused from voting on the passage of H. B. 2730 under the provisions of House Rule 49. Pursuant to House Rule 49, the Delegates are members of a class of five or more similarly situated persons or entities and were not excused from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 264**), and there were, including pairs—yeas 89, nays 8, absent and not voting 3, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairing was filed and announced by the Clerk:

Paired:

Yea: Caputo

Nay: Bibby

Nays: Butler, Foster, Householder, Malcolm, McGeehan, Waxman and Wilson.

Absent and Not Voting: Ellington, Hollen and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2730) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

H. B. 2730 - "A Bill to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18A-4-2 and §18A-4-8a of said code, all relating to increasing salaries of members of the West Virginia State Police, public school teachers and school service personnel."

Delegate Summers moved that the bill take effect July 1, 2019.

On this question, the yeas and nays were taken (**Roll No. 265**), and there were, including pairs—yeas 93, nays 4, absent and not voting 3, with the paired, nays and absent and not voting being as follows:

Pursuant to House Rule 43, the following pairing was filed and announced by the Clerk:

Paired:

Yea: Caputo

Nay: Bibby

Nays: Malcolm, Waxman and Wilson.

Absent and Not Voting: Ellington, Hollen and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2730) takes effect July 1, 2019.

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. 2807, Creating an additional modification to the West Virginia adjusted gross income of shareholders of S corporations engaged in banking; 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. 266**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Ellington, Hollen and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2807) passed.

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

H. B. 2829, Relating to the termination of severance taxes on limestone and sandstone; 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. 267**), and there were—yeas 78, nays 16, absent and not voting 6, with the nays and absent and not voting being as follows:

Nays: Canestraro, Doyle, Estep-Burton, Fleischauer, Hansen, Hicks, Lavender-Bowe, Miley, Miller, Pushkin, Pyles, Rowe, C. Thompson, Tomblin, Walker and Zukoff.

Absent and Not Voting: Caputo, Cooper, Ellington, Hollen, Staggers and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2829) passed.

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

H. B. 2872, Authorizing law-enforcement officers to assist the State Fire Marshal; 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. 268**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Cooper, Ellington, Hollen, Staggers and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2872) 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. 2901, Allowing for the establishment of a secondary location for racetrack video lottery terminals; 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. 269**), and there were—yeas 80, nays 15, absent and not voting 5, with the nays and absent and not voting being as follows:

Nays: Azinger, Butler, Cowles, Fast, D. Jeffries, Jennings, Kessinger, Kump, C. Martin, P. Martin, Pack, Porterfield, Robinson, Toney and Worrell.

Absent and Not Voting: Caputo, Cooper, Ellington, Hollen and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2901) passed.

Delegate Summers moved that the bill take effect July 1, 2019.

On this question, the yeas and nays were taken (**Roll No. 270**), and there were—yeas 87, nays 8, absent and not voting 5, with the nays and absent and not voting being as follows:

Nays: Azinger, Butler, D. Jeffries, Jennings, Kump, Porterfield, Robinson and Worrell.

Absent and Not Voting: Caputo, Cooper, Ellington, Hollen and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2901) takes effect July 1, 2019.

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

H. B. 2934, West Virginia Lottery Interactive Wagering Act; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 271**), and there were—yeas 72, nays 22, absent and not voting 6, with the nays and absent and not voting being as follows:

Nays: Azinger, Butler, Cadle, Cowles, Fast, Hott, D. Jeffries, Jennings, J. Kelly, Kessinger, Kump, Linville, P. Martin, Pack, Paynter, Porterfield, Rowan, Summers, Toney, Waxman, Worrell and Hanshaw (Mr. Speaker).

Absent and Not Voting: Caputo, Cooper, Ellington, Hicks, Hollen and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2934) passed.

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

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

H. B. 2968, Adding remote service unit to the definition of customer bank communications terminals; 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. 272**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Caputo, Cooper, Ellington, Hollen, Lavender-Bowe and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 2968) passed.

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

H. B. 2968 - "A Bill to amend and reenact §31A-8-12b of the Code of West Virginia, 1931, as amended, relating to adding remote service units to the definition of customer bank communication terminal; defining remote service unit; and requiring that operators of remote service units maintain a physical location in this state."

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

H. B. 3134, Establishing criminal penalties for negligent homicide, and increasing criminal penalties for reckless driving; on third reading, coming up in regular order, was, on motion of Delegate Summers, postponed one day.

Second Reading

Com. Sub. for S. B. 26, Permitting certain employees of educational service cooperatives participate in state's teacher retirement systems; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 489, Relating to Pharmacy Audit Integrity Act; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on Health and Human Resources, was reported by the Clerk and adopted, amending the bill on page seven, line one hundred forty-four, by striking out subsection (k) and inserting a new subsection (k) to read as follows:

“(k) If the information required herein is not provided, the agency may terminate the contract with the pharmacy benefit manager and the Office of the Insurance Commission shall discipline the pharmacy benefit manager as provided in §33-51-8(e).”

The bill was then ordered to third reading.

Com. Sub. for H. B. 2229, Adding violations of law upon which a public servant's retirement plan may be forfeited; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Shott, the bill was amended on page one, immediately following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

“ARTICLE 10A. DISQUALIFICATION FOR PUBLIC RETIREMENT PLAN BENEFITS.

§5-10A-2. Definitions.

As used in this article:

(a) ‘Retirement plan’ or ‘plan’ means the Public Employees Retirement Act pursuant to §5-10-1 *et seq.* of this code; each municipal employees retirement plan pursuant to §8-22-1 *et seq.* of this code; each policemen's and firemen's pension and relief fund pursuant to §8-22-1 *et seq.* of this code; the West Virginia Municipal Police Officers and Firefighters Retirement System pursuant to §8-22A-1 *et seq.* of this code; the West Virginia State Police Death, Disability, and Retirement Fund pursuant to §15-2-1 *et seq.* of this code; the West Virginia State Police Retirement System pursuant to §15-2A-1 *et seq.* of this code; the state Teachers Retirement System pursuant to §18-7A-1 *et seq.* of this code; the Teachers Defined Contribution Retirement System pursuant to §18-7B-1 *et seq.* of this code; the Deputy Sheriff Retirement System pursuant to §7-14D-1 *et seq.* of this code; the higher education retirement plan and supplemental retirement plans pursuant to §18-23-4a of this code; the Judges Retirement System pursuant to §51-9-1 *et seq.* of this code; the West Virginia Emergency Medical Services Retirement System pursuant to §16-5V-1 *et seq.* of this code; and any other plan established pursuant to this code for the payment of pension, annuity, disability, or other benefits to any person by reason of his or her service as an officer or employee of this state or of any political subdivision, agency, or instrumentality thereof, whenever the plan is supported, in whole or in part, by public funds.

