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January 14, 2020

SEVENTH DAY

Tuesday, January 14, 2020

SEVENTH DAY

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

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

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

The Clerk proceeded to read the Journal of Monday, January 13, 2020, being the first order of business, when the further reading thereof was dispensed with and the same approved.

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

Resolutions Introduced

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

H. R. 4 - "Memorializing the life of the Honorable Roy Givens, proud father, grandfather, great grandfather, veteran, businessman, public servant and West Virginian."

Whereas, Roy Givens was born on April 27, 1929, in Wellsburg, West Virginia, son of the late George and Annabelle Givens. In addition to his parents, Roy was preceded in death by his brothers and sister, and is survived by his children, son Jeff Givens and his wife Laurie Givens, daughter Susi Givens Melican and her husband Patrick Melican, and eight grandchildren and ten great-grandchildren; and

Whereas, Roy began his public service in 1951, when he joined the United States Army, serving as a combat medic for the 13th Combat Engineers during the Korean War, and in 1953, was honorably discharged from his military service; and

Whereas, as an active member of his community, Roy volunteered his service throughout his life and as a member of the American Legion, Korean War Veterans Association, The Elks Club, Rotary Club, and as President of the Wellsburg Lions Club, continuing his lifelong commitment to helping

others, Roy first ran for public office when he was elected to the Brooke County Board of Education, serving two terms, one of which was as the board's president; and

Whereas, Roy was first elected to the House of Delegates in 1978 where he served for 12 years. He was again elected to this House in 1994 and served an additional 8 years. In 2008, he was elected and served another 4 years. During his distinguished legislative career, his appointments including serving as Chairman of the Committee on Veterans Affairs, the Committee on Health and Human Services, the Committee on Government Organization, and the Commission on Juvenile Law; and

Whereas, during his time in the House of Delegates, serving under five Speakers and seven governors, and throughout his career, he tirelessly advocated for the needs of Brooke County and the northern panhandle in a kind and respectful manner, and always took time to listen to anyone who had a problem or concern, and was without equivocation, known to all as a gentleman and for his kindness and compassion for everyone; and

Whereas, Roy's military service inspired much of his work in the House of Delegates, as he diligently championed securing funding for the state's first veterans nursing home, establishing the West Virginia Woman Veterans Memorial and providing free license plates for veterans who were prisoners of war; and

Whereas, Roy's legislative service also reflected his passion for his community, where he helped to secure millions of dollars for projects in his county, including the Brooke County Public Library, the creation of the Brooke Pioneer Trail, providing assistance to the Brooke County 4-H and Brooke County Senior Center and one for which we was most proud, the expansion of state Route 2; and

Whereas, Roy was committed not only to public service and his family, he was also committed to his faith, as he and his family devotedly attended The Community of Christ Church, where he was an ordained deacon; and

Whereas, outside of his public service, Roy had a distinguished business career, working in sales for 40 years at Standard Slag Company; and

Whereas, Roy was recognized for his significant contributions to Brooke County and West Virginia through his receipt of numerous awards, including being presented with the Distinguished West Virginian Award in 2013 by then-Governor Earl Ray Tomblin; and

Whereas, sadly West Virginia lost a fine citizen, public servant, team player, a kind, giving and a dedicated friend to many. The Honorable Roy Givens, passed away on January 3, 2019; therefore, be it

Resolved by the House of Delegates:

That the House of Delegates hereby memorializes the life of the Honorable Roy Givens, father, grandfather, great grandfather, proud veteran, businessman, public servant and distinguished West Virginian; and, be it

Further Resolved, That the House of Delegates hereby extends its sincere sympathy to his family at the passing of the Honorable Roy Givens; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the family of the Honorable Roy Givens.

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

The resolution was then read by the Clerk.

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

The yeas and nays having been ordered, they were taken (**Roll No. 2**), and there were--yeas 91, nays none, absent and not voting 9, with the absent and not voting being as follows:

Absent and Not Voting: Byrd, Doyle, Espinosa, Estep-Burton, Fluharty, Hicks, Hornbuckle, Kessinger and Robinson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution (H. R. 4) adopted.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, Delegate Summers announced that H. R. 3, on Unfinished Business, Special Calendar, had been transferred to the House Calendar.

Committee Reports

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

Your Committee on the Judiciary has had under consideration:

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

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

Com. Sub. for H. B. 2602 - "A Bill to amend and reenact §61-3-18 of the Code of West Virginia, 1931, as amended, relating to receiving or transferring stolen property; providing that to knowingly possess stolen goods is an element of the offense of receiving or transferring stolen property; and providing an exception for certain purchasers of scrap metal,"

With the recommendation that the committee substitute do pass.

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

Your Committee on the Judiciary has had under consideration:

H. B. 2922, Relating to requirements to obtain a final order of discharge and dismissal for possession of opiates or opioids,

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

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

Your Committee on Government Organization has had under consideration:

H. B. 4010, Changing the licensing requirement for certain casino employees,

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

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

Your Committee on Government Organization has had under consideration:

H. B. 4042, Requiring agencies exempt from some or all of state purchasing requirements to adopt procedural rules,

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

Com. Sub. for H. B. 4042 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-1-12, relating to requiring agencies exempt from some or all of state purchasing requirements to adopt procedural rules establishing their purchasing procedures,”

With the recommendation that the committee substitute do pass.

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

Your Committee on Government Organization has had under consideration:

H. B. 2679, Relating to state issued identification cards,

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

Com. Sub. for H. B. 2679 – “A Bill to amend and reenact §17B-2-1 of the Code of West Virginia, 1931, as amended, relating to state issued identification cards; and permitting the issuance of a state issued identification card without a photo on the card, based upon certification that taking a photograph would violate religion tenet or religious belief.”

H. B. 2696, Creating an additional index system for state-owned lands,

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

Com. Sub. for H. B. 2696 – “A Bill to amend and reenact §14-1-20 and §14-1-21 of the Code of West Virginia, 1931, as amended, all relating to creating an additional index system for state-owned lands; providing that the county courts submit a list of lands the state obtained to the Auditor; providing that the Auditor create an index system; providing that the Auditor create a standard naming system; and providing for rule-making authority relating to the index system,”

And,

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

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

Com. Sub. for H. B. 2924 – “A Bill to amend and reenact §5B-2I-4 of the Code of West Virginia, 1931, as amended, relating to permitting the West Virginia Tourism Office to contract with the Division of Highways to sell advertising space on the WV511 website to promote in-state tourism and to raise capital for technological improvements to the website; permitting 50 percent of the funds from such sale to be deposited into the Tourism Promotion Fund; and permitting 50 percent of the fund from such sale be remitted to the Division of Highways pursuant to the contract,”

With the recommendation that the committee substitutes each do pass.

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

Your Committee on Government Organization has had under consideration:

H. J. R. 26, Giving the Legislature more control over the manufacture and sale of alcohol amendment,

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

In accordance with the former direction of the Speaker, the resolution (H. J. R. 26) was referred to the Committee on the Judiciary.

Messages from the Executive and other Communications

The following letter and report from Delegate Foster and Senator Maynard, cochairs of the Legislative Rule-Making Review Committee, have been filed with the Clerk:

West Virginia Legislature
Legislative Rule-Making Review Committee
State Capitol
Charleston, West Virginia 25305

January 8, 2020

The Honorable Bruce Cassis
Clerk, West Virginia Senate
State Capitol
Charleston, WV 25305

The Honorable Steve Harrison
Clerk, West Virginia House of Delegates
State Capitol
Charleston, WV 25305

Gentlemen:

In accordance with the provisions of W.Va. Code, §29A-3-12, we have attached copies of the proposed legislative rules which have been submitted to and acted upon by the Legislative Rule-Making Review Committee, pursuant to the provisions of W.Va. Code, §29A-3-11, and which have not previously been submitted to the Legislature for study.

Also, attached is a report listing the proposed legislative rules considered by the Committee, and setting forth the recommendations of the Committee with respect to the proposed legislative rules. This letter also serves as a statement that a separate bill authorizing the promulgation of each proposed legislative rule has been drafted by the staff of the Legislative Rule-Making Review Committee.

In accordance with W.Va. Code, §29A-3-11, the draft bills are available for any member to introduce to the Legislature. The undersigned, as Co-Chairs of the Legislative Rule-Making Review Committee, are requesting that Senator Maynard's name be placed on the draft bills as the sponsor in the Senate, and Delegate Foster's name be placed on the draft bills as the sponsor in the House of Delegates.

Thank you for your cooperation.

Sincerely,

Mark Maynard, Chair
Senate

Geoff Foster, Chair
House of Delegates

Report of the Legislative Rule-Making Review Committee

West Virginia Legislature
Legislative Rule-Making Review Committee
State Capitol
Charleston, West Virginia 25305
January 8, 2020

West Virginia Legislature
State Capitol
Charleston, West Virginia

Ladies and Gentlemen:

In accordance with the provisions of West Virginia Code, §29A-3-12, as chairpersons of the Legislative Rule-Making Review Committee we submit this report of its activities. A bill, in the form approved by the Committee, authorizing each of the proposed legislative rules below as submitted, as modified, as modified and amended, or as amended have been drafted by staff of the Legislative Rule-Making Review Committee pursuant to West Virginia Code §29A-3-11.

The Committee submits the following proposed rules to the Legislature with the recommendation that the proposed rules be authorized for promulgation by the respective agencies as submitted:

Administration, Department of

Rules for the General Administration of Records Managements and Preservation, 148 CSR 12 [H. B. 4204]

Administration, Department of

Rules for Retention and Disposal Scheduling, 148 CSR 13 [H. B. 4205]

Administration, Department of

Rules for the Management of Records Maintained by the Records Center, 148 CSR 14 [H. B. 4206]

Administration, Department of

Exemptions from Management Services Provided by the Fleet Management Division, 148 CSR 23 [H. B. 4207]

Agriculture, Department of

Animal Disease Control, 61 CSR 01 [H. B. 4208]

Agriculture, Department of

Fresh Food Act, 61 CSR 10 [H. B. 4209]

Agriculture, Department of

Poultry Rules for Hatcheries, Growers and Contractors Pertaining to Poultry Disease Control and Eradication, 61 CSR 13A [H. B. 4210]

Agriculture, Department of

Grade "A" Pasteurized Milk, 61 CSR 15 [H. B. 4211]

Agriculture, Department of

WV Manufacture-Grade Milk, 61 CSR 19 [H. B. 4212]

Agriculture, Department of

WV Exempted Dairy Farms and Milk and Milk Products Processing Rules, 61 CSR 40 [H. B. 4213]

Agriculture, Department of

West Virginia Spay Neuter Assistance Program, 61 CSR 24 [H. B. 4214]

Agriculture, Department of

Captive Cervid Farming, 61 CSR 34 [H. B. 4215]

Dentistry, Board of

Rule for the West Virginia Board of Dental Examiners, 5 CSR 01 [H. B. 4216]

DEP – Air Quality Board

Ambient Air Quality Standards, 45 CSR 08 [H. B. 4217]

DEP – Air Quality Board

Standards of Performance for New Stationary Sources, 45 CSR 16 [H. B. 4218]

DEP – Air Quality Board

Emission Standards for Hazardous Air Pollutants, 45 CSR 34 [H. B. 4219]

DEP – Air Quality Board

Control of Ozone Season Nitrogen Oxides Emissions, 45 CSR 40 [H. B. 4220]

DEP – Mining and Reclamation

Groundwater Protection Rules for Coal Mining Operations, 38 CSR 02F [H. B. 4221]

DEP – Water and Waste Management

Hazardous Waste Management System, 33 CSR 20 [H. B. 4222]

DEP – Secretary's Office

Voluntary Remediation and Redevelopment Rule, 60 CSR 03 [H. B. 4223]

Forestry, Division of

Sediment Control During Commercial Timber-Harvesting Operations—Licensing, 22 CSR 02 [H. B. 4224]

Forestry, Division of

Sediment Control During Commercial Timber-Harvesting Operations—Logger Certification, 22 CSR 03 [H. B. 4225]

Health and Human Resources, Department of

Primary Care Seed Money Grants, 64 CSR 71 [H. B. 4226]

