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FORTY-SECOND DAY

Tuesday, March 23, 2021

FORTY-SECOND 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, March 22, 2021, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, Delegate Summers announced that Com. Sub. for H. B. 2933, on Third reading, Special Calendar, had been transferred to the House Calendar; Com. Sub. for H. B. 3009 and Com. Sub. for H. B. 3079 on Second reading, Special Calendar, had been transferred to the House Calendar; and Com. Sub. for H. B. 2630 and Com. Sub. for H. B. 2785, on Third reading, House Calendar, had been transferred to the Special Calendar.

Committee Reports

Delegate Capito, 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. 2694, Create the 2nd Amendment Preservation Act,

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

Com. Sub. for H. B. 2694 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §61-7B-1, §61-7B-2, §61-7B-3, §61-7B-4, and §61-7B-5, all relating to creating the "Second Amendment Preservation Act"; stating legislative findings; providing prohibitions for agencies of the state, political subdivision of the state, or employees, while acting in their official capacity, of an agency or political subdivision of the state; requiring the Attorney General to publish model policies; and providing for severability,"

With the recommendation that the committee substitute do pass.

Delegate J. Pack, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

H. B. 2981, Providing veterans with suicide prevention assistance,

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

Com. Sub. for H. B. 2981 - "A Bill to amend and reenact §9A-1-9 and §9A-1-10; of the Code of West Virginia, 1931, as amended; and to amend and reenact §16-5-19 of said code, all relating to establishing suicide prevention assistance to veterans in this state; requiring the Department of Veterans' Assistance to create program; requiring the medical examiner to share information; and providing an internal effective date,"

With the recommendation that the committee substitute do pass.

Delegate J. Pack, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

Com. Sub. for S. B. 377, Relating to extension for boil water advisories by water utility or public service district,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 377) was referred to the Committee on the Judiciary.

Delegate J. Pack, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

H. B. 2831, Nursing Program Expansion Pilot Program,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2831) was referred to the Committee on Finance.

Delegate J. Pack, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

S. B. 390, Reorganizing Health Care Authority under DHHR and clarifying responsibilities for all-payer claims database,

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

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

By Delegates Ellington, Clark, Horst and Griffith:

H. B. 3299 - "A Bill to amend and reenact §18B-17-2 of the Code of West Virginia, 1931, as amended, relating to authorizing legislative rules for the Higher Education Policy Commission regarding the Mental Health Loan Repayment Program and Administrative Exemption."

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

Your Committee on Education has had under consideration:

H. B. 3285, To provide for the HSTA scholarships,

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

The Speaker referred the bill to the Committee on Finance.

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

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 356, Allowing for written part of drivers' exam given in high school drivers' education course,

Com. Sub. for S. B. 431, Relating to school attendance notification requirements to DMV,

And,

Com. Sub. for S. B. 435, Requiring county superintendents to authorize certain school principals or administrators at nonpublic schools to issue work permits for enrolled students,

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

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

Your Committee on Education has had under consideration:

H. B. 2145, Relating to student aide class titles,

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

Com. Sub. for H. B. 2145 - "A Bill to amend and reenact §18A-4-8 and §18A-4-8a of the Code of West Virginia, 1931, as amended, all relating to class titles for school service personnel; adding class titles for Aide V and Aide VI and their associated qualifications, posting requirements; county discretion; and respective pay grades,"

H. B. 3102, Requiring Director of transportation to have experience in transportation department,

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

Com. Sub. for H. B. 3102 - "A Bill to amend and reenact §18A-4-8 of the Code of West Virginia, 1931, as amended, relating to class titles for school service personnel; providing for special education assistant teacher and behavioral support assistant teacher classifications and pay grades; and providing minimum experience requirement for director or coordinator of services class title involving school transportation,"

And,

H. B. 3266, Providing for termination of extracurricular contact upon retirement,

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

Com. Sub. for H. B. 3266 - "A Bill to amend and reenact §18A-4-16 of the Code of West Virginia, 1931, as amended, relating to the termination of extracurricular contracts upon retirement; providing effective date; not prohibiting post-retirement employment with county board consistent with rules of consolidated public retirement board,"

With the recommendation that the committee substitutes each do pass.