(b) ‘Beneficiary’ means any person eligible for or receiving benefits because of the service for a public employer by a participant or former participant in a retirement plan.

(c) ‘Benefits’ means pension, annuity, disability, or any other benefits granted pursuant to a retirement plan.

(d) 'Conviction' means a conviction on or after the effective date of this article in any federal or state court of record whether following a plea of guilty, not guilty, or nolo contendere and whether or not the person convicted was serving as an officer or employee of a public employer at the time of the conviction.

(e) 'Former participant' means any person who is no longer eligible to receive any benefit under a retirement plan because full distribution has occurred.

(f) 'Less than honorable service' means:

(1) Impeachment and conviction of a participant or former participant under the provisions of section nine, article four of the Constitution of West Virginia;

(2) Conviction of a participant or former participant of a felony for conduct related to his or her office or employment which he or she committed while holding the office or during the employment;

(3) Conduct of a participant or former participant which constitutes all the elements of a crime described in either subdivision (1) or (2) of this subsection but for which the participant or former participant was not convicted because:

(i) (A) having been indicted or having been charged in an information for the crime, he or she made a plea-bargaining agreement pursuant to which he or she pleaded guilty to or nolo contendere to a lesser crime; ~~Provided, That the lesser crime is a felony containing all the elements described in subdivision (1) or (2) of this subsection or~~

(ii) (B) having been indicted or having been charged in an information for the crime, he or she was granted immunity from prosecution for the crime; or

(C) Conviction of a participant or former participant for the misdemeanor offenses provided in the following sections of this code related to his or her office or employment which he or she committed while holding the office or during the employment:

(i) §61-3-13, §61-3-14, and §61-3-20 of this code;

(ii) §61-5-1, §61-5-2, §61-5-3, §61-5-6, §61-5-21, §61-5-22, §61-5-23, and §61-5-24 of this code;
and

(iii) §61-5A-4, §61-5A-5, §61-5A-6, and §61-5A-7 of this code.

(g) 'Participant' means any person eligible for or receiving any benefit under a retirement plan because of his or her service as an officer or employee for a public employer.

(h) 'Public employer' means the State of West Virginia and any political subdivision, agency, or instrumentality thereof for which there is established a retirement plan.

(i) 'Supervisory board' or 'board' means the Consolidated Public Retirement Board; the Board of Trustees of any municipal retirement fund; the Board of Trustees of any policemen's or firemen's retirement plan; the governing board of any supplemental retirement plan instituted pursuant to authority granted by the previous provisions of §18-23-4a of this code; and any other board, commission, or public body having the duty to supervise and operate any retirement plan."

The bill was then ordered to engrossment and third reading.

Com. Sub. for H. B. 2452, Creating the West Virginia Cybersecurity Office; 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. 2550, Creating a matching program for the Small Business Innovation and Research Program and the Small Business Technology Transfer Program; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 2598, Relating to submitting a certifying statement attesting to status as a charitable or public service organization; 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. 2617, Relating to the form for making offer of optional uninsured and underinsured coverage by insurers; on second reading, coming up in regular order, was, on motion of Delegate Summers, postponed one day.

Com. Sub. for H. B. 2690, Relating to guaranty associations; 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. 2694, Relating to the state's ability to regulate hemp; 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. 2718, Requiring purchasers of roundwood to collect and maintain certain information; 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. 2770, Fairness in Cost-Sharing Calculation 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. 2802, Uniform Partition of Heirs Property Act; on second reading, coming up in regular order, was, on motion of Delegate Summers, postponed one day.

H. B. 2816, Removing the terms "hearing impaired," "hearing impairment," and "deaf mute" from the West Virginia Code and substituting terms; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 2827, Removing the residency requirements for hiring deputy assessors; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 2828, Relating to Qualified Opportunity Zones; 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. 2830, Establishing Next Generation 911 services in this state; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 2837, Relating to the licensing of advance deposit wagering; on second reading, coming up in regular order, was read a second time.

Delegate Espinosa moved to amend the bill on page five, section twelve-e, line one hundred, by striking out "2020" and inserting in lieu thereof the following: "2022".

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. 273**), and there were—yeas 55, nays 38, absent and not voting 7, with the nays and absent and not voting being as follows:

Nays: Azinger, Bates, Boggs, N. Brown, Butler, Byrd, Canestraro, Estep-Burton, Evans, Fast, Hansen, Hartman, Hicks, Hornbuckle, D. Jeffries, Kump, Lavender-Bowe, Longstreth, Lovejoy, P. Martin, Miley, Miller, Paynter, Pethtel, Porterfield, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaule, C. Thompson, R. Thompson, Toney, Walker, Williams, Worrell and Zukoff.

Absent and Not Voting: Caputo, Cooper, Ellington, Hollen, Skaff, Swartzmiller and Westfall.

So, a majority of the members present and voting having voted in the affirmative, the amendment was adopted.

The bill was ordered to engrossment and third reading.

H. B. 2926, Requiring the Secretary of the Department of Veterans' Affairs to study the housing needs of veterans; 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. 2991, Relating to the Ryan Brown Addiction Prevention and Recovery Fund; on second reading, coming up in regular order, was, on motion of Delegate Summers, postponed one day.

Com. Sub. for H. B. 3024, West Virginia Business Ready Sites Program; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 3045, Exempting certain complimentary hotel rooms from hotel occupancy tax; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 3132, Relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Kessinger and Rohrbach, the bill was amended on page five, section four, line ninety-eight, following the word "measures," by inserting "has completed medical education training on addiction treatment encompassing all forms of medication-assisted treatment" and a comma.

The bill was then ordered to engrossment and third reading.

Com. Sub. for H. B. 3133, Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 3135, Expiring funds to the balance of the Department of Commerce, Development Office; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

First Reading

Com. Sub. for S. B. 518, Restricting sale and trade of dextromethorphan; on first reading, coming up in regular order, was read a first time and ordered to second reading.

S. B. 545, Relating to HIV testing; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 2079, Removing certain limitations on medical cannabis grower, processor and dispensary licenses; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 2179, Allowing nonmembers of a political party to request that party's partisan ballot at a primary election; on first reading, coming up in regular order, was, on motion of Delegate Summers, postponed one day.