Health and Human Resources, Department of

Pilot Program for Drug Screening of Applicants for Cash Assistance, 78 CSR 26 [H. B. 4227]

Highways, Division of

Transportation of Hazardous Wastes Upon the Roads and Highways, 157 CSR 07 [H. B. 4228]

Insurance Commission

Medicare Supplement Insurance, 114 CSR 24 [H. B. 4229]

Insurance Commission

Pharmacy Auditing Entities and Pharmacy Benefit Managers, 114 CSR 99 [H. B. 4230]

Labor, Department of

Supervision of Plumbing Work, 42 CSR 32 [H. B. 4231]

Labor, Department of

Regulation of Heating, Ventilating and Cooling Work, 42 CSR 34 [H. B. 4232]

Miner's Health Safety and Training, Office of

Substance Abuse Screening, Standards and Procedures, 56 CSR 19 [H. B. 4233]

Miner's Health Safety and Training, Office of

Rules Governing the Certification, Recertification and Training of EMT-Miners and the Certification of EMT-M Instructors, 56 CSR 22 [H. B. 4234]

Motor Vehicles, Department of

State Vehicle Title, Registration and Relicensing Project of 2018, 91 CSR 24 [H. B. 4235]

Natural Resources, Division of

Commercial Whitewater Outfitters, 58 CSR 12 [H. B. 4236]

Natural Resources, Division of

Transporting and Selling Wildlife Pelts and Parts, 58 CSR 16 [H. B. 4237]

Natural Resources, Division of

Boating Rule, 58 CSR 25 [H. B. 4238]

Natural Resources, Division of

Special Requirements Concerning Boating, 58 CSR 28 [H. B. 4239]

Natural Resources, Division of

Defining the Terms Used in All Hunting and Trapping, 58 CSR 46 [H. B. 4240]

Natural Resources, Division of

Prohibitions When Hunting and Trapping, 58 CSR 47 [H. B. 4241]

Natural Resources, Division of

Catching and Selling Bait Fish, 58 CSR 62 [H. B. 4242]

Natural Resources, Division of

Falconry, 58 CSR 65 [H. B. 4243]

Occupational Therapy, Board of

Fees for Services Rendered by the Board, 13 CSR 03 [H. B. 4244]

Occupational Therapy, Board of

Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 13 CSR 08 [H. B. 4245]

Pharmacy, Board of

Board of Pharmacy Rules for Immunizations Administered by Pharmacists and Pharmacy Interns, 15 CSR 12 [H. B. 4246]

Registered Professional Nurses, Board of

Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct, 19 CSR 03 [H. B. 4247]

Respiratory Care, Board of

Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 30 CSR 10 [H. B. 4248]

State Auditor

Local Government Purchasing Card Program, 155 CSR 06 [H. B. 4249]

State Conservation Committee

State Conservation Committee Grant Program, 63 CSR 03 [H. B. 4250]

Tax Department

Payment of Taxes by Electronic Funds Transfer, 110 CSR 10F [H. B. 4251]

The Committee submits to the Legislature the following proposed rules which were modified by the agency in accordance with the provisions of West Virginia Code, §29A-3-14, and which were approved by the Committee with the modifications with the recommendation that the proposed rules be authorized for adoption by the respective agencies as modified:

Accountancy, Board of

Board Rules and Rules for Professional Conduct, 1 CSR 01 [H. B. 4252]

Acupuncture, Board of

Fees for the Board of Acupuncture, 32 CSR 04 [H. B. 4253]

Acupuncture, Board of

Auricular Detoxification Therapy Certificate, 32 CSR 14 [H. B. 4254]

Acupuncture, Board of

Application for Waiver of Initial Licensing Fees for Certain Individuals, 32 CSR 15 [H. B. 4255]

Acupuncture, Board of

Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 32 CSR 16 [H. B. 4256]

Administration, Department of

Financial Services Reporting, 148 CSR 24 [H. B. 4257]

Architects, Board of

Registration of Architects, 2 CSR 01 [H. B. 4258]

Architects, Board of

Fees for Registration of Architects, 2 CSR 03 [H. B. 4259]

Agriculture, Department of

Auctioneers, 61 CSR 11B [H. B. 4260]

Agriculture, Department of

Employment Reference and Inquiries and Background Checks, 61 CSR 20 [H. B. 4261]

Agriculture, Department of

Industrial Hemp, 61 CSR 29 [H. B. 4262]

Agriculture, Department of

Hemp Products, 61 CSR 30 [H. B. 4263]

Agriculture, Department of

Farmers Markets, 61 CSR 38 [H. B. 4264]

Chiropractic Examiners, Board of

Application for Waiver of Initial Licensing Fees for Certain Individuals, 4 CSR 07 [H. B. 4265]

Chiropractic Examiners, Board of

Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 4 CSR 08 [H. B. 4266]

Commerce, Department of

Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program, 145 CSR 15 [H. B. 4267]

Counseling, Board of Examiners in

Application for Waiver of Initial Licensing Fees for Certain Individuals, 27 CSR 13 [H. B. 4268]

Dentistry, Board of

Dental Advertising, 5 CSR 08 [H. B. 4269]

DEP – Air Quality Division

Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities, 45 CSR 25 [H. B. 4270]

Dietitians, Board of

Licensure and Renewal Requirements, 31 CSR 01 [H. B. 4271]

Dietitians, Board of

Application for Waiver of Initial Licensing Fees for Certain Individuals, 31 CSR 06 [H. B. 4272]

Election Commission

Corporate and Membership Organization Political Activity, 146 CSR 01 [H. B. 4273]

Election Commission

Regulation of Campaign Finance, 146 CSR 03 [H. B. 4274]

Fire Commission

State Fire Code, 87 CSR 01 [H. B. 4275]

Fire Commission

State Building Code, 87 CSR 04 [H. B. 4276]

Funeral Service Examiners, Board of

Applications for Waiver of Initial Licensing Fees for Certain Individuals, 6 CSR 05 [H. B. 4277]

Funeral Service Examiners, Board of

Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 6 CSR 06 [H. B. 4278]

Health and Human Resources, Department of

Public Water Systems, 64 CSR 03 [H. B. 4279]

Health and Human Resources, Department of

Fees for Permits, 64 CSR 30 [H. B. 4280]

Health and Human Resources, Department of

Vital Statistics, 64 CSR 32 [H. B. 4281]

Health and Human Resources, Department of

Emergency Medical Services, 64 CSR 48 [H. B. 4282]

Health and Human Resources, Department of

Primary Care Center Uncompensated Care Grants, 64 CSR 70 [H. B. 4283]

Health and Human Resources, Department of

Medical Cannabis Program—General Provisions, 64 CSR 109 [H. B. 4284]

Health and Human Resources, Department of

Medical Cannabis Program—Grower/Processor, 64 CSR 110 [H. B. 4285]

Health and Human Resources, Department of

Medical Cannabis Program—Laboratories, 64 CSR 111 [H. B. 4286]

Health and Human Resources, Department of

Medical Cannabis Program—Program Dispensaries, 64 CSR 112 [H. B. 4287]

Health and Human Resources, Department of

Medical Cannabis Program—Safe Harbor Letter, 64 CSR 113 [H. B. 4288]

Health and Human Resources, Department of

Collection and Exchange of Data Related to Overdoses, 69 CSR 14 [H. B. 4289]

Health and Human Resources, Department of

Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults in West Virginia, 78 CSR 03 [H. B. 4290]

Health and Human Resources, Department of

Qualifications for a Provisional License to Practice as a Social Worker Within the Department of Health and Human Resources, 78 CSR 24 [H. B. 4291]

Health Care Authority

Critical Access Hospitals, 65 CSR 09 [H. B. 4292]

Hearing Aid Dealers, Board of

Applications for Waiver of Initial Licensing Fees for Certain Individuals, 8 CSR 04 [H. B. 4293]

Hearing Aid Dealers, Board of

Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 8 CSR 05 [H. B. 4294]

Highways, Division of

Use of State Road Rights of Way and Adjacent Areas, 157 CSR 06 [H. B. 4295]

Highways, Division of

Small Wireless Facilities on Division of Highways Rights of Way, 157 CSR 13 [H. B. 4296]

Insurance Commission

Credit for Reinsurance, 114 CSR 40 [H. B. 4297]

Landscape Architects, Board of

Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 9 CSR 05 [H. B. 4298]

Massage Therapy Licensure Board

Application for Waiver of Initial Licensing Fees for Certain Individuals, 194 CSR 05 [H. B. 4299]

Massage Therapy Licensure Board

Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 194 CSR 06 [H. B. 4300]

Medical Imaging Technologists

West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, 18 CSR 01 [H. B. 4301]

Medicine, Board of

Licensure, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants, 11 CSR 01B [H. B. 4302]

Medicine, Board of

Waiver of Initial Licensing Fees for Certain Initial Licensure Applicants, 11 CSR 13 [H. B. 4303]

Motor Vehicles, Department of

Safety and Treatment Program, 91 CSR 15 [H. B. 4304]

Natural Resources, Division of

Special Boating Rules, 58 CSR 26 [H. B. 4305]

Natural Resources, Division of

Public Use of Campgrounds in West Virginia State Parks, and State Forests and Campsite in State Rail Trails Under the Division of Natural Resources, 58 CSR 32 [H. B. 4306]

Natural Resources, Division of

Special Projects and Grants for West Virginia State Parks, State Forests, and State Rail Trails Under the Division of Natural Resources, 58 CSR 34 [H. B. 4307]

Natural Resources, Division of

Special Fishing Rule, 58 CSR 61 [H. B. 4308]

Nursing Home Administrators Licensing Board

Nursing Home Administrators, 21 CSR 01 [H. B. 4309]

Occupational Therapy, Board of

Application for Waiver of Initial Licensing Fees for Certain Individuals, 13 CSR 07 [H. B. 4310]

Oil and Gas Conservation Commission

Rules of the Commission, 39 CSR 01 [H. B. 4311]

Optometry, Board of

Rules of the West Virginia Board of Optometry, 14 CSR 01 [H. B. 4312]

Osteopathic Medicine, Board of

Osteopathic Physician Assistants, 24 CSR 02 [H. B. 4313]

Osteopathic Medicine, Board of

Waiver or Initial Licensing Fees for Certain Licensure Applicants, 24 CSR 08 [H. B. 4314]

Pharmacy, Board of

Licensure and Practice of Pharmacy, 15 CSR 01 [H. B. 4315]

Pharmacy, Board of

Record Keeping and Automated Data Processing Systems, 15 CSR 04 [H. B. 4316]

Pharmacy, Board of

Board of Pharmacy Rules for Registration of Pharmacy Technicians, 15 CSR 07 [H. B. 4317]

Pharmacy, Board of

Board of Pharmacy Rules for Centralized Prescription Processing, 15 CSR 14 [H. B. 4318]

Pharmacy, Board of

Regulations Governing Pharmacy Permits, 15 CSR 15 [H. B. 4319]

Pharmacy, Board of

Regulations Governing Pharmacists, 15 CSR 16 [H. B. 4320]

Pharmacy, Board of

Application for Waiver of Initial Licensing Fees for Certain Individuals, 15 CSR 18 [H. B. 4321]

Physical Therapy, Board of

General Provisions for Physical Therapist and Physical Therapist Assistants, 16 CSR 01 [H. B. 4322]

Physical Therapy, Board of

Fees for Physical Therapist and Physical Therapist Assistant, 16 CSR 04 [H. B. 4323]

Physical Therapy, Board of

General Provisions for Athletic Trainers, 16 CSR 05 [H. B. 4324]

Physical Therapy, Board of

Fees for Athletic Trainers, 16 CSR 06 [H. B. 4325]

Physical Therapy, Board of

Application for Waiver of Initial Licensing Fees for Certain Individuals, 16 CSR 09 [H. B. 4326]

Professional Engineers, Board of

Examination, Licensure and Practice of Professional Engineers, 7 CSR 01 [H. B. 4327]

Professional Surveyors, Board of

Examination and Licensing of Professional Surveyors in West Virginia, 23 CSR 01 [H. B. 4328]

Psychologists, Board of

Consideration of Prior Criminal Convictions in Initial Licensure Determinations, 17 CSR 07 [H. B. 4329]

Public Defender Services

Payment of Fees and Reimbursement of Expenses of Court-Appointed Attorneys, 89 CSR 01 [H. B. 4330]