Delegate J. Pack, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

S. B. 67, Relating to authority of Emergency Medical Services Advisory Council,

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

Delegate Capito, 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. 2573, Relating generally to the transparency and accountability of state grants to reduce waste, fraud, and abuse,

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

Com. Sub. for H. B. 2573 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-9-1, §5B-9-2, §5B-9-3, §5B-9-4, §5B-9-5, §5B-9-6, §5B-9-7, §5B-9-8 and §5B-9-9, and to amend and reenact §12-4-14 of said code, all generally relating to providing transparency regarding the spending of public monies; enacting the West Virginia Development Achievements Transparency Act; providing a short title for the West Virginia Development Achievements Transparency Act; providing legislative purpose and findings; providing for definitions; outlining reporting requirements for entities providing a development subsidy; directing the Auditor to create a searchable website to view development subsidy data; detailing the items required to be provided on the Auditor's searchable website; protecting confidentiality of certain subsidy data; providing that a granting body may compile information from a recipient corporation; providing that a granting body shall review information from a recipient corporation to ensure reasonable accuracy; providing that the State Auditor shall publish a list detailing any granting body or recipient corporation that fails to comply with article 9,

chapter 5B of this code; providing that the Auditor shall publish a list of any granting body or recipient corporation that intentionally submits false, misleading, or fraudulent information; providing that the Auditor shall notify the Joint Committee on Government and Finance of any granting body or recipient corporation that intentionally submits false, misleading or fraudulent information; permitting the Auditor to hold public hearings or training sessions to ensure compliance with the article; reenacting §12-4-14 of this code as the West Virginia Grant Transparency and Accountability Act; providing a short title for West Virginia Grant Transparency and Accountability Act; providing legislative intent; defining terms; providing that any grantee of state grant funds that grants said funds to a subgrantee, such funds shall be treated as a state grant; providing that the Auditor shall notify the Treasurer regarding any grantor agency that fails to comply with reporting and recordkeeping provisions of this code and that such agency shall not encumber or expend grant funds until State Auditor determines that reporting and recordkeeping are brought into compliance with this code; requiring each state grantmaking agency designate a Chief Accountability Officer; allowing grantor agencies or the State Auditor to issue stop payment orders; requiring the State Auditor to maintain a searchable and publicly accessible database of state grants; requiring State Auditor, in cooperation with state grant making agencies, to promulgate legislative, procedural and interpretive rules regarding stop payment procedures; providing for informal conference to resolve conflicts between grantor agency and grantee when grantor agency reasonably believes grant funds are subject to recovery; providing formal procedures for grantor agency to follow to determine if grant funds are subject to recovery, including notice and hearing requirements; requiring grantor agencies to take affirmative and timely action to recover misspent and improperly held grant funds, once said funds are determined to be misspent or improperly held; providing grantor agencies methods to recover misspent or improperly held grant funds; allowing the Attorney General to take action to recover any grants funds that have been misapplied or improperly held; creating a special revenue fund known as the Grant Recovery Fund for recovered grant funds for which the use is not restricted by law or otherwise appropriated; providing for rulemaking by the State Auditor; requiring the State Auditor to adopt conflicts of interest policies for state grants and requiring grantors, grantees, and subgrantees to disclose such conflicts; changing the notification requirement from the Legislative Auditor to the State Auditor for state agencies administering a state grant; requiring the State Auditor to maintain a debarred list in the form of a computerized database accessible by state agencies and the public, with public disclosure to the extent allowed by federal law; defining prohibited political activity; requiring grantors, grantees, subgrantees, and personnel thereof to not use grant funds for prohibited political activities or to be knowingly compensated with grant funds for prohibited political activities; providing exception for 501(c)(3) and 501(c)(4) organizations that receive state grant funds for federally permissible advocacy; providing criminal penalties; and providing for reporting by the State Auditor to the Joint Legislative Committee on Government and Finance that demonstrates efficiencies cost savings, and reductions in fraud, waste and abuse,”

With the recommendation that the committee substitute do pass.