Com. Sub. for H. B. 2433, Modifying the school calendar to begin not earlier than Labor Day and end prior to Memorial Day on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 2441, Removing certain requirements related to wages for construction of public improvements; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 2497, Relating to the whistle-blower law; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 2595, Establishing the West Virginia Division of Natural Resources Police Officer Retirement System; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 2670, Relating to damages for medical monitoring; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 2945, Relating to vendors paying a single annual fee for a permit issued by a local health department; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 2953, Permitting a critical access hospital to become a community outpatient medical center; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 2976, Economic Diversification Act of 2019; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 3021, Relating to the disposition of permit fees, registration fees and civil penalties imposed against thoroughbred horse racing licensees; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3095, Establishing a minimum monthly retirement annuity for certain retirants; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3136, Relating to the Centers for Medicare and Medicaid Services; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 3137, Relating to the personal income tax fund; on first reading, coming up in regular order, was read a first time and ordered to second reading.

At 1:54 p.m., the House of Delegates recessed until 7:00 p.m.

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Evening 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 Kessinger asked and obtained unanimous consent that all bills on committee reports, with the exception of H. B. 3142, H. B. 3144 and Com. Sub. for S. B. 1, be taken up for immediate consideration, read a first time and ordered to second reading.

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. 2853, Establishing the West Virginia Program for Open Education Resources,

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

In accordance with the consent previously granted, the bill (H. B. 2853) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2397, Requiring county school boards to provide adequate mental health and counseling services,

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

Com. Sub. for H. B. 2397 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-22e, relating to requiring county school boards to provide adequate mental health evaluations, services and counseling services for pupils in the public schools; establishing minimum number of school psychologists by 2021-2022 school year; and authorizing alternative professional practitioners,”

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 2397) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2011, Road Maintenance Program,

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

Com. Sub. for H. B. 2011 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto five new sections designated §17-30-1, §17-30-2, §17-30-3, §17-30-4, and §17-30-5 all relating to the creation of the Enhanced Road Maintenance Program; providing for Legislative intent; providing for certain maintenance activities to be performed by private vendor contractors; providing for payment; providing for purchasing requirements; providing for reports and audit reviews; and providing an effective date,"

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 2011) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2729, Recognition of Emergency Medical Services Personnel Licensure Interstate Compact,

And,

H. B. 3044, Requiring the Commissioner of Highways to develop a formula for allocating road funds,

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

In accordance with the consent previously granted, the bills (H. B. 2729 and H. B. 3044) were taken up for immediate consideration, read a first time and ordered to second reading.

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. 3131, Relating to providing salary adjustments to employees of the Department of Health and Human Resources,

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

Com. Sub. for H. B. 3131 - "A Bill to amend and reenact §5-5-4 and §5-5-4a of the Code of West Virginia, as amended; and to amend said code by adding thereto a new section, designated §5-5-4c, all relating to employees of the Department of Health and Human Resources; requiring the department to conduct a marketplace analysis; and exempting the department from certain functions of the Division of Personnel,"

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 3131) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 3105, Permitting the Alcohol Beverage Control Administration to request the assistance of law enforcement,

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

Com. Sub. for 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,"

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 3105) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2703, Relating to refunds of excise taxes collected from dealers of petroleum products,

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

Com. Sub. for H. B. 2703 - "A Bill to amend and reenact §11-14C-30 of the Code of West Virginia, 1931, as amended, relating to refunds of excise taxes collected from dealers of petroleum products under certain circumstances; and eliminating a cap on the amount of tax that may be refunded for fuels lost through evaporation,"

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 2703) was taken up for immediate consideration, read a first time and ordered to second reading.

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

By Delegates Householder, Criss, Rowan, Linville and Maynard:

H. B. 3142 - "A Bill to amend and reenact §11-13A-3, §11-13A-6 and §11-13A-6a of the Code of West Virginia, 1931, as amended, all relating to reducing the severance tax on thermal or steam coal to three percent, effective April 1, 2019, eliminating restrictions on counties and municipalities expending and reporting the expenditure of the county and municipality portion of the severance tax; and establishing minimum amounts of distribution of portion of severance tax on coal dedicated for use and benefit of coal-producing counties."

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 22nd 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. 2521, Relating to permitting fur-bearer parts.

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 22nd 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:

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

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

By Delegates Hartman, Storch, Skaff, Graves, Espinosa, Rowan, Maynard, Hill, Longstreth and Barrett:

H. B. 3144 - "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, §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 and §11-13EE-17, all relating generally to North Central Appalachian Coal Severance Tax Rebate; providing short title, findings and purpose; defining terms; providing for rebate of severance tax when capital investment made in new machinery and equipment directly used in severance of coal, or in coal preparation and processing plants; providing

rules and procedures for claiming rebate and transfer to successors; imposing recapture tax in certain circumstance; providing rules for interpretation and construction; requiring periodic rebate reports; authorizing rulemaking; and providing for severability and effective date.”

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. 3020, Relating to sole source contracts for goods and services with nonprofit corporations affiliated with the respective education institutions,

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

In accordance with the consent previously granted, the bill (H. B. 3020) was taken up for immediate consideration, read a first time and ordered to second reading.

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

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

Com. Sub. for 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; removing limitations on expenditures; and providing for disposition of moneys in the fund at the end of fiscal year,”

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 3057) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2931, Clarifying that the State Lottery Commission has no authority over nonlottery games,

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

Com. Sub. for H. B. 2931 - “A Bill to amend and reenact §29-22C-6 of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-10-1 of said code, exempting casino night fundraising events from licensure, and providing that casino night themed fundraisers are not subject to criminal penalty,”

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 2931) was taken up for immediate consideration, read a first time and ordered to second reading.

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

By Delegates Shott, Capito, Nelson and Foster:

H. B. 3143 - "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."

In accordance with the consent previously granted, the bill (H. B. 3143) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2014, West Virginia Intellectual Property and Trade Secrets Act,

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

Com. Sub. for 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,"

And,

H. B. 2895, Allowing victims of certain crimes to get a restraining order,

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

Com. Sub. for H. B. 2895 - "A Bill to amend and reenact §61-11A-8 of the Code of West Virginia, 1931, as amended, relating to allowing victims of certain crimes to get a restraining order prohibiting convicted persons from contacting or living in proximity to the victim, upon a finding that this has caused or will cause the victim emotional distress,"

With the recommendation that the committee substitutes each do pass.

In accordance with the consent previously granted, the bills (Com. Sub. for H. B. 2014 and Com. Sub. for H. B. 2895) were taken up for immediate consideration, read a first time and ordered to second reading.