Racing Commission

Thoroughbred Racing, 178 CSR 1 [H. B. 4331]

Real Estate Appraiser Licensing and Certification Board

Requirements for Licensure and Certification, 190 CSR 02 [H. B. 4332]

Real Estate Commission

Application for Waiver of Initial Licensing Fees for Certain Individuals, 174 CSR 06 [H. B. 4333]

Real Estate Commission

Consideration of Prior Criminal Convictions in Initial License Eligibility Determinations, 174 CSR 07 [H. B. 4334]

Registered Professional Nurses, Board of

Application for Waiver of Initial Licensing Fees for Certain Individuals, 19 CSR 15 [H. B. 4335]

Respiratory Care, Board of

Establishment of Fees, 30 CSR 02 [H. B. 4336]

Respiratory Care, Board of

Student Limited Permit, 30 CSR 09 [H. B. 4337]

Sanitarians, Board of

Application for Waiver of Initial Licensing Fees for Certain Individuals, 20 CSR 05 [H. B. 4338]

Social Work, Board of

Qualifications for the Profession of Social Work, 25 CSR 01 [H. B. 4339]

Social Work, Board of

Fee Schedule, 25 CSR 03 [H. B. 4340]

Speech-Language Pathology and Audiology, Board of

Licensure of Speech-Pathology and Audiology, 29 CSR 01 [H. B. 4341]

Speech-Language Pathology and Audiology, Board of

Disciplinary and Complaint Procedures for Speech-Language Pathology and Audiology, 29 CSR 04 [H. B. 4342]

Tax Department

Consumer Sales and Service Tax and Use Tax - Drugs, Durable Medical Goods, Mobility Enhancing Equipment and Prosthetic Devices Per Se Exemption; Motor Vehicles Per Se Exemption, 110 CSR 15C [H. B. 4343]

Tax Department

Exchange of Information Pursuant to Written Agreement, 110 CSR 50C [H. B. 4344]

Veterinary Medicine, Board of

Organization and Operation and Licensing of Veterinarians, 26 CSR 01 [H. B. 4345]

Veterinary Medicine, Board of

Registration of Veterinary Technicians, 26 CSR 03 [H. B. 4346]

The Committee submits the following legislative rule which was modified by the agency in accordance with the provisions of West Virginia Code, §29A-3-14, and which was approved by the Committee with the modifications and with the recommendation that the proposed rule be authorized for adoption by the agency with amendments:

Veterinary Medicine, Board of

Schedule of Fees, 26 CSR 06 [H. B. 4347]

The Committee submits the following legislative rule which was approved by the Committee in accordance with the provisions of West Virginia Code, §29A-3-11, with the recommendation that the proposed rule be authorized for promulgation by the respective agency with amendments:

DEP—Mining and Reclamation

West Virginia Surface Mining Reclamation Rule, 38 CSR 02 [H. B. 4348]

Messages from the Senate

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 Government Organization then Rules:

S. C. R. 2 – “Requesting the citizens of Frederick County, Virginia, to consider becoming a part of the State of West Virginia.”

Whereas, Frederick County, Virginia, was formed in 1743, and Hampshire County, Virginia, was formed in 1754. Most of what was originally Hampshire County, when it was formed in 1754, was territory that had been part of Frederick County. Berkeley County, Virginia, was formed from Frederick County in 1772; and

Whereas, The counties of Jefferson, Berkeley, Morgan, Hampshire, Mineral, Hardy and Grant counties in the State of West Virginia all contain territory that was once part of Frederick County, Virginia, such that Frederick County, Virginia, may truly be regarded as the mother of all seven of these West Virginia counties; and

Whereas, In addition to the historical connections between Frederick County, Virginia, and the seven counties in West Virginia, which are her children, there have always existed strong familial ties between and among the inhabitants of those counties, as well as ties of commerce, business, religion, education, arts, society, politics, travel, recreation, and connections of every possible kind. There remain, as there have always been, feelings of deep affection for Frederick County and for her inhabitants by and among the citizens of West Virginia, and in particular by and among the citizens of those counties in West Virginia which may be regarded as the children of Frederick County. In 1862, when the government of Virginia, meeting in Wheeling, took up the question of the formation of a new state, Frederick County was among those counties which were regarded as having a natural place within the new state. So strong was the desire to have Frederick County join the new state that the opportunity for her to do that was specifically provided for by an Act of the Legislature; and

Whereas, The Act of the Legislature of Virginia, passed May 13, 1862, giving the consent of the State of Virginia to the formation of the new State of West Virginia, provided as follows:

That the consent of the legislature of Virginia be, and the same is hereby, given that the counties of Berkeley, Jefferson, and Frederick shall be included in and form part of the State of West Virginia, whenever the voters of said counties shall ratify and assent to said constitution, at an election held for the purpose, at such time and under such regulations as the commissioners, named in said schedule, may prescribe; and

Whereas, Although the citizens of the counties of Berkeley and Jefferson thereafter voted to join the new state, the citizens of Frederick County have not yet done so; and

Whereas, By its decision in the case of *State of Virginia v. State of West Virginia*, 78 U.S. 39, 20 L.Ed.67, 11 Wall. 39 (1870), the United States Supreme Court recognized that the opportunity for Frederick County, Virginia, to transfer to and join the new State of West Virginia, was lawfully and permanently reserved unto her by the actions of Virginia and by the Congress of the United States, to be exercised whenever the voters of Frederick County might vote to join the new State of West Virginia, to-wit:

“The State of Virginia, in the ordinance which originated the formation of the new State, recognized something peculiar in the condition of these two counties, and some others. It gave them

the option of sending delegates to the constitutional convention and gave that convention the option to receive them. For some reason not developed in the legislative history of the matter these counties took no action on the subject. The convention, willing to accept them, and hoping they might still express their wish to come in, made provision in the new constitution that they might do so, and for their place in the legislative bodies, and in the judicial system, and inserted a general proposition for accession of territory to the new State. The State of Virginia, in expressing her satisfaction with the new State and its constitution, and her consent to its formation, by a special section, refers again to the counties of Berkeley, Jefferson, *and Frederick*, and enacts that whenever they shall, by a majority vote, assent to the constitution of the new State, they may become part thereof; and the legislature sends this statute to Congress with a request that it will admit the new State into the Union. Now, we have here, on two different occasions, the emphatic legislative proposition of Virginia that these counties might become part of West Virginia; and we have the Constitution of West Virginia agreeing to accept them and providing for their place in the new-born State. There was one condition, however, imposed by Virginia to her parting with them, and one condition made by West Virginia to her receiving them, and that was the same, namely, the assent of the majority of the votes of the counties to the transfer. It seems to us that here was an agreement between the old State and the new that these counties should become part of the latter, subject to that condition alone. Up to this time no vote had been taken in these counties; probably none could be taken under any but a hostile government. At all events, the bill alleges that none was taken on the proposition of May 1862, of the Virginia legislature. If an agreement means the mutual consent of the parties to a given proposition, this was an agreement between these States for the transfer of these counties on the condition named. The condition was one which could be ascertained or carried out at any time; and this was clearly the idea of Virginia when she declared that *whenever* the voters of said counties should ratify and consent to the Constitution they should become part of the State; and her subsequent legislation making special provision for taking the vote on this subject, as shown by the acts of January 31st and February 4th, 1863, is in perfect accord with this idea, and shows her good faith in carrying into effect the agreement. But did Congress consent to this agreement? Unless it can be shown that the consent of Congress, under that clause of the Constitution which forbids agreements between States without it, can only be given in the form of an express and formal statement of every proposition of the agreement, and of its consent thereto, we must hold that the consent of that body was given to this agreement. The attention of Congress was called to the subject by the very short statute of the State of Virginia requesting the admission of the new State into the Union, consisting of but three sections, one of which was entirely devoted to giving consent that these two counties *and the county of Frederick* might accompany the others, if they desired to do so.”; and

Whereas, With Frederick County, Virginia, in mind, Article VI, Section 11 of the West Virginia Constitution provides the mechanism for Frederick County to become part of the State of West Virginia, providing as follows:

“Additional territory may be admitted into, and become part of this state, with the consent of the Legislature and a majority of the qualified voters of the state, voting on the question. And in such case provision shall be made by law for the representation thereof in the Senate and House of Delegates, in conformity with the principles set forth in this constitution. And the number of members of which each house of the Legislature is to consist, shall thereafter be increased by the representation assigned to such additional territory”; and

Whereas, Upon joining the State of West Virginia, the citizens of Frederick County would be immediately entitled to all of the rights secured and protected by the West Virginia Constitution to the citizens of West Virginia, including not only the rights of free speech, freedom of the press, religious freedom, the right of peaceful assembly, the right to due process of law, but also the right to keep and bear arms without interference by the government; and

Whereas, Upon joining the State of West Virginia, Frederick County, including the City of Winchester, contained therein, would be immediately entitled to at least six delegates in the West Virginia House of Delegates and two senators in the West Virginia Senate; and

Whereas, From the time of the admission of the State of West Virginia into the Union, the counties which are the children of Frederick County, and the citizens of those counties, have pined for reunion with their mother county and prayed that she might join them in the State of West Virginia; therefore, be it

Resolved by the Legislature of West Virginia:

That the citizens of Frederick County, Virginia, consider becoming a part of the State of West Virginia; and; be it

Further Resolved, That on behalf of the citizens of West Virginia, the Legislature of West Virginia does hereby remind the citizens and government of Frederick County, Virginia, of the invitation that was extended more than a century and a half ago, inviting Frederick County, Virginia to join the new State of West Virginia; and, be it

Further Resolved, That on behalf of the citizens of West Virginia, the Legislature of West Virginia assures the citizens and government of Frederick County, Virginia that the invitation extended in 1862 still stands, and that it stands as it was made, with the sincere and earnest hope of all of West Virginia that the invitation will one day be accepted by the citizens of Frederick County; and, be it

Further Resolved, That the 158 years which have elapsed since this invitation was first extended have not diminished the feelings of deep affection in which Frederick County and her citizens are held by the citizens of West Virginia; and, be it

Further Resolved, That at such time as the citizens of Frederick County may desire for Frederick County to become part of the State of West Virginia, the citizens of the Mountain State will welcome them with open arms and rejoice in the addition of Frederick County to the State of West Virginia; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Board of Supervisors of Frederick County, Virginia.

Resolutions Introduced

Delegates Miller, Maynard and Tomblin offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 7 - "Requesting the Division of Highways to name bridge number 03-3/14-0.10 (03A196), locally known as New Kirbyton Bridge, carrying CR 3/14 over Big Coal River in Boone County, the 'U. S. Navy MM2 Carl E. Keeney, U. S. Navy SN1 Frank Keeney and U. S. Army PFC Carl M. Nicholas Memorial Bridge'."