Delegate Capito, 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. 2842, Preventing cities from banning utility companies in city limits,

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

Com. Sub. for H. B. 2842 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-12-22, relating to placing limitations on the authority of municipalities, political subdivisions, and local governing bodies generally; forbidding a municipality, political subdivision, or a local governing body to enact any code, ordinance, or land use regulation that would prohibit, have the effect of prohibiting, or regulate in any manner a public utility or department of public utilities from furnishing a utility service to a utility customer based on an energy source which is provided or used by a utility service; forbidding a municipality, political subdivision, or a local governing body to enact any code, ordinance, or land use regulation that would prohibit or regulate a customer of a public utility or department of public utilities from purchasing, using, or connecting or reconnecting to a utility service based on the energy source provided or used by a utility service, forbidding a municipality, political subdivision, or a local governing body to enact any code, ordinance, or land use regulation that would prohibit or regulate a public utility or department of public utilities from utilizing vehicles, equipment, machinery, or tools, to provide utility services to a utility customer based on the energy source used by or powering those vehicles, equipment, machinery, or tools used by the utility service; and defining terms,"

With the recommendation that the committee substitute do pass.

Delegate Capito, 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. 3254, Authorizing members of development authorities to accept federally authorized reimbursement for services which the members rendered on a voluntary basis,

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

Com. Sub. for H. B. 3254 - "A Bill to amend and reenact §61-10-15 of the Code of West Virginia, 1931, as amended, relating to authorizing members of development authorities to accept compensation for services which the members rendered,"

With the recommendation that the committee substitute do pass.

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

By Delegates Householder, Criss, Barrett, Espinosa, Gearheart, Linville, Maynard, Hott, Hardy, Ellington and J. Pack:

H. B. 3300 - "A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-4g; and to amend said code by adding thereto a new section, designated §11B-2-33, all relating to reducing personal income tax rates generally; reducing rates by certain amounts after December 31, 2021; incrementally reducing rates thereafter to zero based upon annual calculations and actions by the Tax Commissioner; creating, and providing funding for, personal income tax reduction fund; providing for deposits by Secretary of Revenue from income tax reduction fund into general revenue fund; and providing for investment and disposition of fund."

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

By Delegates Storch, Hardy, Rowan, Boggs, Rowe, Hott, Williams, Anderson, Howell, Hornbuckle and Rohrbach:

H. B. 3301 - "A Bill to amend and reenact §7-11B-3, §7-11B-7, §7-11B-8, §7-11B-9, §7-11B-10, §7-11B-18, and §7-11B-22 of the Code of West Virginia, 1931, as amended, relating generally to property tax increment financing districts; authorizing payment in lieu of tax agreements for property located within property tax increment financing districts; authorizing a county commission or municipality to modify the termination time of certain districts; extending length of certain districts; providing clarification as to the discharge of any tax increment financing obligations outstanding on the termination date of a property tax district; eliminating certain existing limitations on the terms of property tax increment financing obligations issued to refund existing obligations; providing clarifications with respect to the base assessed value and termination date when two or more tax increment financing districts have been combined; and changing the notice required to be given to other levying bodies prior to a new project plan for a property tax district being considered for approval."

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 22nd day of March, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

Com. Sub. for H. B. 2006, Relating to the West Virginia Contractor Licensing Act,

Com. Sub. for H. B. 2008, Amending requirements for licensure relating to elevator mechanics, crane operators, HVAC, electricians, and plumbers,

And,

Com. Sub. for H. B. 2013, Relating to the Hope Scholarship Program.

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 22nd day of March, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

Com. Sub. for S. B. 295, Relating generally to economic development loans and loan insurance issued by state,

And,

S. B. 404, Modifying well work permits issued by DEP Office of Oil and Gas.

Messages from the Senate

A message from the Senate, by

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

H. B. 2701, Relating to authorizing the Division of Rehabilitation Services to approve acceptable training programs required for low vision individuals to obtain a Class G drivers license.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 2788, Expiring funds to the unappropriated surplus balance from State Excess Lottery Revenue Fund.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2789, Supplementing and amending the appropriations to Public Defender Services.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2802, Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2803, Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Forestry.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 2804, Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2021.