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

By Delegates Hamrick, Westfall, Butler, Waxman and Atkinson:

H. B. 3145 - "A Bill to amend and reenact §18C-4-1, §18C-4-2, §18C-4-3, §18C-4-4, and §18C-4-5 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18C-4A-1, §18C-4A-2, and §18C-4A-3 of said code, all relating to modifying certain student financial aid resources available to students pursuing public school teaching careers; abolishing the Underwood-Smith Teacher Loan Assistance Program; renaming the Underwood-Smith Teacher Scholarship and Loan Assistance Fund as the Underwood-Smith Teaching Scholars Program Fund; modifying program purpose to target certain academic disciplines and emphasize the academic distinction of award recipients; modifying award eligibility, renewal, and service agreement criteria to reflect modified program purpose; requiring certain mentoring services be provided to award recipients; preserving eligibility and service agreement criteria for current award recipients; modifying the amount of an award; and limiting tuition and fee charges for program recipients."

In accordance with the consent previously granted, the bill (H. B. 3145) was taken up for immediate consideration, read a first time and ordered to second reading.

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

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 1, Increasing access to career education and workforce training,

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. 1) 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. 3100, Clarifying certain provisions of the Nonintoxicating Beer Act,

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

Com. Sub. for 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,"

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 3100) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 2535, Relating to purchasing exemptions and procedures,

H. B. 2760, Relating to performance reviews of state agencies and regulatory boards,

H. B. 2850, Relating to qualifications for commercial driver's license,

H. B. 3054, Relating to the state agency for surplus property,

And,

H. B. 3102, Creating alternating wine proprietorships for wineries and farm wineries,

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

In accordance with the consent previously granted, the bills (H. B. 2535, H. B. 2760, H. B. 2850, H. B. 3054 and H. B. 3102) were taken up for immediate consideration, read a first time and ordered to second reading.

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. 2843, Creating an Office for Federal Surplus Property,

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

Com. Sub. for H. B. 2843 - "A Bill to amend and reenact §5A-3-45 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §5A-12-15, all relating to creating the Auto Auction Pilot Program; setting a beginning and ending date for the program, establishing requirements of the program; and requiring a report after completion of the pilot program,"

And,

H. B. 2951, Placing the regulation of non-medical professions and occupations in a new chapter of the code,

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

Com. Sub. for H. B. 2951 - "A Bill to amend and reenact §30-1-1 of the Code of West Virginia, 1931, as amended; to repeal §30-2-1, §30-2-2, §30-2-3, §30-2-4, §30-2-5, §30-2-5a, §30-2-6, §30-2-7, §30-2-8, §30-3-9, §30-2-10, §30-2-11, §30-2-12, §30-2-13, §30-2-14, §30-2-15 and §30-2-16 of said code; to repeal §30-6-1, §30-6-2, §30-6-3, §30-6-4, §30-6-5, §30-6-6, §30-6-7, §30-6-8, §30-6-9, §30-6-10, §30-6-11, §30-6-12, §30-6-13, §30-6-14, §30-6-15, §30-6-16, §30-6-17, §30-6-

16-, §30-6-19, §30-6-20, §30-6-21, §30-6-22, §30-6-23, §30-6-24, §30-6-22-, §30-6-26, §30-6-27, §30-6-28, §30-6-29, §30-6-30, and §30-6-31 of said code; to repeal §30-9-1, §30-9-2, §30-9-3, §30-9-4, §30-9-5, §30-9-6, §30-9-7, §30-9-8 §30-9-9, §30-9-10 §30-9-11, §30-9-12, §30-9-13, §30-9-14, §30-9-15, §30-9-16, §30-9-17, §30-9-16-, §30-9-19, §30-9-20, §30-9-21, §30-9-22, §30-9-23, §30-9-24, §30-9-25, §30-9-26, §30-9-27, §30-9-28, §30-9-29, §30-9-30, §30-9-31, 30-9-33 and §30-9-34 of said code; to repeal §30-12-1, §30-12-2, §30-12-3, §30-12-4, §30-12-5, §30-12-6, §30-12-7, §30-12-8, §30-12-9, §30-12-10, §30-12-11, §30-12-11a, §30-12-12, §30-12-13, and §30-12-14 of said code; to repeal §30-13-1, §30-13-2, §30-13-3, §30-13-4, §30-13-5, §30-13-6, §30-13-7, §30-13-8, §30-13-9, §30-13-10, §30-13-11, §30-13-12, §30-13-13, §30-13-13a, §30-13-14, §30-13-15, §30-13-16, §30-13-17, §30-13-18, §30-13-19, §30-13-20. §30-13-21, §30-13-22, §30-13-23, and §30-13-24; to repeal §30-13A-1, §30-13A-2, §30-13A-3, §30-13A-4, §30-13A-5, §30-13A-6, §30-13A-7, §30-13A-8, §30-13A-9, §30-13A-10, §30-13A-11, §30-13A-12, §30-13A-13, §30-13A-14, §30-13A-15, §30-13A-16, §30-13A-17, §30-13A-18, §30-13A-19, §30-13A-20, §30-13A-21, §30-13A-22, §30-13A-23, §30-13A-24, and §30-13A-25 of said code; to repeal §30-17-1, §30-17-2, §30-17-3, §30-17-4, §30-17-5, §30-17-6, §30-17-7, §30-17-8, §30-17-9, §30-17-10, §30-17-11, §30-17-12, §30-17-13, §30-17-14, §30-17-15, §30-17-16, §30-17-17, §30-17-18, §30-17-19 of said code; to repeal §30-18-1, §30-18-2, §30-18-3, §30-18-4, §30-18-5, §30-18-6, §30-18-7, §30-18-8, §30-18-9, §30-18-10, §30-18-11, §30-18-12, and §30-18-13 of said code; to repeal §30-19-1, §30-19-2, §30-19-3, §30-19-4, §30-19-5, §30-19-6, §30-19-7, §30-19-8, §30-19-9, §30-19-10, §30-19-11, §30-19-12, §30-19-13, §30-19-14, §30-19-15, §30-19-16 and §30-19-17 of said code; to repeal §30-22-1, §30-22-2, §30-22-3, §30-22-4, §30-22-5, §30-22-6, §30-22-7, §30-22-8, §30-22-9, §30-22-10, §30-22-11, §30-22-12, §30-22-13, §30-22-14, §30-22-15, §30-22-16, §30-22-17, §30-22-18, §30-22-19, §30-22-20, §30-22-21, §30-22-22, §30-22-23, §30-22-24, §30-22-25, §30-22-26, §30-22-27, and §30-22-28 of said code; to repeal §30-25-1, §30-25-2, §30-25-3, §30-25-4, §30-25-5, §30-25-6, §30-25-7, §30-25-8, §30-25-9, §30-25-10, §30-25-11, §30-25-12, §30-25-13, §30-25-14, §30-25-15, §30-25-16, §30-25-17, and §30-25-18 of said code; to repeal §30-27-1, §30-27-2, §30-27-3, §30-27-4, §30-27-5, §30-27-6, §30-27-7, §30-27-8, §30-27-8a, §30-27-8b, §30-27-9, §30-27-10, §30-27-11, §30-27-11a, §30-27-12, §30-27-13, §30-27-14, §30-27-15, §30-27-16, §30-27-17, §30-27-18, §30-27-19, §30-27-20, §30-27-21, §30-27-22, §30-27-23, and §30-27-24 of said code; to repeal §30-29-1, §30-29-2, §30-29-3, §30-29-4, §30-29-5, §30-29-6, §30-29-7, §30-29-8, §30-29-9, §30-29-10, §30-29-11, §30-29-12, and §30-29-13 of said code; to repeal §30-38-1, §30-38-2, §30-38-3, §30-38-4, §30-38-5, §30-38-6, §30-38-7, §30-38-8, §30-38-9, §30-38-10, §30-38-11, §30-38-12, §30-38-13, §30-38-14, §30-38-15, §30-38-16, §30-38-17, §30-38-18, and §30-38-19 of said code; to repeal §30-38A-1, §30-38A-2, §30-38A-3, §30-38A-4, §30-38A-5, §30-38A-6, §30-38A-7, §30-38A-8, §30-38A-9, §30-38A-10, §30-38A-11, §30-38A-12, §30-38A-13, §30-38A-14, §30-38A-15, §30-38A-16, and §30-38A-17 of said code; to repeal §30-39-1, §30-39-2, §30-39-3, §30-39-4, §30-39-5, §30-39-6, §30-39-7, §30-39-8, §30-39-9, §30-39-10, §30-39-11, §30-39-12, §30-39-13, §30-39-14, §30-39-15, §30-39-16, §30-39-17, §30-39-18, §30-39-19, §30-39-20, and 30-39-21 of said code; to repeal §30-40-1, §30-40-2, §30-40-3, §30-40-4, §30-40-5, §30-40-6, §30-40-7, §30-40-8, §30-40-9, §30-40-10, §30-40-11, §30-40-12, §30-40-13, §30-40-14, §30-40-15, §30-40-16, §30-40-17, §30-40-18, §30-40-19, §30-40-20, §30-40-21, §30-40-22, §30-40-23, §30-40-24, §30-40-25, §30-40-26, and §30-40-27 of said code; to amend said code by adding there to a new article, designated §30A-1-1, §30A-1-2, §30A-1-3, §30A-1-4, §30A-1-5, §30A-1-6, §30A-1-7, §30a-1-8, §30A-1-9, §30A-1-10, §30A-1-11, §30A-1-12, §30A-1-13, §30A-1-14, §30A-1-15 and §30A-1-16; to amend said code by adding there to a new article, designated §30A-2-1, §30A-2-3, §30A-2-4, §30A-2-5, §30A-2A-6, §30A-2-7, §30A-2-8, §30A-2-9, §30A-2-10, §30A-2-11, §30A-2-12, §30A-2-13, §30A-2-14, §30A-2-15, §30A-2-16, §30A-2-17, §30A-2-16, §30A-2-19, §30A-2-20, §30A-2-21, §30A-2-22, §30A-2-22a, §30A-2-23, §30A-2-24, §30A-2-25, §30A-2-26, §30A-2-27, §30A-2-28, §30A-2-29, §30A-2-30, and §30A-2-31; to amend said code by adding there to a new article, designated §30A-3-1, §30A-3-2, §30A-3-3, §30A-3-4, §30A-3-5, §30A-3-6, §30A-3-7, §30A-3-8, §30A-3-9, §30A-3-10, §30A-3-11, §30A-3-12, §30A-3-13, §30A-3-14, §30A-3-15, §30A-3-16, §30A-3-17, §30A-3-18, §30A-3-19, §30A-3-20, §30A-3-21, §30A-3-22, §30A-3-23, §30A-3-24, §30A-3-25, §30A-3-26, §30A-3-27, §30A-3-28, §30A-3-29, §30A-3-30, §30A-3-31, §30A-3-32, and §30A-