Whereas, Carl Eugene Keeney was born to Dewey and Ruth Skeens Keeney on March 27, 1925, in Seth, West Virginia; he learned to repair engines and vehicles at an early age and became skilled as a machinist and when this country sought skilled tradesmen in its armed forces, he enlisted in the United States Navy in 1942, eventually attaining the rating of Machinist's Mate Second Class; and

Whereas, U. S. Navy Machinist's Mate Carl Eugene Keeney served over three years in the Pacific Theater and saw combat in the Solomon Islands and at Okinawa; he was awarded three battle stars before he was honorably discharged in 1946; and

Whereas, After faithfully and honorably serving his country, Carl E. Keeney applied his machinist's skills in the coal industry, working as a driver, mechanic and machinist in Boone County until his retirement; and

Whereas, After a life well lived in service to his community and his country, Carl E. Keeney passed away on June 29, 2018; and

Whereas, Frank Keeney was born to Dewey and Ruth Skeens Keeney on June 10, 1927, in Seth, West Virginia; and left high school early as he entered the United States armed forces at the age of 16, by enlisting in the United States Navy in 1944, eventually attaining the rating of Seaman First Class; and

Whereas, U. S. Navy Seaman First Class Frank Keeney, a World War II veteran, served over seven years in the Pacific Theater and earned combat ribbons from action in Iwo Jima, Okinawa and the Dutch East Indies before he was honorably discharged in 1951; and

Whereas, After faithfully and honorably serving his country, Frank Keeney began an athletic career in the minor league baseball farm system where he earned the nick-name 'Fireball', of the Cleveland Indians until his retirement and continued with the organization by being a batting practice pitcher and part time scout from 1951 until 1970 well after the age of 60; and

Whereas, After a life well lived in service to his community and his country, Frank Keeney passed away on March 1, 2018; and

Whereas, Carl M. Nicholas was born to Dan and Frona Cottrell Nicholas on September 27, 1922, in Bickmore, West Virginia, and though he left school after eight years to help support his family, he became quite accomplished in a mining career that spanned five decades in the coal fields of southern West Virginia; and

Whereas, U. S. Army PFC Carl M. Nicholas answered his nation's call to service, joining the United States Army in World War II in the European Theater of Operations, where he was assigned to Company I, 12th Infantry Regiment, 4th Infantry Division from May 16, 1944, to September, 1945, where he participated in the Invasion of Normandy on D-Day and in the Battle of the Bulge; and

Whereas, U. S. Army PFC Carl M. Nicholas was wounded in action on June 26, 1944, when he received and survived bullet wounds from a German sniper and for which he was awarded the Purple Heart; he also was awarded the Bronze Star for meritorious achievement in active ground combat; and

Whereas, Upon his return to civilian life, U. S. Army PFC Carl M. Nicholas continued his mining career with some of the most prominent companies in the industry and he became a successful businessman as proprietor of his own trucking company; he continued to support military veterans and was a leader of the effort to secure dedicated parking for veterans at our State Capitol; and

Whereas, After a life well lived in service to his community and his country, Carl M. Nicholas passed away on September 3, 2014; and

Whereas, Recognizing that both U. S. Navy Machinist's Mate Carl Eugene Keeney, U. S. Navy SN1 Frank Keeney and U. S. Army PFC Carl M. Nicholas are lifelong residents of Boone County on

Big Coal River, it is an appropriate recognition of their contributions to their country, state, community, and Boone County to name a bridge over the Big Coal River in their memory; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 03-3/14-0.10 (03A196), locally known as New Kirbyton Bridge, carrying CR 3/14 over Big Coal River in Boone County, the 'U. S. Navy MM2 Carl E. Keeney, U. S. Navy SN1 Frank Keeney and U. S. Army PFC Carl M. Nicholas 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. Navy MM2 Carl E. Keeney, U. S. Navy SN1 Frank Keeney and U. S. Army PFC Carl M. Nicholas Memorial Bridge'; and, be it

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

Delegates Howell, Summers, Shott, Householder and C. Martin offered the following resolution, which was read by its title and referred to the Committee on Government Organization then Rules:

H. C. R. 8 - "Providing for an election to be had, pending approval of the General Assembly of the Commonwealth of Virginia, and a majority of qualified citizens voting upon the proposition prior to August 1, 2020, for the admission of certain counties and independent cities of the Commonwealth of Virginia to be admitted to the State of West Virginia as constituent counties, under the provisions of Article VI, Section 11 of the Constitution of West Virginia."

Whereas, The Legislature of West Virginia finds that in 1863, due to longstanding perceived attitudes of neglect for the interests of the citizens of Western Virginia, and a studied failure to address the differences which had grown between the counties of Western Virginia and the government at Richmond, the Commonwealth of Virginia was irretrievably divided, and the new State of West Virginia was formed; and

Whereas, Such division occurred as the Trans-Allegheny portions of Virginia perceived that they suffered under an inequitable measure of taxation by which they bore a disproportionate share of the tax burden; and

Whereas, That this perception was further compounded by the effects of a scheme of representation by which Trans-Allegheny Virginia was not allowed to have its proper and equitable share of representation in the government at Richmond; and

Whereas, That this arrangement arguably resulted in the tax dollars of Trans-Allegheny Virginia being used to enrich the Tidewater through internal improvements which did not benefit the people of Western Virginia, while the people of the Trans-Allegheny had little to no say in how their tax dollars were allocated; and

Whereas, Though this course led to an irreconcilable division, and the subsequent formation of West Virginia, yet, the longstanding peaceful cooperation between this State and the Commonwealth of Virginia is a sign that such separation, undertaken even under the most challenging and onerous of circumstances, can, with the passage of time, yield lasting results which are beneficial to both sides; and

Whereas, In the intervening years, the same neglect for the interests of many of the remaining counties of the Commonwealth of Virginia has allegedly been evidenced by the government at Richmond; and

Whereas, Particularly, many citizens of the Southside, the Shenandoah Valley, Southwestern Virginia, and the Piedmont contend that an inequitable measure of taxation exists by which they bear a disproportionate share of the present tax burden of the Commonwealth; and

Whereas, The people of the Southside, the Shenandoah Valley, Southwestern Virginia, and the Piedmont also believe that, currently, a scheme of representation exists by which the citizens of Southside, the Shenandoah Valley, Southwestern Virginia, and the Piedmont do not have a proper share of representation in the government at Richmond; and, consequently

Whereas, The people of the Southside, the Shenandoah Valley, Southwestern Virginia, and the Piedmont believe that their tax dollars are used to enrich the Tidewater and Northern Virginia through internal improvements which do not benefit the people of these other parts of Virginia, while the people of these other parts of Virginia have little to no say in how their tax dollars are allocated; and

Whereas, In recent days, these tensions have been compounded by a perception of contempt on the part of the government at Richmond for the differences in certain fundamental political and societal principles which prevail between the varied counties and cities of that Commonwealth; and

Whereas, In the latest, and most evident, in this string of grievances, the government at Richmond now seeks to place intolerable restraints upon the rights guaranteed under the Second Amendment of the United States Constitution to the citizens of that Commonwealth; and

Whereas, The Legislative body of West Virginia believes that this latest action defies the wise counsel which has come down to us in the august words of our common Virginia Founders: as the government at Richmond now repudiates the counsel of that tribune of liberty, Patrick Henry—who stated to the Virginia Ratifying Convention in 1788 that “The great object is that every man be armed. Everyone who is able might have a gun”; and

Whereas, The government at Richmond now repudiates the counsel of a Signer of the Declaration and premier advocate of American independence, Richard Henry Lee—who stated in *The Federal Farmer* that ‘To preserve liberty, it is essential that the whole body of the people always possess arms’; and

Whereas, The government at Richmond now repudiates the counsel of that zealous guardian of our inherent rights, George Mason—who stated that “To disarm the people...[i]s the most effectual way to enslave them”; and

Whereas, The government at Richmond now repudiates the counsel of the declaimer of our independence and theoretician of our freedoms, Thomas Jefferson—who stated in his first draft of the Virginia Constitution, that ‘No free man shall ever be debarred the use of arms’; and

Whereas, The Boards of Supervisors of many Virginia counties and the Councils of many Virginia cities have recognized this dangerous departure from the doctrine of the Founders on the part of the government at Richmond; and

Whereas, These Boards of Supervisors and Councils have passed resolutions refusing to countenance what they affirm are unwarranted and unconstitutional measures by that government to infringe the firearm rights of Virginians; and

Whereas, The actions of the government at Richmond undertaken since the recent general election have, regrettably, resulted in unproductive contention and escalating a lamentable state of civic tension; and

Whereas, That, as has been proven in numerous instances, such as have been observed internationally in more recent times with the peaceful dissolutions of Czechoslovakia and the Soviet Union, and the creation of South Sudan, or, earlier in Virginia's own history, with the formation of Kentucky, the peaceful partition of neighboring peoples can occur, and, is often very beneficial to both sides in reducing tensions and improving the tenor of discourse over ongoing political and societal differences; and

Whereas, Article VI, Section 11 of The Constitution of the State of West Virginia explicitly permits additional territory to be admitted into, and become part of this state, with the consent of the Legislature and of a majority of the qualified voters of the state; and

Whereas, In a spirit of conciliation, the Legislature of West Virginia hereby extends an invitation to our fellow Virginians who wish to do so, to join us in our noble experiment of 156 years of separation from the government at Richmond; and, we extend an invitation to any constituent county or city of the Commonwealth of Virginia to be admitted to the body politic of the State of West Virginia, under the conditions set forth in our state Constitution, specifically, with the consent of a majority of the voters of such county or city voting upon such proposition; and we hereby covenant that their many grievances shall be addressed, and, we further covenant with them that their firearms rights shall be protected to the fullest extent possible under our Federal and State Constitutions; and

Whereas, Providing that the General Assembly of the Commonwealth of Virginia shall give its assent to any county or independent city presently part of the Commonwealth of Virginia having the opportunity and ability to do so, therefore, be it

Resolved by the Legislature of West Virginia:

That the question of admission, or, the rejection of such admission, of any county or independent city of the Commonwealth of Virginia desiring admission to the State of West Virginia, and a majority of whose qualified voters, voting on the question, have approved such measure, prior to August 1, 2020, shall be submitted to the voters of the State of West Virginia at the next general election to be held in the year 2020.

Such proposal shall be placed upon the general election ballot in the following form: "Shall the following county (or independent city) _____(name), currently a constituent part of the Commonwealth of Virginia, be admitted to the State of West Virginia as a constituent county of the State of West Virginia."

Should the General Assembly of the Commonwealth of Virginia give its assent to any county or independent city presently part of the Commonwealth of Virginia having the opportunity to do so, and such county or independent city desiring admission to the State of West Virginia, and a majority of whose qualified voters, voting on the question, not have approved such measure prior to August 1, 2020, but do approve such measure at a later date;

Then, this provision of this Act shall serve as an official request of the Legislature of West Virginia to the Governor of West Virginia to call a special session of this Legislature to provide for a special election to provide for the approval of the admission, or, the rejection of such admission, of such county or independent city; and, be it

Further Resolved, That the Legislature directs that the Clerk of the House forward copies of this resolution to the Board of Supervisors of each county in the Commonwealth of Virginia who have voted to become sanctuary counties for firearms rights, and to the Council of each independent city in the Commonwealth of Virginia who have voted to become sanctuary cities for firearms rights; and, be it

Further Resolved, That the Legislature directs that the Clerk of the House forward copies of this resolution to the Clerk of the House of Delegates and Clerk of the Senate of the General Assembly of the Commonwealth of Virginia and requests, in a spirit of peace and goodwill, that the General Assembly will allow this measure for the peaceful transfer of peoples and the restoration of harmony to the Virginias; and, further requests, in a continuance of such spirit, that any firearms legislation proposed by that body have an effective date far enough into the future so that this exchange of peoples and territory could be accomplished before the effective date of such legislation.

Delegates Howell, Phillips, D. Jeffries, C. Martin, Dean, P. Martin, Graves, McGeehan, Butler, Hamrick and Linville offered the following resolution, which was read by its title and referred to the Committee on Government Organization then Rules:

H. C. R. 9 - "Urging the Congress of the United States to consider repealing the Jones Act to permit short sea shipping and useful United States waterways when shipping goods domestically."

Whereas, The Jones Act, passed in 1920, restricts domestic waterborne transport of goods to vessels that are United States flagged, United States crewed, United States Owned, and United States built.

Whereas, The requirements of the Jones Act increases the cost to purchase, staff, and maintain shipping vessels. The high costs of constructing shipping vessels in the United States increases the average age of United States shipping fleet, increases fuel costs due to age, increases maintenance costs due to age, and increases staffing costs due to age and lack of automation.

Whereas, The high costs associated with the Jones Act has many domestic businesses utilizing the nations highway and rail systems in order to transport goods to various markets, leading to increased wear and tear on the nations roadways and railways, increased maintenance costs on roadways and railways, increased fuel consumption, and may cause increased vehicle congestion on the nations roadways.

Whereas, Repealing the Jones Act would allow the nations waterways to be utilized to ship goods to ports ready to receive goods to transport to markets.

Whereas, Repealing the Jones Act would allow domestic businesses to realize cost savings by utilizing the nations waterways as a safer and easier method of transporting goods to market, would reduce the amount of vehicles on the nations highways, and would permit goods to arrive to markets in a more timely fashion; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby urges the United States Congress to consider repealing the Jones Act; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the representatives and senators, elected by the citizens of West Virginia, in the Congress of the United States in Washington, D.C.