A message from the Senate, by

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

H. C. R. 9, Urging Congress to call a convention of states to limit terms of office of the US House of Representatives.

A message from the Senate, by

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

Com. Sub. for S. B. 36 - “A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Secondary School Activities Commission; prohibiting any rule of the commission from being enforced without the approval of the rule by the State Board of Education; requiring the commission to make the results of the annual audit of its funds available to the public; authorizing the Legislative Auditor, at reasonable and prudent intervals, to conduct performance audits of the commission to determine how well it is accomplishing its mission; and requiring an initial performance audit of the commission by December 1, 2022”; which was referred to the Committee on Education.

A message from the Senate, by

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

Com. Sub. for S. B. 569 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-32, relating to damages for medical monitoring; establishing requirements for an order for payment of medical monitoring expenses; providing that an increased risk of disease is not a compensable basis for damages in any civil action; providing that, where awarded, payment of medical monitoring expenses shall not be paid to a prevailing plaintiff until the procedure is completed; requiring that, where awarded, defendants pay medical monitoring expenses into a fund established by the court for that purpose; and providing for the return of any money remaining in the fund after medical monitoring is no longer required to the defendants”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

Com. Sub. for S. B. 636 - “A Bill to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to imposing additional requirements for the courses required for all public, private, parochial, and denominational schools in the history of the State of West Virginia, the history of the United States, in civics, in the Constitution of the United States, and in the government of West Virginia; requiring the State Board of Education to consult with certain other entities in prescribing the courses of study; requiring the State Board of Education to include the basic course requirements for middle school and high school and the academic standards when prescribing the courses of study; requiring the State Board of Education to publish an approved list of instructional resources; requiring the State Board of Education to provide testing or assessment instruments for the history and civics courses of instruction; and expanding amendments to the Constitution of the United States to be emphasized as a part of the instruction in each social studies class required during Celebrate Freedom Week”; which was referred to the Committee on Education.

Resolutions Introduced

Delegates Summers, Ellington, Rohrbach and J. Pack offered the following resolution, which was reported by the Clerk:

H. R. 17 - “Urging the President of the United States to appoint Dr. Rahul Gupta as the Director of the Office of National Drug Control Policy.”

Whereas, The Office of National Drug Control Policy is a component of the Executive Office of the President of the United States; and

Whereas, The mission of the Office of National Drug Control Policy is to reduce substance use disorder and its consequences by coordinating the nation's drug control policy through the development and oversight of the National Drug Control Strategy and Budget; and

Whereas, The Office of National Drug Control Policy leads and coordinates the nation's drug policy so that it improves the health and lives of the American people; and

Whereas, Dr. Rahul Gupta, MD, MPH, MBA, FACP, is the former public health commissioner for the state of West Virginia; and

Whereas, Dr. Rahul Gupta currently holds the position of Senior Vice President and Chief Medical and Health Officer of the March of Dimes. He is also the Interim Chief Scientific Officer for Research and Global Programs; and

Whereas, As Commissioner and State Health Officer in West Virginia, Dr. Gupta led the state's opioid crisis response and launched several pioneering public health initiatives, such as the Birthscore program to identify high-risk infants; and

Whereas, Dr. Rahul Gupta, a specialist in internal medicine and preventive medicine, served as an academic faculty in Tennessee and Alabama before going to West Virginia originally in 2009 to lead the Kanawha-Charleston Health Department; and

Whereas, Dr. Rahul Gupta has extensive public health experience working in local, state, and federal governments, and working with and advising nonprofit organizations on local national, and international public health policy and programs; therefore, be it

Resolved by the House of Delegates:

That the House of Delegates hereby urges the President of the United States to appoint Dr. Rahul Gupta as the Director of the Office of National Drug Control Policy; and, be it

Further Resolved, That the House of Delegates extends its full support to the nomination of Dr. Rahul Gupta as appoint Dr. Rahul Gupta as the Director of the Office of National Drug Control Policy; and

Further Resolved, That the House of Delegates strongly encourages West Virginia's congressional delegation to support the nomination of Dr. Rahul Gupta as the Director of the Office of National Drug Control Policy; and, be it

Further Resolved, That the Clerk hereby forward a copy of this resolution to the Honorable Joseph R. Biden, Jr., President of the United States.