3-33; to amend said code by adding there to a new article, designated §30A-4-1, §30A-4-2, §30A-4-3, §30A-4-4, §30A-4-5, §30A-4-6, §30A-4-7, §30A-4-8, §30A-4-9, §30A-4-10, §30A-4-11, §30A-4-11a, §30A-4-12, §30A-4-13, and §30A-4-14; to amend said code by adding there to a new article, designated §30A-5-1, §30A-5-2, §30A-5-3, §30A-5-4, §30A-5-5, §30A-5-6, §30A-5-7, §30A-5-8, §30A-5-9, §30A-5-10, §30A-5-11, §30A-5-12, §30A-5-13, §30A-5-13a, §30A-5-14, §30A-5-15, §30A-5-16, §30A-5-17, §30A-5-18, §30A-5-19, §30A-5-20, §30A-5-21, §30A-5-22, §30A-5-23, and §30A-5-24; to amend said code by adding there to a new article, designated §30A-6-1, §30A-6-2, §30A-6-3, §30A-6-4, §30A-6-5, §30A-6-6, §30A-6-7, §30A-6-8, §30A-6-9, §30A-6-10, §30A-6-11, §30A-6-12, §30A-6-13, §30A-6-14, §30A-6-15, §30A-6-16, §30A-6-17, §30A-6-16, §30A-6-19, §30A-6-20, §30A-6-21, §30A-6-22, §30A-6-23, §30A-6-24, and §30A-6-25; to amend said code by adding there to a new article, designated §30A-7-1, §30A-7-2, §30A-7-3, §30A-7-4, §30A-7-5, §30A-7-6, §30A-7-7, §30A-7-8, §30A-7-9, §30A-7-10, §30A-7-11, §30A-7-12, and §30A-7-13; to amend said code by adding there to a new article, designated §30A-8-1, §30A-8-2, §30A-8-3, §30A-8-4, §30A-8-5, §30A-8-6, §30A-8-7, §30A-8-8, §30A-8-9, §30A-8-10, §30A-8-11, §30A-8-12, §30A-8-13, §30A-8-14, §30A-8-15, §30A-8-16, and §30A-8-17; to amend said code by adding there to a new article, designated §30A-9-1, §30A-9-2, §30A-9-3, §30A-9-4, §30A-9-5, §30A-9-6, §30A-9-7, §30A-9-8, §30A-9-9, §30A-9-10, §30A-9-11, §30A-9-12, §30A-9-13, §30A-9-14, §30A-9-15, §30A-9-16, §30A-9-17, §30A-9-18, §30A-9-19, §30A-9-20, §30A-9-21, §30A-9-22, §30A-9-23, §30A-9-24, §30A-9-25, §30A-9-26, §30A-9-27, and §30A-9-28; to amend said code by adding there to a new article, designated §30A-10-1, §30A-10-2, §30A-10-3, §30A-10-4, §30A-10-5, §30A-10-6, §30A-10-7, §30A-10-8, §30A-10-9, §30A-10-10, §30A-10-11, §30A-10-12, §30A-10-13, §30A-10-14, §30A-10-15, §30A-10-16, §30A-10-17, and §30A-10-18; to amend said code by adding there to a new article, designated §30A-11-1, §30A-11-2, §30A-11-3, §30A-11-4, §30A-11-5, §30A-11-6, §30A-11-7, §30A-11-8, §30A-11-8a, §30A-11-8b, §30A-11-9, §30A-11-10, §30A-11-11, §30A-11-11a, §30A-11-12, §30A-11-13, §30A-11-14, §30A-11-15, §30A-11-16, §30A-11-17, §30A-11-18, §30A-11-19, §30A-11-20, §30A-11-21, §30A-11-22, §30A-11-23, and §30A-11-24; to amend said code by adding there to a new article, designated §30A-12-1, §30A-12-2, §30A-12-3, §30A-12-4, §30A-12-5, §30A-12-6, §30A-12-7, §30A-12-8, §30A-12-9, §30A-12-10, §30A-12-11, §30A-12-12 and §30A-12-13; to amend said code by adding there to a new article, designated §30A-13-1, §30A-13-2, §30A-13-3, §30A-13-4, §30A-13-5, §30A-13-6, §30A-13-7, §30A-13-8, §30A-13-9, §30A-13-10, §30A-13-11, §30A-13-12, §30A-13-13, §30A-13-14, §30A-13-15, §30A-13-16, §30A-13-17, §30A-13-18 and §30A-13-19; to amend said code by adding there to a new article, designated §30A-14-1, §30A-14-2, §30A-14-3, §30A-14-4, §30A-14-5, §30A-14-6, §30A-14-7, §30A-14-8, §30A-14-9, §30A-14-10, §30A-14-11, §30A-14-12, §30A-14-13, §30A-14-14, §30A-14-15, §30A-14-16 and §30A-14-17; and to amend said code by adding there to a new article, designated §30A-15-1, §30A-15-2, §30A-15-3, §30A-15-4, §30A-15-5, §30A-15-6, §30A-15-7, §30A-15-8, §30A-15-9, §30A-15-10, §30A-15-11, §30A-15-12, §30A-15-13, §30A-15-14, §30A-15-15, §30A-15-16, §30A-15-17, §30A-15-18, §30A-15-19, §30A-15-20 and §30A-15-21; to amend said code by adding there to a new article, designated §30A-16-1, §30A-16-2, §30A-16-3, §30A-16-4, §30A-16-5, §30A-16-6, §30A-16-7, §30A-16-8, §30A-16-9, §30A-16-10, §30A-16-11, §30A-16-12, §30A-16-13, §30A-16-14, §30A-16-15, §30A-16-16, §30A-16-17, §30A-16-18, §30A-16-19, §30A-16-20, §30A-16-21, §30A-16-22, §30A-16-23, §30A-16-24, §30A-16-25, §30A-16-26 and §30A-16-27; and to amend said code by adding there to a new article, designated §30A-17-1, §30A-17-2, §30A-17-3, §30A-17-4, §30A-17-5, §30A-17-6, §30A-17-7, §30A-17-8, §30A-17-9, §30A-17-10, §30A-17-11, §30A-17-12, §30A-17-13, §30A-17-14, §30A-17-15, §30A-17-16, §30A-17-17, §30A-17-18 and §30A-17-19, all relating to placing the regulation of non-medical professions and occupations in a new Chapter 30A; providing that the general provisions of Chapter 30, Article 1, Article 1A, Article 1 B and Article 1D apply to all Chapter 30A boards and commissions; leaving the regulation of all medically related professions and occupations in Chapter 30; and making no substantive changes in any of these laws,"