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

H. C. R. 11 - "Requesting the Division of Highways name bridge number 42-39-0.67 (42A092), locally known as Mill Creek Box Beam Bridge, carrying County Route 39 over the Tygart Valley River in Randolph County, the 'U. S. Army SGT Robert R. "Bob" Defibaugh Memorial Bridge'."

Whereas, Sergeant Defibaugh was born on August 31, 1936, in Elkins, West Virginia. He was a lifelong resident of Randolph County and attended Tygarts Valley High School; and

Whereas, Sergeant Defibaugh served in the 82nd and 101st Airborne Division in the United States Army; and

Whereas, Upon returning home from military service, Sergeant Defibaugh began farming, and on February 18, 1956, he married Shirley Scott. On April 29, 1968, they started a small restaurant business called the Mill Creek Drive Inn. Soon thereafter they opened two more small businesses in Mill Creek called Bob's Mini Mart and Valley View Motel. These businesses have been passed down and have been family owned and operated for over 50 years; and

Whereas, Sergeant Defibaugh also served his community as a Mill Creek Town Councilman for several terms. He loved dirt track racing and raced on several dirt tracks around the state. Sergeant and Mrs. Defibaugh opened a dirt track in 1986 in Mill Creek called the Upper Valley Raceway. He was inducted into the Elkins Raceway Wall of Legends in 2018; and

Whereas, Sergeant and Mrs. Defibaugh had 6 children, 13 grandchildren, and 23 great-grandchildren. He retired from the Randolph County school system as a bus driver, and routinely drove his bus across this very bridge to pick up students. Sergeant Defibaugh's life and legacy reflects hard work, love, and service to not only his family but his community and country. He passed away on August 21, 2000; and

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

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 42-39-0.67 (42A092), locally known as Mill Creek Box Beam Bridge, carrying County Route 39 over the Tygart Valley River in Randolph County, the "U. S. Army SGT Robert R. 'Bob' Defibaugh Memorial Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is requested to erect signs at both ends of the bridge containing bold and prominent letters proclaiming the bridge as the "U. S. Army SGT Robert R. 'Bob' Defibaugh Memorial Bridge"; and, be it

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

On motion for leave, a Joint Resolution was introduced, read by its title and referred as follows:

By Delegates J. Jeffries, Cadle, Kump, Worrell, Phillips, Maynard, Hardy and Howell:

H. J. R. 105 - "Proposing an amendment to the Constitution of the State of West Virginia amending article VI by adding thereto a new section, designated §32A, relating the vote needed to raise a tax or increase a fee; numbering and designating such proposed amendment; and providing

a summarized statement of the purpose of such proposed amendment”; to the Committee on Finance then the Judiciary.

Bills Introduced

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

By Delegates J. Jeffries, D. Jeffries, Jennings, Cadle and Maynard:

H. B. 4153 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated as §18-2-7e, relating to sexuality; forbidding displays relating to sexuality in public school facilities and forbidding the teaching of sexuality in public schools”; to the Committee on Education.

By Delegates J. Jeffries, Maynard, Wilson, Hardy and Foster:

H. B. 4154 - “A Bill to amend and reenact §24-1-3 of the Code of West Virginia, 1931, as amended, relating to the Public Service Commission; providing for election and removal of commissioners; setting terms of office for elected commissioners; removing the requirement that at least one commissioner be an attorney; and removing the prohibition that no more than two commissioners be from the same political party”; to the Committee on Government Organization then the Judiciary.

By Delegates Jennings, Foster, Kessinger, Hardy, Bibby, Cowles, Sypolt and Steele:

H. B. 4155 - “A Bill to amend and reenact §21-14-2 and §21-14-3 of the Code of West Virginia, 1931, as amended, all relating generally to the regulation of plumbers; exempting individuals who perform plumbing work under \$5,000 from being a licensed plumber; and reducing the number of hours of plumbing work experience in order for an individual to be considered a ‘journeyman plumber,’ a ‘master plumber,’ and a ‘plumber in training’;” to the Committee on Government Organization.

By Delegates Jennings and Foster:

H. B. 4156 - “A Bill to amend and reenact §16-4C-8 of the Code of West Virginia, 1931, as amended, relating to reducing the recertification fee for emergency medical services personnel”; to the Committee on Fire Departments and Emergency Medical Services then Finance.

By Delegates D. Jeffries, Tomblin, Azinger, Porterfield, J. Jeffries, Worrell, Hott, Cadle, Sypolt, Barnhart and Hamrick:

H. B. 4157 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-3tt; to amend said code by adding thereto a new section, designated §8-12-20; and to amend said code by adding thereto a new section, designated §30-1-25, all relating to prohibiting the regulation and licensing of occupations by local government; declaring state authority to regulate trades, occupations, and professions; prohibiting regulation of occupations by county commissions; prohibiting municipalities from enacting or enforcing laws regulating trades, occupations, and professions; and preserving the authority of local governments to regulate certain projects, construction, and modifications”; to the Committee on Government Organization.

By Delegates Cadle, Hott, C. Martin, Phillips, Howell, Cooper, J. Jeffries, Westfall, Foster, Stagers and Householder:

H. B. 4158 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §60-6-2a, relating to allowing a person to manufacture a stated amount of alcoholic liquor for personal consumption”; to the Committee on the Judiciary.

By Delegates Criss, Espinosa, Ellington, Barrett, Bates, Graves, Sponaugle, Williams, Linville, Cowles and Hardy:

H. B. 4159 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections designated §19-2-12, and §19-2-13; to amend and reenact §60-1-5a of said code; to amend and reenact §60-8-2, §60-8-3, and §60-8-4 of said code; and to add a new article to said code designated §60-8A-1, §60-8A-2, §60-8A-3, §60-8A-4, §60-8A-5, §60-8A-6, and §60-8A-7; all relating to the manufacture and sale of hard cider; establishing the Agriculture Development Fund; establishing permitted expenditures from the fund; creating a new program to develop hard cider; providing for definitions; providing that there is no separate license required to manufacture and sell hard cider under certain conditions; providing for a hard cider distributor's license; providing for hard cider exemptions to the wine liter tax; establishing a hard cider gallon tax; providing for applicability of other laws; requiring regular reports to the Tax Commissioner; providing for applications to import products necessary to manufacture hard cider under certain conditions; providing for hard cider sales for consumption; providing for complementary samples to be given; establishing requirements for complementary samples; permitting the sale of growlers; establishing growler labeling requirements; establishing growler sanitation requirements; providing for fees for the privilege to sell growlers; and providing for rule-making authority"; to the Committee on Government Organization then the Judiciary.

By Delegates Hansen, Staggers, Lavender-Bowe, Estep-Burton, Fleischauer, Rowe, S. Brown, Angelucci and Pyles:

H. B. 4160 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §47-28-1, §47-28-2, §47-28-3, §47-28-4, §47-28-5, and §47-28-6, all relating to creating the Youth Mental Health Protection Act; setting forth legislative findings; setting forth a purpose; defining terms; providing for a prohibition on conversion therapy; setting forth a prohibition for referral services for conversion therapy; and providing for disciplinary actions against providers who violate the article"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Worrell:

H. B. 4161 - "A Bill to amend and reenact §16-38-1 and §16-38-3 of the Code of West Virginia, 1931, as amended, all relating to tattoos; making it illegal to scleral tattoo a person; defining the term 'scleral tattoo;' and reordering definitions so they will be in alphabetical order"; to the Committee on Health and Human Resources.

By Delegates Hansen, Pushkin, Estep-Burton, Pyles, Williams, Fleischauer, Walker and Summers:

H. B. 4162 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-7g; to amend said code by adding thereto a new section, designated §9-5-28; to amend said code by adding thereto a new section, designated §33-15-4u; to amend said code by adding thereto a new section, designated §33-16-3ff; to amend said code by adding thereto a new section, designated §33-24-7u; to amend said code by adding thereto a new section, designated §33-25-8r; and to amend said code by adding thereto a new section, designated §33-25A-8u, all relating to requiring Medicaid and insurance coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome and other autoimmune encephalopathies, including, but not limited to, intravenous immunoglobulin therapy, plasmapheresis, and other therapies and medications consistent with evidence-based treatment guidelines such as those published in the Journal of Child and Adolescent Psychopharmacology and nationally recognized expert consensus guidelines"; to the Committee on Health and Human Resources then Finance.

By Delegates Hansen, Caputo, Pyles, Williams, Zukoff, Doyle, Pushkin, Walker, Lavender-Bowe, C. Thompson and Estep-Burton:

H. B. 4163 - "A Bill to repeal §17A-10-3c of the Code of West Virginia, 1931, as amended, relating to additional registration fees for alternative fuel vehicles"; to the Committee on Finance.

By Delegates Hanna, Hamrick, Jennings and Butler:

H. B. 4164 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §8-5A-1, relating to creating the Taxation With Representation Act whereby nonresidents of a municipality who work in that municipality and who pay user fees pursuant to a municipal ordinance may vote in municipal elections"; to the Committee on Political Subdivisions then the Judiciary.

By Delegates Hanna, Higginbotham, Jennings, Bibby and Waxman:

H. B. 4165 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2A-8a, relating to public education; establishing the West Virginia Remembers Program; and authorizing the State Board of Education to promulgate a rule providing for maintaining of lists by county boards of veteran volunteers to speak in the public schools"; to the Committee on Education.

By Delegates Foster, Phillips, Bibby, Steele, Butler, Waxman, Espinosa, Porterfield, Kessinger, Lovejoy and Bartlett:

H. B. 4166 - "A Bill to amend and reenact §62-12-26 of the Code of West Virginia, 1931, as amended, relating to prohibiting certain sex offenders from being in a supervisory position over children"; to the Committee on the Judiciary.

By Delegates Miley and Queen:

H. B. 4167 - "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"; to the Committee on the Judiciary.

By Delegates J. Jeffries, Hanna, Phillips, Butler, Cadle, Paynter, Bibby, D. Jeffries, Maynard and Dean:

H. B. 4168 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-15-1, §15-15-2, §15-15-3, §15-15-4, §15-15-5, and §15-15-6, all relating to preserving and protecting the right to keep and bear arms; defining acts which constitute infringements upon the right to keep and bear arms; articulating the constitutional limits on these infringements and making findings in defense of the right; declaring all infringements under federal law or authority to be against the rights of the people and to be legally void; declaring the duty of courts and law-enforcement agencies to protect the rights of law-abiding citizens, including the right to keep and bear arms; providing causes of action against persons who knowingly infringe upon these rights; providing for awards of specified damages, costs, and attorneys' fees; and barring the employment of certain persons by the state or its political subdivisions for infringing actions taken under color of federal law"; to the Committee on the Judiciary.

By Delegates Anderson, Barnhart, Cadle, Hartman and Hott:

H. B. 4169 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-3B-7, relating to the protection of animal and crop facilities; providing definitions; describing prohibited acts; listing criminal penalties; establishing liability in double the amount of damages caused; and allowing injunctive relief and listing the terms thereof"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Cowles, Hott, Rowan, D. Kelly, Worrell, Miller, Hill, Hardy, Lovejoy, Canestraro and Barrett:

H. B. 4170 - “A Bill to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended, relating to granting state police troopers a pay increase”; to the Committee on Finance.

By Delegates Canestraro, Kessinger, Skaff, Lovejoy, Worrell, Queen and Robinson:

H. B. 4171 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-15-22; to amend said code by adding thereto a new section, designated §33-16-18; to amend said code by adding thereto a new section, designated §33-24-45; to amend said code by adding thereto a new section, designated §33-25-22; and to amend said code by adding thereto a new section, designated §33-25A-36, all relating to the assignment of certain benefits in dental care insurance coverage”; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Hansen, Fleischauer, Evans, Pushkin, Miley, Hanna, Miller and Byrd:

H. B. 4172 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-20, relating to the Modern Jobs Act, providing for solar energy production on formerly mined land and access to third party co-generation”; to the Committee on Energy then the Judiciary.

By Delegates Pushkin, Estep-Burton, Zukoff, Walker, Robinson, Kessinger, Steele, Capito, Byrd, Nelson and Rowe:

H. B. 4173 - “A Bill to amend and reenact §48-27-301 of the Code of West Virginia, 1931, as amended, relating to directing the Supreme Court of Appeals to create a pilot domestic violence court in Kanawha County”; to the Committee on the Judiciary.