At the respective requests of Delegate Summers, and by unanimous consent, reference of the resolution (H. R. 17) to a committee was dispensed with, and it was taken up for immediate consideration, and adopted.

Delegates Rowe, Pushkin, Barach, Capito, Pritt, Young, L. Pack, D. Jeffries, Skaff, Graves and Ferrell offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 66 - "Requesting the Division of Highways name bridge number: 20-060/00-005.59 (WB) (20A336), (38.35826, -81.63989) locally known as US 60 Washington Street Bridge, carrying US 60 over Elk River in Kanawha county, the 'Charleston Police Officer Cassie Johnson-Fallen Heroes Memorial Bridge'."

Whereas, Charleston Police Officer Cassie Johnson was a lifelong resident of the City of Charleston, West Virginia, and was a graduate of Capital High School; and

Whereas, Charleston Police Officer Cassie Johnson was a 2019 graduate of the West Virginia State Police Academy; and

Whereas, On January 11, 2019, Charleston Police Officer Cassie Johnson was sworn in as a member of the Charleston Police Department, where her love for her community quickly made her one of the most likeable members of the force; and

Whereas, Charleston Police Officer Cassie Johnson had worked as a humane officer for the Kanawha-Charleston Humane Association, and regularly sought convictions in animal cruelty cases; and

Whereas, Charleston Police Officer Johnson's classmates at the West Virginia State Police Academy remember how much of a positive impact she had on them by her uplifting spirit and encouraging words; and

Whereas, On December 1, 2020, Charleston Police Officer Cassie Johnson was shot and wounded in the line of duty while responding to a routine call in Charleston, West Virginia and tragically, she passed away on December 3, 2020, after succumbing to her injuries; and

Whereas, Charleston Police Officer Cassie Johnson was given a hero's funeral in the City of Charleston, West Virginia on December 8, 2020, attended by law enforcement from across the state and country; and

Whereas, Charleston Police Officer Cassie Johnson will forever be remembered for her commitment to the City of Charleston and to the great State of West Virginia; and

Whereas, Charleston Police Officer Cassie Johnson is missed by her family, friends, colleagues, the community of Charleston, the State of West Virginia, and all those whose lives she touched; and

Whereas, Charleston Police Officer Cassie Johnson is survived by her mother, Sheryl S. Casto; brother, Charles Terrance Johnson and Jessica; sister, Chelsea Johnson; several uncles, aunts, cousins, other family and friends, as well as her brothers and sisters in Blue, The Charleston Police Department; and

Whereas, It is fitting that an enduring memorial be established to commemorate Charleston Police Officer Cassie Johnson and her contributions to the City of Charleston, our state and country and to commemorate the lives of the fallen heroes of the Charleston Police Department, by naming the bridge across the Elk River on the street known as Washington Street in the City of Charleston in their honor; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number: 20-060/00-005.59 (WB) (20A336), (38.35826, -81.63989) locally known as US 60 Washington Street Bridge, carrying US 60 over Elk River in Kanawha county, the "Charleston Police Officer Cassie Johnson-Fallen Heroes Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "Charleston Police Officer Cassie Johnson-Fallen Heroes Memorial Bridge"; and, be it

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

Delegates Diserio, Garcia, Criss, Young, Barach, Rowan, Storch, Fluharty, Zukoff, Boggs and Pethtel offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 67 - "Requesting the Division of Highways to name a portion of Commerce Street; beginning at the corner of 12th and Commerce Streets and ending at the Department of Highways facility located just north of Kroger in Wellsburg, in Brooke County, the 'U. S. Army SGT Roy E. Givens Memorial Road'."