With the recommendation that the committee substitutes each do pass.

In accordance with the consent previously granted, the bills (Com. Sub. for H. B. 2843 and Com. Sub. for H. B. 2951) were taken up for immediate consideration, read a first time and ordered to second reading.

Messages from the Senate

A message from the Senate, by

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

S. B. 519 - "A Bill to amend and reenact §24-6-5 of the Code of West Virginia, 1931, as amended, relating to requiring persons employed to dispatch emergency calls in county emergency dispatch centers to complete a training course in emergency cardiovascular care for telephonic cardiopulmonary resuscitation; requiring training to be completed by a certain date; and requiring calls to be transferred to call center in certain circumstances"; which was referred to the Committee on Health and Human Resources 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. 613 - "A Bill to amend and reenact §16-19-3, §16-19-5, and §16-19-19 of the Code of West Virginia, 1931, as amended; and to amend and reenact §20-2-31 of said code, all relating to permitting individuals to make an anatomical gift on a hunting or fishing license; adding definition; permitting the Division of Natural Resources to provide donor registrant records collected to the donor registry; requiring the Division of Natural Resources to provide information on the election of organ donation on hunting or fishing licenses; and requiring the Division of Natural Resources to include the election of organ donation on hunting or fishing licenses"; which was referred to the Committee on the Judiciary.

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 the following concurrent resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

S. C. R. 6 - "Requesting the Division of Highways to name bridge number 22-10-28.14 (22A038), locally known as West Hamlin Bridge, carrying WV 10 over the Guyandotte River in Lincoln County, the 'U. S. Army SP4 Darrell Gregory Triplett Memorial Bridge'."

Whereas, Darrell Gregory Triplett was born in West Hamlin and was an honor graduate of Guyan Valley High School in 1965. He served during the Vietnam War. With only a month left in the army, he was coming home on a weekend pass to celebrate his 21st birthday when he was killed in a plane crash at Yeager Airport in 1968; and

Whereas, It is fitting that an enduring memorial be established to commemorate U. S. Army SP4 Darrell Gregory Triplett and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 22-10-28.14 (22A038), locally known as West Hamlin Bridge, carrying WV 10 over the Guyandotte River in Lincoln County, the "U. S. Army SP4 Darrell Gregory Triplett Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U. S. Army SP4 Darrell Gregory Triplett Memorial Bridge"; and, be it

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

Leaves of Absence

At the request of Delegate Kessinger, and by unanimous consent, leaves of absence for the day were granted Delegates Ellington, Hollen and Westfall.

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 Kessinger asked and obtained unanimous consent that all bills on committee reports be taken up for immediate consideration, read a first time and ordered to second reading.