By Delegates Howell, Householder, C. Martin, Foster, Hanna, Phillips, Hamrick, Wilson, Hott, Barnhart and P. Martin:

H. B. 4174 - “A Bill to amend and reenact §60-2-16 of the Code of West Virginia, 1931, as amended, relating to expiring rules of the Alcohol Beverage Control Commission; and requiring the commission to resubmit rules for approval during the 2021 regular session”; to the Committee on Government Organization.

By Delegates Sypolt, Toney, Fast, Little, Linville, Bartlett, J. Jeffries, Hott, P. Martin, Worrell and Phillips:

H. B. 4175 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-2P-1, relating to providing reasonable medical care to a child born alive during an abortion”; to the Committee on Health and Human Resources.

By Delegates Miller, Hanshaw (Mr. Speaker), Miley, Shott, D. Kelly, Kessinger, Canestraro and Lovejoy:

H. B. 4176 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15A-9-1, §15A-9-2, §15A-9-3, §15A-9-4, §15A-9-5, §15A-9-6, and §15A-9-7, establishing the West Virginia Intelligence/Fusion Center Act”; to the Committee on Veterans’ Affairs and Homeland Security then the Judiciary.

By Delegates Miller, Higginbotham, D. Kelly, Lovejoy, Lavender-Bowe and Hansen:

H. B. 4177 - “A Bill to amend and reenact §11A-1-12 of the Code of West Virginia, 1931, as amended, relating to allowing sheriffs to keep electronic copies of receipts for the payment of taxes”; to the Committee on Political Subdivisions then the Judiciary.

By Delegates Miller, Lovejoy, Lavender-Bowe, D. Kelly, Hansen and S. Brown:

H. B. 4178 - "A Bill to amend and reenact §24-6-13 of the Code of West Virginia, 1931, as amended, relating to requiring calls which are recorded be maintained for a period of five years"; to the Committee on Fire Departments and Emergency Medical Services then the Judiciary.

By Delegates Maynard, Jennings, Bibby, Campbell, J. Jeffries, Lovejoy, Miller, Pack, Sypolt and Worrell:

H. B. 4179 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-59-1, §16-59-2, §16-59-3, §16-59-4, §16-59-5, §16-59-6, §16-59-7, §16-59-8, §16-59-9, §16-59-10, §16-59-11, §16-59-12, §16-59-13, §16-59-14, and §16-59-15, all relating to enacting the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact; entering into the Compact with all jurisdictions also enacting the Compact; stating purpose of Compact; defining terms; identifying member states as home states; retaining authority of member state to require license under circumstances not covered by Compact; setting conditions for home state's license to authorize practice in a remote state under the Compact; requiring member states to recognize licenses issued by another member state under certain conditions; setting requirements for individuals to exercise privilege to practice; setting scope of practice; making individuals practicing in remote states subject to that state's laws; authorizing remote states to take action against individual's privilege to practice within that state under certain circumstances; providing effect of restrictions on license on Compact privileges; setting conditions of practicing in remote state under Compact terms; defining relationship of Compact with Emergency Management Assistance Compact; setting terms and requirements for certification of veterans, certain service members, and their spouses; recognizing exclusive power of home states to impose adverse action against license issued by home state; providing consequences for Compact participation if individual's license is subject to adverse action by home state; requiring member states to report adverse actions against licenses; authorizing states to take action against individual's privilege to practice within that state; requiring home state EMS authority investigate and take appropriate action based on reported conduct in remote state; authorizing alternative programs in lieu of adverse action; authorizing member state's EMS authority to issue subpoenas; authorizing member state's EMS authority to issue certain cease and desist orders; establishing Interstate Commission for EMS Personnel Practice; providing venue; maintaining state sovereign immunity; providing for membership; providing for voting; requiring annual meetings; requiring meetings to be public; providing exceptions; authorizing Commission prescribe bylaws and/or rules to govern conduct; granting certain powers to Commission; providing for financing for the Commission; making validity of annual assessment against state contingent upon funds being appropriated by the Legislature or otherwise being made available; providing for qualified immunity of certain persons; requiring Commission defend certain persons for actions arising out of actions occurring within the scope of duties related to the Commission; requiring Commission indemnify and hold harmless certain persons under certain circumstances; providing for development and maintenance of coordinated database and reporting system; requiring member states provide certain information to coordinated database; requiring notification by coordinated database administrator of adverse action taken against individual in member state; authorizing member state to designate information not to be shared with the public without express permission of contributing state; providing for removal of information from database when required to be expunged; authorizing rulemaking Commission; providing scope of rulemaking; providing procedures for rulemaking; authorizing emergency rulemaking by the Commission; providing that Commission rules are not binding on the State of West Virginia until they have been authorized as legislative rules; providing timeline and procedure for proposing legislative rules; authorizing emergency rulemaking; directing state government to enforce Compact and take necessary actions to effectuate its purposes and intent; directing courts take judicial notice of Compact and rules promulgated pursuant to Compact; providing procedures for the Commission to follow if member state has defaulted; authorizing member state be terminated from the Compact under certain conditions; setting terms of termination; authorizing appeal; authorizing mediation and

binding dispute resolution between Commission and member state; authorizing enforcement of the Compact by the Commission; authorizing legal action; establishing venue; providing for venue in West Virginia; providing implementation date for the Compact; making any state joining after implementation subject to rules as they exist when the Compact is adopted; authorizing member state withdraw from the Compact; maintaining member state authority to enter into licensure or cooperative agreements with nonmember state; authorizing amendment of the Compact; providing for liberal construction; providing for severability of the Compact if it is found to violate constitution of member state; directing Emergency Medical Services Advisory Council review decisions of the Commission; and authorizing Emergency Medical Services Advisory Council make recommendation to Legislature for withdrawal from the Compact”; to the Committee on Government Organization.

By Delegates Anderson, Cadle, Hartman and Hott:

H. B. 4180 - “A Bill to amend and reenact §19-16-1, §19-16-2, §19-16-3, §19-16-4, §19-16-5, and §19-16-6 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto two new sections, designated §19-16-3b and §19-16-9, all relating to the seed certification program within the Department of Agriculture; defining terms; adding flower seed requirements; adding labeling requirements for seed; authorizing legislative rules for penalties; requiring quarterly tonnage fees for seed; requiring record retention; authorizing relabeling; providing labeling requirements; authorizing inspections of seed conditioning facilities; and providing for penalties for labeling deficiencies”; to the Committee on Agriculture and Natural Resources then Government Organization.

By Delegates Hamrick, Porterfield, Cadle and Sypolt:

H. B. 4181 - “A Bill to repeal §21-11-1, §21-11-2, §21-11-3, §21-11-4, §21-11-5, §21-11-6, §21-11-7, §21-11-8, 21-11-9, §21-11-10, §21-11-10a, §21-11-11, §21-11-12, §21-11-13, §21-11-14, §21-11-15, §21-11-16, §21-11-17, §21-11-18, and §21-11-20 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §30-11-1, §30-11-2, §30-11-3, §30-11-4, §30-11-5, §30-11-6, §30-11-7, §30-11-8, §30-11-9, §30-11-10, §30-11-10a, §30-11-11, §30-11-12, §30-11-13, §30-11-14, §30-11-15, §30-11-16, §30-11-17, §30-11-18, and §30-11-19, all relating to moving provisions relating to the licensing of contractors to Chapter 30 of this code; updating archaic language; correcting cross-references; and making no substantive changes to any of these sections”; to the Committee on Government Organization.

By Delegate D. Jeffries:

H. B. 4182 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-1L-1, §15-1L-2, §15-1L-3, §15-1L-4, and §15-1L-5; and to amend and reenact §15-5-1, §15-5-2, and §15-5-3 of said code, all relating to the West Virginia Division of Homeland Security and Emergency Management; providing for legislative findings; providing for definitions; establishing the West Virginia Civil Authority; providing West Virginia Division of Homeland Security and Emergency Management to have authority over the West Virginia Civil Authority; establishing the powers and duties over the authority; providing for the authority to hire and administer employees; providing for conditions of employment for employees; providing that employees are entitled to participate in health and welfare plans, state retirement plans, and workers compensation and unemployment programs as a benefit of employment; providing that the West Virginia Division of Homeland Security and Emergency Management coordinate efforts with the office of the Governor; providing for altered definitions; and providing that the West Virginia Division of Homeland Security and Emergency Management is continued under the office of the Governor”; to the Committee on Veterans’ Affairs and Homeland Security then the Judiciary.

By Delegates Foster, Waxman, Jennings, Cadle, Barrett, Hardy and Porterfield:

H. B. 4183 - "A Bill to amend the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §18-5-49, relating to mandatory drug testing of all classes of employees in K through 12 schools"; to the Committee on Education then the Judiciary.

By Delegates Foster, Waxman, Jennings, Butler, Cadle, Bibby, Hardy, Porterfield, Kessinger, Fast and J. Kelly:

H. B. 4184 - "A Bill to amend and reenact §61-3B-2 and §61-3b-3 of the Code of West Virginia, 1931, as amended, all relating to criminal trespass"; to the Committee on the Judiciary.

By Delegates Foster, Waxman, Jennings, Sypolt, Butler, Cadle, Bibby, Hardy, Porterfield, Kessinger and Fast:

H. B. 4185 - "A Bill to amend and reenact §29-3B-3 of the Code of West Virginia, 1931, as amended, relating to exempting from licensure as an electrician a person who installs low voltage electrical wiring"; to the Committee on Government Organization.

By Delegates Foster, Bibby, Steele, Cadle, Wilson, J. Jeffries, Storch, S. Brown, Pushkin, Fluharty and Robinson:

H. B. 4186 - "A Bill to amend and reenact §21-1D-2 of the Code of West Virginia, 1931, as amended, relating to removing marijuana as a tested substance from the screening requirements of the West Virginia Alcohol and Drug-Free Workplace Act"; to the Committee on Industry and Labor then the Judiciary.

By Delegates Foster, Jennings, Sypolt, Butler, Cadle, Bibby, Hardy, Porterfield, Kessinger, D. Jeffries and Azinger:

H. B. 4187 - "A Bill to amend and reenact §29-3B-4 and §29-3B-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §29-3C-4 of said code; and to amend and reenact §29-3D-2 and §29-3D-6 of said code; all relating to licensure qualifications; removing the use of post-criminal conduct in professional and occupational initial licensure or certification in decision making; creating a rational nexus requirement between prior criminal conduct and initial licensure or certification in decision making; providing criteria for the State Fire Marshal as licensing or certification authority to determine whether a criminal conviction has a rational nexus to an occupation; limiting licensure disqualification; authorizing persons to petition the State Fire Marshal as to whether a person's criminal records precludes licensure; and reducing the number of necessary hours as a qualification for licensure"; to the Committee on Government Organization.

By Delegates Foster, Waxman, Jennings, Butler, Cadle, Bibby, Hardy, Porterfield, Kessinger, D. Kelly and J. Jeffries:

H. B. 4188 - "A Bill to amend and reenact §30-27-10 of the Code of West Virginia, 1931, as amended, relating to removing the requirement of continuing education for barbers and cosmetologists"; to the Committee on Government Organization.

By Delegates Capito and Nelson:

H. B. 4189 - "A Bill to amend and reenact §21-5D-2 and §21-5D-4 of the Code of West Virginia, 1931, as amended, all relating generally to the payment of salary or wages under the Parental Leave Act"; to the Committee on the Judiciary then Finance.

By Delegate Canestraro:

H. B. 4190 - "A Bill to amend and reenact §11-22-1 of the Code of West Virginia, 1931, as amended, relating to definitions in excise tax on privilege of transferring real property"; to the Committee on Finance.