On motion for leave, bills were introduced (Originating in the Committee on Government Organization and reported with the recommendation that they each do pass), which were read by their titles, as follows:

By Delegate Howell:

H. B. 3146 – "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 a minimum amount of the available SKUs from the commissioner; 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; requiring the commissioner to supply or reasonably attempt to supply a prepaid order for a retail licensee; and establishing an effective date for changes to this article,"

And,

By Delegate Howell:

H. B. 3147 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-12-5c, relating to the requiring the Board of Insurance and Risk Management, or its insurers, to purchase life insurance products from state resident agents when necessary for the settlement of claims against the state."

In accordance with the consent previously granted, the bills (H. B. 3146 and H. B. 3147) were taken up for immediate consideration, read a first time and ordered to second reading.

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. 2941, Reinstating the film investment tax credit,

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

Com. Sub. for H. B. 2941 - "A Bill to amend and reenact §11-13X-3, §11-13X-4, §11-13X-5, §11-13X-6, §11-13X-8, §11-13X-11, §11-13X-12, and §11-13X-13 of the Code of West Virginia, 1931, as amended, all relating to the West Virginia Film Industry Investment Act; reinstating the film investment tax credit; providing the coordination and management by the West Virginia Development Office; excluding short-term depreciation from credit; raising the minimum threshold of expenditures to qualify for credit; establishing an annual limit in credits available; requiring the Development Office to develop a database of locations, music, and other resources to be made available to film production teams; and requiring state agencies to solicit bids from West Virginia vendors for film or video projects if available."

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 2941) was taken up for immediate consideration, read a first time and ordered to second reading.

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. 3103, Authorizing operators of a distillery or mini-distillery to offer for purchase and consumption liquor on the premises,

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

Com. Sub. for 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 manufactured by the distillery or mini-distillery 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,"

And,

H. B. 3116, Removing current limitations on sales of nonintoxicating beer and nonintoxicating craft beer growlers,

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

Com. Sub. for 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,"

With the recommendation that the committee substitutes each do pass.

In accordance with the consent previously granted, the bills (Com. Sub. for H. B. 3103 and Com. Sub. for H. B. 3116) were taken up for immediate consideration, read a first time and ordered to second reading.

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. 2974, Exempting businesses relating to transporting certain used tires to storage, disposal, or recycling locations from provisions of chapter,

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

Com. Sub. for H. B. 2974 - "A Bill to amend and reenact §24A-1-3 of the Code of West Virginia, 1931, as amended, relating to exempting businesses relating to transporting scrap tires, waste tires, or other used tires to storage, disposal, or recycling locations from the provisions of this chapter; and exempting motor vehicles operated under a contract with the West Virginia Department of Environmental Protection exclusively for cleanup and transportation of waste tires and solid waste generated from state authorized waste tire remediation or cleanup projects,"

With the recommendation that the committee substitute do pass.

In accordance with the consent previously granted, the bill (Com. Sub. for H. B. 2974) was taken up for immediate consideration, read a first time and ordered to second reading.

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:

- Delegate Jennings during Remarks by Members
- Delegates Waxman and Bibby for H. B. 2730
- Delegate McGeehan for H. B. 2732
- Delegate Espinosa during Remarks by Members on February 15
- Delegate Doyle during Remarks by Members
- Delegate Sponaugle 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:

- Delegate Jennings for H. B. 2049
- Delegate Nelson for H. B. 3100, H. B. 3102 and H. B. 3116
- Delegates C. Martin and Nelson for H. B. 3105

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

- Delegate Nelson for H. B. 2560

At 7:42 p.m., the House of Delegates adjourned until 11:00 a.m., Monday, February 25, 2019.

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

SPECIAL CALENDAR

Monday, February 25, 2019

48th Day

11:00 A. M.

THIRD READING

- Com. Sub. for S. B. 26 - Permitting certain employees of educational service cooperatives participate in state's teacher retirement systems (HOUSEHOLDER) (REGULAR)
- Com. Sub. for S. B. 489 - Relating to Pharmacy Audit Integrity Act (ELLINGTON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2229 - Adding violations of law upon which a public servant's retirement plan may be forfeited (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2452 - Creating the West Virginia Cybersecurity Office (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2550 - Creating a matching program for the Small Business Innovation and Research Program and the Small Business Technology Transfer Program (HOUSEHOLDER) (REGULAR)
- H. B. 2598 - Relating to submitting a certifying statement attesting to status as a charitable or public service organization (PACK) (REGULAR)
- Com. Sub. for H. B. 2690 - Relating to guaranty associations (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2694 - Relating to the state's ability to regulate hemp (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2718 - Requiring purchasers of roundwood to collect and maintain certain information (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2770 - Fairness in Cost-Sharing Calculation Act (SHOTT) (REGULAR)
- H. B. 2816 - Removing the terms "hearing impaired," "hearing impairment," and "deaf mute" from the West Virginia Code and substituting terms (PACK) (REGULAR)
- H. B. 2827 - Removing the residency requirements for hiring deputy assessors (HOWELL) (REGULAR)
- H. B. 2828 - Relating to Qualified Opportunity Zones (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2830 - Establishing Next Generation 911 services in this state (HOUSEHOLDER) (REGULAR)
- H. B. 2837 - Relating to the licensing of advance deposit wagering (SHOTT) (REGULAR)

- H. B. 2926 - Requiring the Secretary of the Department of Veterans' Affairs to study the housing needs of veterans (PACK) (REGULAR)
- Com. Sub. for H. B. 3024 - West Virginia Business Ready Sites Program (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 3045 - Exempting certain complimentary hotel rooms from hotel occupancy tax (HOUSEHOLDER) (REGULAR)
- H. B. 3132 - Relating to exempting providers that serve no more than 30 patients with office-based medication-assisted treatment (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 3133 - Relating to requiring a parolee or probationer found to have suffered with addiction to participate in a support service (SHOTT) (REGULAR)
- H. B. 3134 - Establishing criminal penalties for negligent homicide, and increasing criminal penalties for reckless driving (SHOTT) (REGULAR)
- H. B. 3135 - Expiring funds to the balance of the Department of Commerce, Development Office (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

SECOND READING

- Com. Sub. for S. B. 408 - Determining indigency for public defender services (SHOTT) (REGULAR)
- Com. Sub. for S. B. 518 - Restricting sale and trade of dextromethorphan (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING) (ELLINGTON) (REGULAR)
- S. B. 545 - Relating to HIV testing (HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING) (ELLINGTON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2011 - Road Maintenance Program (HOWELL) (JULY 1, 2019)
- Com. Sub. for H. B. 2014 - West Virginia Intellectual Property and Trade Secrets Act (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2049 - Relating to a prime contractor's responsibility for wages and benefits (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2079 - Removing certain limitations on medical cannabis grower, processor and dispensary licenses (ELLINGTON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2378 - Relating generally to grounds for revocation of a teaching certificate (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2396 - West Virginia Fresh Food Act (HOUSEHOLDER) (REGULAR)