By Delegates Steele, Fluharty, Westfall, Barrett, Byrd and Williams:

H. B. 4191 - "A Bill to amend and reenact §29-22D-2, §29-22D-3, §29-22D-5, §29-22D-7, §29-22D-8, §29-22D-11, §29-22D-12, §29-22D-16, §29-22D-17, §29-22D-20, §29-22D-21, and §29-22D-22 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto two new sections, designated §29-22D-6a and §29-22D-15a, all relating to permitting wagering on the results of certain professional or collegiate sports or athletic events and other events authorized as West Virginia Lottery sports wagering activities; providing legislative findings; defining terms; establishing license requirements and prohibitions; adopting house rules and the posting of the same; defining duties of a social sports wagering operator conducting social sports wagering; requiring the posting of betting limits; prohibiting unauthorized sports wagering in this state; creating the West Virginia Lottery Sports Wagering Fund; authorizing the collection of license fees; authorizing the West Virginia Lottery to collect an administrative allowance from gross sports wagering receipts; authorizing the West Virginia Lottery to levy and collect a tax in the amount of 10 percent of adjusted gross sports wagering receipts; defining how moneys deposited in the West Virginia Lottery Sports Wagering Fund shall be distributed; establishing the role of law enforcement; imposing civil and criminal penalties; establishing crimes; providing for the forfeiture of property for certain violations; and preempting this article from state and local law"; to the Committee on the Judiciary.

By Delegate Westfall:

H. B. 4192 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-53-1, §33-53-2, §33-53-3, §33-53-4, §33-53-5, §33-53-6, §33-53-7 and §33-53-8, all relating to the establishment of an insurance innovation process; defining terms; setting forth application requirements; prohibiting certain persons from applying; providing for the acceptance or rejection of the application by the Insurance Commissioner; requiring that the Insurance Commissioner set forth certain terms and conditions that will govern a proposed insurance innovation; providing that the Insurance Commissioner issue a limited no-action letter that establishes a safe harbor under which the commissioner will not take administrative or regulatory action against a participant or client of the participant; establishing the time period of the safe harbor and for the extension thereof; setting forth the requirements that a participant must adhere to during the safe harbor period; providing for penalties regarding violations of the terms contained in a limited no-action letter; providing the right to an administrative hearing; setting forth the criteria for the Insurance Commissioner to issue an extended no-action letter; providing for what the extended no-action letter must contain; requiring that documents and other information submitted to the Insurance Commissioner in relation to the insurance innovation be confidential and privileged; allowing the Insurance Commissioner to disclose in the extended no-action letter any information necessary to clearly establish the safe harbor; and requiring the Insurance Commissioner to provide reports to the Joint Committee on Banking and Insurance regarding the activities pertaining to insurance innovation applications"; to the Committee on Banking and Insurance then the Judiciary.

By Delegate Pyles:

H. B. 4193 - "A Bill to amend and reenact §18-5-9 of the Code of West Virginia, 1931, as amended, relating to allowing private entities to lease buildings to local school boards in cases of emergency or condemnation"; to the Committee on Education.

By Delegate Pyles:

H. B. 4194 - "A Bill to amend and reenact §17A-10-8 of the Code of West Virginia, 1931, as amended, relating to exempting recipients of the distinguished Purple Heart medal from payment of the vehicle registration fee for West Virginia residents"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Pyles:

H. B. 4195 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §19-38-1, §19-38-2 and §19-38-3; to amend said code by adding thereto a new article, designated §51-12-1 and §51-12-2; to amend and reenact §60A-2-204 of said code; and to amend said code by adding thereto a new section, designated §61-11-27, all relating to the normalization of cannabis laws; providing legislative findings; permitting adult uses of cannabis; providing for cannabis testing; prohibiting state civil asset forfeiture; providing notice of transitional services to incarcerated offenders; requiring the expungement of cannabis offender records"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Pyles:

H. B. 4196 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-17-1, §21-17-2, §21-17-3, §21-17-4, §21-17-5, §21-17-6, §21-17-7, §21-17-8, §21-17-9, and §21-17-10, all relating to enacting fair workweek employment standards; requiring certain retail, hospitality, and food services establishments, and property services companies to meet certain employment standards; requiring advance notice of work schedules and compensation for changed work schedules; providing a right to rest between work shifts; requiring offer of work to existing employees; providing protections for the exercise of rights; prohibiting retaliation; and including provisions for rules, certain notice requirements, required employer records, and enforcement, including criminal penalties"; to the Committee on Small Business, Entrepreneurship and Economic Development then the Judiciary.

By Delegate Pyles:

H. B. 4197 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §51-12-1, §51-12-2, §51-12-3, §51-12-4, §51-12-5, §51-12-6, §51-12-7, §51-12-8, §51-12-9, §51-12-10, §51-12-11, §51-12-12, §51-12-13, §51-12-14, §51-12-15, and §51-12-16, all relating to the Model Veterans Treatment Court Act; providing for definitions; providing for authorization of jurisdiction; establishing a requirement for a court to create a policy for records; requiring a court to create policies and procedures for key components of veterans treatment courts; providing for certain conditions where additional policies and procedures may be adopted by the court; establishing eligibility criteria to participate in the court; establishing a participation agreement; providing that victims of domestic abuse have all rights as provided by law; providing for modification or alteration of treatment under certain conditions; providing for dismissal of the charge under certain conditions; providing for access to records; providing for a liberal construction; establishing that there is no right to participate in the veterans treatment court; establishing the relation to the Electronic Signature Act; and providing for severability"; to the Committee on the Judiciary then Finance.

By Delegate Pyles:

H. B. 4198 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-4-24, relating to permitting a person to obtain a 12-month supply of contraceptive drugs"; to the Committee on Health and Human Resources.

By Delegate Pyles:

H. B. 4199 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-2F-1, §15-2F-2 and §15-2F-3, all relating to implementing the Statewide Sexual Assault Evidence Collection Kit Tracking System; requiring reports; requiring a working group be formed; and requiring rulemaking"; to the Committee on the Judiciary then Finance.

By Delegate Pyles:

H. B. 4200 - "A Bill to amend and reenact §5-11-2, §5-11-3, §5-11-4, §5-11-8, §5-11-9, and §5-11-13 of the Code of West Virginia, 1931, as amended; and to amend and reenact §5-11A-3, §5-11A-5, §5-11A-6, and §5-11A-7 of said code, all relating to unlawful discriminatory practices;

prohibiting discrimination based on age or sexual orientation; and defining sexual orientation”; to the Committee on Industry and Labor then the Judiciary.

By Delegate Pyles:

H. B. 4201 - “A Bill to amend and reenact §5-11-2, §5-11-3, §5-11-4, §5-11-8, §5-11-9, and §5-11-13 of the Code of West Virginia, 1931, as amended; and to amend and reenact §5-11A-3, §5-11A-5, §5-11A-6, and §5-11A-7 of said code, all relating to unlawful discriminatory practices in categories covered by the Human Rights Act and the Fair Housing Act; prohibiting discrimination based upon age and sexual orientation, or gender identity; and defining ‘sexual orientation’ and ‘gender identity’”; to the Committee on Industry and Labor then the Judiciary.

By Delegates Estep-Burton, Robinson, Rowe, Pushkin, Walker, Diserio, Lavender-Bowe, Caputo, C. Thompson and Angelucci:

H. B. 4202 - “A Bill to amend and reenact §11-21-16 of the Code of West Virginia, 1931, as amended, relating to allowing a personal income tax deduction for a stillborn child”; to the Committee on Finance.

By Delegates Estep-Burton, Robinson, Rowe, Pushkin, Sponaugle, Lavender-Bowe, Caputo, Miley, C. Thompson, Hansen and Pyles:

H. B. 4203 - “A Bill to amend and reenact §3-8-12 of the Code of West Virginia, 1931, as amended, relating to prohibiting charging your campaign interest for personal loans to your campaign”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4204 - “A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to rules for the general administration of records managements and preservation”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4205 - “A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to rules for retention and disposal scheduling”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4206 - “A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to rules for the managements of records maintained by the records center”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4207 - “A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to exemptions from management services provided by the fleet management division”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4208 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to animal disease control”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4209 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to fresh food act"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4210 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to poultry rules for hatcheries, growers and contractors pertaining to poultry disease control and eradication"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4211 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to grade 'A' pasteurized milk"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4212 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to WV manufacture-grade milk"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4213 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to WV exempted dairy farms and milk and milk products processing rules"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4214 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to West Virginia spay neuter assistance program"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4215 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to captive cervid farming"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4216 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to rule for the West Virginia Board of Dental Examiners"; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4217 - "A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4218 - "A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to standards of performance for new stationary sources"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4219 - "A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to emission standards for hazardous air pollutants"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4220 - "A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of ozone season nitrogen oxides emissions"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4221 - "A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to groundwater protection rules for coal mining operations"; to the Committee on Energy then the Judiciary.

By Delegate Foster:

H. B. 4222 - "A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to hazardous waste management system"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4223 - "A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to voluntary remediation and redevelopment rule"; to the Committee on Energy then the Judiciary.

By Delegate Foster:

H. B. 4224 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Forestry to promulgate a legislative rule relating to sediment control during commercial timber-harvesting operations-licensing"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4225 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Forestry to promulgate a legislative rule relating to sediment control during commercial timber-harvesting operations-logger certification"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4226 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to primary care seed money grants"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4227 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to pilot program for drug screening of applicants for cash assistance"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4228 - "A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Highways to promulgate a legislative rule relating to transportation of hazardous wastes upon the roads and highways"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4229 - "A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Insurance Commission to promulgate a legislative rule relating to Medicare supplement insurance"; to the Committee on Banking and Insurance then the Judiciary.

By Delegate Foster:

H. B. 4230 - "A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Insurance Commission to promulgate a legislative rule relating to pharmacy auditing entities and pharmacy benefit managers"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4231 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Labor to promulgate a legislative rule relating to supervision of plumbing work"; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4232 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Labor to promulgate a legislative rule relating to regulation of heating, ventilating and cooling work"; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4233 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of Miner's Health, Safety and Training to promulgate a legislative rule relating to substance abuse screening, standards and procedures"; to the Committee on Energy then the Judiciary.

By Delegate Foster:

H. B. 4234 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of Miner's Health, Safety and Training to promulgate a legislative rule relating to rules governing the certification, recertification, and training of EMT-miners and the certification of EMT-M instructors"; to the Committee on Energy then the Judiciary.

By Delegate Foster:

H. B. 4235 - "A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to state vehicle title, registration and relicensing project of 2018"; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4236 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to commercial whitewater outfitters"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4237 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to transporting and selling wildlife pelts and parts"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4238 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to boating rule"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4239 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to special requirements concerning boating"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4240 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to defining the terms used in all hunting and trapping"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4241 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to prohibitions when hunting and trapping"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4242 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to catching and selling bait fish"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4243 - "A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to falconry"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4244 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to fees for services rendered by the board"; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4245 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4246 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to Board of Pharmacy rules for immunizations administered by pharmacists and pharmacy interns"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4247 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to requirements for registration and licensure and conduct constituting professional misconduct"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4248 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Respiratory Care to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4249 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Auditor to promulgate a legislative rule relating to local government purchasing card program"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4250 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Conservation Committee to promulgate a legislative rule relating to state conservation committee grant program"; to the Committee on Finance then the Judiciary.

By Delegate Foster:

H. B. 4251 - "A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Tax Department to promulgate a legislative rule relating to payment of taxes by electronic funds transfer"; to the Committee on Finance then the Judiciary.

By Delegate Foster:

H. B. 4252 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Accountancy to promulgate a legislative rule relating to board rules and rules of professional conduct"; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4253 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Acupuncture to promulgate a legislative rule relating to fees for the board of acupuncture"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4254 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Acupuncture to promulgate a legislative rule relating to auricular detoxification therapy certificate"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4255 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Acupuncture to promulgate a legislative rule relating to application for waiver of initial licensing fees for certain individuals"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4256 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Acupuncture to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4257 - "A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Administration to promulgate a legislative rule relating to financial services reporting"; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4258 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Architects to promulgate a legislative rule relating to registration of architects"; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4259 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Architects to promulgate a legislative rule relating to fees for registration of architects"; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4260 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to auctioneers"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4261 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to employment reference and inquiries and background checks"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4262 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to industrial hemp"; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4263 - "A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule

relating to hemp products”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4264 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to farmers markets”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4265 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Chiropractic Examiners to promulgate a legislative rule relating to application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4266 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Chiropractic Examiners to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4267 - “A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Commerce to promulgate a legislative rule relating to small business innovation research and small business technology transfer matching funds program”; to the Committee on Small Business, Entrepreneurship and Economic Development then the Judiciary.

By Delegate Foster:

H. B. 4268 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners in Counseling to promulgate a legislative rule relating to application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4269 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to dental advertising”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4270 - “A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from hazardous waste treatment, storage and disposal facilities”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4271 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Licensed Dietitians to promulgate a legislative rule relating to licensure and renewal requirements”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4272 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Licensed Dietitians to promulgate a legislative rule

relating to application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4273 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Election Commission to promulgate a legislative rule relating to corporate and membership organization political activity”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4274 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Election Commission to promulgate a legislative rule relating to regulation of campaign finance”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4275 - “A Bill to amend and reenact §64-6-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Fire Commission to promulgate a legislative rule relating to state fire code”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4276 - “A Bill to amend and reenact §64-6-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Fire Commission to promulgate a legislative rule relating to state building code”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4277 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to applications for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4278 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Funeral Service Examiners to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4279 - “A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to public water systems”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4280 - “A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to fees for permits”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4281 - “A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to vital statistics”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4282 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to emergency medical services"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4283 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to primary care center uncompensated care grants"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4284 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to medical cannabis program-general provisions"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4285 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to medical cannabis program-growers/processors"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4286 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to medical cannabis program-laboratories"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4287 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to medical cannabis program-dispensaries"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4288 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to medical cannabis program-safe harbor letter"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4289 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to collection and exchange of data related to overdoses"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4290 - "A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to minimum licensing requirements for residential child care and treatment

facilities for children and transitioning adults in West Virginia”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4291 - “A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to qualifications for a provisional license to practice as a social worker within the Department of Health and Human Resources”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4292 - “A Bill to amend and reenact §64-5-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Health Care Authority to promulgate a legislative rule relating to critical access hospitals”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4293 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Hearing Aid Dealers to promulgate a legislative rule relating to application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4294 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Hearing Aid Dealers to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4295 - “A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Highways to promulgate a legislative rule relating to use of state road rights of way and adjacent areas”; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegate Foster:

H. B. 4296 - “A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Highways to promulgate a legislative rule relating to small wireless facilities on Division of Highways rights-of-way”; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegate Foster:

H. B. 4297 - “A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Insurance Commission to promulgate a legislative rule relating to credit for reinsurance”; to the Committee on Banking and Insurance then the Judiciary.

By Delegate Foster:

H. B. 4298 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Landscape Architects to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4299 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Massage Therapy Licensure Board to promulgate a legislative

rule relating to application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4300 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Massage Therapy Licensure Board to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4301 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Medical Imaging and Radiation Therapy Technology Board of Examiners to promulgate a legislative rule relating to WV Medical Imaging and Radiation Therapy Technology Board of Examiners”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4302 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Medicine to promulgate a legislative rule relating to licensure, disciplinary and complaint procedures, continuing education, physician assistants”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4303 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Medicine to promulgate a legislative rule relating to waiver of initial licensing fees for certain initial licensure applicants”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4304 - “A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to safety and treatment program”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4305 - “A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to special boating rule”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4306 - “A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to public use of campgrounds in West Virginia State Parks and State Forests and campsites in State Rail Trails under the Division of Natural Resources”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4307 - “A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to special projects and grants for West Virginia State Parks, State Forests, and State Rail

Trails under the Division of Natural Resources”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4308 - “A Bill to amend and reenact §64-10-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Natural Resources to promulgate a legislative rule relating to special fishing rule”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Foster:

H. B. 4309 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Nursing Home Administrators Licensing Board to promulgate a legislative rule relating to nursing home administrators”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4310 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Occupational Therapy to promulgate a legislative rule relating to application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4311 - “A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Oil and Gas Conservation Commission to promulgate a legislative rule relating to rules of the commission”; to the Committee on Energy then the Judiciary.

By Delegate Foster:

H. B. 4312 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Optometry to promulgate a legislative rule relating to rules for the West Virginia Board of Optometry”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4313 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to osteopathic physician assistants”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4314 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to waiver of initial licensing fees for certain initial licensure applicants”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4315 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4316 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to

record keeping and automated data processing systems”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4317 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to Board of Pharmacy rules for registration of pharmacy technicians”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4318 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to Board of Pharmacy rules for centralized prescription processing”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4319 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacy permits”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4320 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacists”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4321 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Pharmacy to promulgate a legislative rule relating to application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4322 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Physical Therapy to promulgate a legislative rule relating to general provisions for physical therapist and physical therapist assistants”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4323 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Physical Therapy to promulgate a legislative rule relating to fees for physical therapist and physical therapist assistant”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4324 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Physical Therapy to promulgate a legislative rule relating to general provisions for athletic trainers”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4325 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Physical Therapy to promulgate a legislative rule

relating to fees for athletic trainers”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4326 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Physical Therapy to promulgate a legislative rule relating to application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4327 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Registration for Professional Engineers to promulgate a legislative rule relating to examination, licensure and practice of professional engineers”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4328 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Professional Surveyors to promulgate a legislative rule relating to examination and licensing of professional surveyors in West Virginia”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4329 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Psychologists to promulgate a legislative rule relating to consideration of prior criminal convictions in initial licensure determinations and application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4330 - “A Bill to amend and reenact §64-2-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Public Defender Services to promulgate a legislative rule relating to payment of fees and reimbursement of expenses of court appointed attorneys”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4331 - “A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Racing Commission to promulgate a legislative rule relating to thoroughbred racing”; to the Committee on Finance then the Judiciary.

By Delegate Foster:

H. B. 4332 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for licensure and certification”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4333 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Real Estate Commission to promulgate a legislative rule relating to application for waiver of initial licensing fees for certain individuals”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4334 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Real Estate Commission to promulgate a legislative rule relating

to consideration of prior criminal convictions in initial license eligibility determination”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4335 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to request for waiver of initial licensing fees for certain individuals”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4336 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the West Virginia Board of Respiratory Care to promulgate a legislative rule relating to establishment of fees”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4337 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the West Virginia Board of Respiratory Care to promulgate a legislative rule relating to student limited permit”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Foster:

H. B. 4338 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Sanitarians to promulgate a legislative rule relating to waiver of initial application fees and criteria for initial licensure”; to the Committee on the Judiciary.

By Delegate Foster:

H. B. 4339 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Social Work to promulgate a legislative rule relating to qualifications for the profession of social work”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4340 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Social Work to promulgate a legislative rule relating to fee schedule”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4341 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Speech-Language Pathology and Audiology to promulgate a legislative rule relating to licensure of speech-pathology and audiology”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4342 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Speech-Language Pathology and Audiology to promulgate a legislative rule relating to disciplinary and complaint procedures for speech-language pathology and audiology”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4343 - “A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Tax Department to promulgate a legislative rule relating to consumer sales and service tax and use tax-drugs, durable medical goods, mobility enhancing

equipment and prosthetic devices per se exemption, motor vehicles per se exemption”; to the Committee on Finance then the Judiciary.

By Delegate Foster:

H. B. 4344 - “A Bill to amend and reenact §64-7-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the State Tax Department to promulgate a legislative rule relating to exchange of information pursuant to written agreement”; to the Committee on Finance then the Judiciary.

By Delegate Foster:

H. B. 4345 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Veterinary Medicine to promulgate a legislative rule relating to organization and operation and licensing of veterinarians”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4346 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Veterinary Medicine to promulgate a legislative rule relating to registration of veterinary technicians”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4347 - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Board of Veterinary Medicine to promulgate a legislative rule relating to schedule of fees”; to the Committee on Government Organization then the Judiciary.

By Delegate Foster:

H. B. 4348 - “A Bill to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Environmental Protection to promulgate a legislative rule relating to West Virginia surface mining reclamation rule”; to the Committee on Energy then the Judiciary.

Special Calendar

Second Reading

H. B. 3039, Relating to a court’s consideration of the expression of a preference by a child in certain child custody matters; 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. 4004, Creating the West Virginia Sentencing Commission; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Rowe, the bill was amended on page two, section one, line eight, following the word “public”, by striking out the period and inserting “while preventing disparate treatment of offenders based on racial, ethnic, cultural, economic or other factors related to the social status of the offender” and a period.

On motion of Delegate Shott, the bill was amended on page five, section three, line thirty-two, by removing in its entirety subsection (12) and renumbering the remaining subsection.

The bill was then ordered to engrossment and third reading.

H. B. 4007, Born-Alive Abortion Survivors Protection Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4022, Clarifying the qualifications of the Chancellor of the Higher Education Policy Commission; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4103, Relating to office of drug control policy; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Leaves of Absence

At the request of Delegate Summers, and by unanimous consent, leaves of absence for the day were granted Delegates Byrd, Espinosa, Estep-Burton and Hicks.

Miscellaneous Business

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

- Delegate Hornbuckle regarding the support he received during his absence
- Delegate Miley regarding Delegate Hornbuckle

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

- Delegate Porterfield for H. B. 4093
- Delegates Summers, Foster, Hansen, Bartlett, J. Jeffries and Campbell for H. B. 4026
- Delegates Williams for H. B. 4001 and Miley
- Delegate Pushkin for H. B. 2142 and H. B. 2497
- Delegate Skaff for H. B. 4001
- Delegates Hott, Graves, Cadle, Barnhart, J. Jeffries, Maynard, Phillips, Foster, Hamrick, Paynter, Steele, D. Jeffries, Wilson, Waxman and Bartlett for H. C. R. 8

At 11:49 a.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, January 15, 2020.

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

SPECIAL CALENDAR

Wednesday, January 15, 2020

8th Day

11:00 A. M.

THIRD READING

- H. B. 3039 - Relating to a court's consideration of the expression of a preference by a child in certain child custody matters (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4004 - Creating the West Virginia Sentencing Commission (SHOTT) (REGULAR)
- H. B. 4007 - Born-Alive Abortion Survivors Protection Act (HILL) (REGULAR)
- H. B. 4022 - Clarifying the qualifications of the Chancellor of the Higher Education Policy Commission (ELLINGTON) (REGULAR)
- H. B. 4103 - Relating to office of drug control policy (ROHRBACH) (REGULAR)

FIRST READING

- Com. Sub. for H. B. 2602 - Including possession of known stolen property in the offense of receiving or transferring stolen property (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2679 - Relating to state issued identification cards (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2696 - Creating an additional index system for state-owned lands (HOWELL) (REGULAR)
- H. B. 2922 - Relating to requirements to obtain a final order of discharge and dismissal for possession of opiates or opioids (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2924 - Permitting the West Virginia Tourism Office to decide to contract with the Division of Highways to sell advertising space on the WV511 website (HOWELL) (REGULAR)
- H. B. 4010 - Changing the licensing requirement for certain casino employees (HOWELL) (REGULAR)
- Com. Sub. for H. B. 4042 - Requiring agencies exempt from some or all of state purchasing requirements to adopt procedural rules (HOWELL) (REGULAR)

HOUSE CALENDAR

Wednesday, January 15, 2020

8th Day

11:00 A. M.

UNFINISHED BUSINESS

H. R. 3 -

Amending the Rules of the House of Delegates, relating to
remarks by members

**WEST VIRGINIA
HOUSE OF DELEGATES**

WEDNESDAY, JANUARY 15, 2020

HOUSE CONVENES AT 11:00 A.M.

**FIRE DEPARTMENTS AND EMERGENCY MEDICAL SERVICES
9:00 A.M. – ROOM 215 E**

**TECHNOLOGY AND INFRASTRUCTURE
9:00 A.M. – ROOM 215 E***

(*COMMITTEE TO CONVENE THEN RECESS TO ROOM 418 M)

**SMALL BUSINESS, ENTREPRENEURSHIP AND ECONOMIC DEVELOPMENT
1:00 P.M. – ROOM 215 E**

**INDUSTRY AND LABOR
1:00 P.M. – ROOM 418 M**

**SENIOR, CHILDREN AND FAMILY ISSUES
3:00 P.M. – ROOM 215 E**

**COMMITTEE ON GOVERNMENT ORGANIZATION
5:00 P.M. – ROOM 215 E**

**COMMITTEE ON FINANCE
5:00 P.M. – ROOM 462 M**

**COMMITTEE ON THE JUDICIARY
5:00 P.M. – ROOM 418 M**

**COMMITTEE ON EDUCATION
5:00 P.M. – ROOM 434 M**

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