- Com. Sub. for H. B. 2397 - Requiring county school boards to provide adequate mental health and counseling services (HAMRICK) (REGULAR)
- Com. Sub. for H. B. 2433 - Modifying the school calendar to begin not earlier than Labor Day and end prior to Memorial Day (HAMRICK) (REGULAR)
- Com. Sub. for H. B. 2441 - Removing certain requirements related to wages for construction of public improvements (SHOTT) (REGULAR)
- H. B. 2497 - Relating to the whistle-blower law (SHOTT) (REGULAR)
- H. B. 2535 - Relating to purchasing exemptions and procedures (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2595 - Establishing the West Virginia Division of Natural Resources Police Officer Retirement System (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2617 - Relating to the form for making offer of optional uninsured and underinsured coverage by insurers (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2662 - Relating to certificates or employment of school personnel (SHOTT) (REGULAR)
- H. B. 2665 - Supplemental appropriation for PEIA Rainy Day Fee (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2670 - Relating to damages for medical monitoring (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2703 - Relating to refunds of excise taxes collected from dealers of petroleum products (HOUSEHOLDER) (REGULAR)
- H. B. 2729 - Recognition of Emergency Medical Services Personnel Licensure Interstate Compact (HOWELL) (REGULAR)
- H. B. 2760 - Relating to performance reviews of state agencies and regulatory boards (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2802 - Uniform Partition of Heirs Property Act (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2831 - Finding and declaring certain claims against the state and its agencies to be moral obligations of the state (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2843 - Creating an Office for Federal Surplus Property (HOWELL) (REGULAR)
- H. B. 2850 - Relating to qualifications for commercial driver's license (HOWELL) (REGULAR)
- H. B. 2853 - Establishing the West Virginia Program for Open Education Resources (HAMRICK) (REGULAR)
- Com. Sub. for H. B. 2866 - Relating to the termination, expiration, or cancellation of oil or natural gas leases (SHOTT) (REGULAR)

- Com. Sub. for H. B. 2895 - Allowing victims of certain crimes to get a restraining order (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2931 - Clarifying that the State Lottery Commission has no authority over nonlottery games (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2941 - Reinstating the film investment tax credit (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2943 - Relating to deliveries by wine specialty shop (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2945 - Relating to vendors paying a single annual fee for a permit issued by a local health department (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2951 - Placing the regulation of non-medical professions and occupations in a new chapter of the code (HOWELL) (REGULAR)
- H. B. 2953 - Permitting a critical access hospital to become a community outpatient medical center (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2974 - Exempting businesses relating to transporting certain used tires to storage, disposal, or recycling locations from provisions of chapter (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2976 - Economic Diversification Act of 2019 (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2991 - Relating to the Ryan Brown Addiction Prevention and Recovery Fund (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 3016 - Relating to the State Aeronautics Commission (HOUSEHOLDER) (REGULAR)
- H. B. 3020 - Relating to sole source contracts for goods and services with nonprofit corporations affiliated with the respective education institutions (HAMRICK) (REGULAR)
- Com. Sub. for H. B. 3021 - Relating to the disposition of permit fees, registration fees and civil penalties imposed against thoroughbred horse racing licensees (HOUSEHOLDER) (REGULAR)
- H. B. 3044 - Requiring the Commissioner of Highways to develop a formula for allocating road funds (HOWELL) (REGULAR)
- H. B. 3054 - Relating to the state agency for surplus property (HOWELL) (REGULAR)
- Com. Sub. for H. B. 3057 - Relating to the Adult Drug Court Participation Fund (HOUSEHOLDER) (REGULAR)
- H. B. 3095 - Establishing a minimum monthly retirement annuity for certain retirants (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 3100 - Clarifying certain provisions of the Nonintoxicating Beer Act (HOWELL) (REGULAR)

- H. B. 3102 - Creating alternating wine proprietorships for wineries and farm wineries (HOWELL) (REGULAR)
- Com. Sub. for H. B. 3103 - Authorizing operators of a distillery or mini-distillery to offer for purchase and consumption liquor on the premises (HOWELL) (REGULAR)
- Com. Sub. for H. B. 3105 - Permitting the Alcohol Beverage Control Administration to request the assistance of law enforcement (HOWELL) (REGULAR)
- Com. Sub. for H. B. 3116 - Removing current limitations on sales of nonintoxicating beer and nonintoxicating craft beer growlers (HOWELL) (REGULAR)
- Com. Sub. for H. B. 3131 - Relating to providing salary adjustments to employees of the Department of Health and Human Resources (HOWELL) (REGULAR)
- H. B. 3136 - Relating to the Centers for Medicare and Medicaid Services (HOUSEHOLDER) (REGULAR)
- H. B. 3137 - Relating to the personal income tax fund (HOUSEHOLDER) (REGULAR)
- H. B. 3139 - Relating to funding of the Public Employees Health Insurance Program (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 3140 - Relating to the Division of Natural Resources Infrastructure (HOUSEHOLDER) (REGULAR)
- H. B. 3141 - Relating to expanding areas of the Capitol Complex (SHOTT) (REGULAR)
- H. B. 3143 - Relating to requirements for consumer loans in West Virginia (SHOTT) (REGULAR)
- H. B. 3145 - Relating to student financial aid resources (HAMRICK) (REGULAR)
- H. B. 3146 - Relating to retail licensees (HOWELL) (REGULAR)
- H. B. 3147 - Requiring the Board of Insurance and Risk Management purchase life insurance products from state resident agents (HOWELL) (REGULAR)

FIRST READING

- Com. Sub. for H. B. 2179 - Allowing nonmembers of a political party to request that party's partisan ballot at a primary election (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2519 - The Campus Self Defense Act (HOUSEHOLDER) (REGULAR)
- H. B. 3142 - Relating to thermal tax reduction on thermal or steam coal (HOUSEHOLDER) (REGULAR)

H. B. 3144 -

North Central Appalachian Coal Severance Tax Rebate Act
(HOUSEHOLDER) (REGULAR)

HOUSE CALENDAR

Monday, February 25, 2019

48th 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)
- H. B. 2932 - Transferring regulation and licensing of charitable bingo, charitable raffles, and charitable raffle boards (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2980 - Mine Trespass Act (SHOTT) (REGULAR)

WEST VIRGINIA HOUSE OF DELEGATES

MONDAY, FEBRUARY 25, 2019

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

**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 CHAMBER**

**TECHNOLOGY & INFRASTRUCTURE
1:00 P.M. & 5:00 P.M. – ROOM 215E**

**COMMITTEE ON EDUCATION
3:00 P.M. – ROOM 432M**

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