Whereas, U. S. Army SGT Roy E. Givens was born April 27, 1929, in Wellsburg, Brooke County; and

Whereas, U. S. Army SGT Roy E. Givens served the 2nd District of West Virginia in the West Virginia House of Delegates for a total of 24 years. During that time, he served with seven governors, five House speakers and secured approximately \$60 million for a variety of projects, including the growth of the Brooke County Public Library, the creation of the Brook Pioneer Trail, assisting the Brook County 4-H, Brooke County Senior Center and local police and fire departments and the expansion of state Route 2. He was also instrumental in establishing the West Virginia Veterans Nursing facility in Clarksburg, West Virginia; and

Whereas, It is fitting that an enduring memorial be established to commemorate U. S. Army SGT Roy E. Givens and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a portion of Commerce Street; beginning at the corner of 12th and Commerce Streets and ending at the Department of Highways facility located just north of Kroger in Wellsburg, in Brooke County, the "U. S. Army SGT Roy E. Givens Memorial Road"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs at both ends identifying the portion of road as the "U. S. Army SGT Roy E. Givens Memorial Road"; and, be it

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

Bills Introduced

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

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

H. B. 3295 - "A Bill supplementing and amending appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing and increasing existing items of appropriation to the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2021, organization 0511 and increasing existing items of appropriation to the Department of Health and Human Resources, Division of Health – Central Office, fund 0407, fiscal year 2021, organization 0506, by supplementing and amending appropriations for the fiscal year ending June 30, 2021"; to the Committee on Finance.

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

H. B. 3296 - "A Bill supplementing and amending appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing an existing item of appropriation and adding a new item of appropriation to Executive, Governor's Office, fund 0101, fiscal year 2021, organization 0100, by supplementing and amending appropriations for the fiscal year ending June 30, 2021"; to the Committee on Finance.

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

H. B. 3297 - "A Bill expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2021 in the amount of \$550,000 from the Department of Veterans' Assistance, Department of Veterans' Assistance, fund 0456, fiscal year 2012, organization 0613, appropriation 34400 and making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Veterans' Assistance – Department of Veterans' Assistance - Veterans' Home, fund 0460, fiscal year 2021, organization 0618, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021"; to the Committee on Finance.

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

H. B. 3298 - "A Bill supplementing and amending Chapter eleven , Acts of the Legislature, Regular Session, 2020, known as the budget bill, in Title II from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307; the Department of Education, State Board of Education – State Department of Education, fund 0313, fiscal year 2021, organization 0402 and the Bureau of Senior Services, Bureau of Senior Services, fund 0420, fiscal year 2021, organization 0508; and to Executive, Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100 by supplementing and amending the appropriations for the fiscal year ending June 30, 2021"; to the Committee on Finance.

Special Calendar**Third Reading**

Com. Sub. for S. B. 9, Continuing Licensed Racetrack Modernization Fund; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 248**), and there were—yeas 63, nays 34, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Booth, Bridges, Bruce, Burkhammer, Conley, Ellington, Fast, Ferrell, Foster, Gearheart, Hanna, Howell, D. Jeffries, Jennings, Keaton, Kessinger, Kimble, Kimes, Linville, Longanacre, Mandt, Martin, Mazzocchi, J. Pack, L. Pack, Paynter, Pinson, Pritt, Rohrbach, Rowan, Toney, B. Ward, G. Ward and Worrell.

Absent and Not Voting: Maynard, Steele and Thompson.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 9) passed.

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

S. B. 10, Modifying racetrack licensing due date; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 249**), and there were—yeas 80, nays 17, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Bruce, Burkhammer, Conley, Fast, Foster, D. Jeffries, Jennings, Kimes, Longanacre, Mandt, Martin, Mazzocchi, Paynter, Pinson, Toney, B. Ward and Worrell.

Absent and Not Voting: Maynard, Steele and Thompson.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 10) passed.

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

S. B. 305, Providing exemption from consumers sales and service tax for certain aircraft maintenance; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 250**), and there were—yeas 84, nays 13, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Burkhammer, Conley, Fleischauer, Fluharty, Higginbotham, Hornbuckle, Kimes, Pinson, Pushkin, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Maynard, Steele and Thompson.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 305) passed.

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

Com. Sub. for H. B. 2195, Relating to motor vehicle crash reports; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 251**), and there were—yeas 96, nays 1, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Nestor.

Absent and Not Voting: Maynard, Steele and Thompson.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2195) passed.

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

Com. Sub. for H. B. 2368, Mylissa Smith's Law, creating patient visitation privileges; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 252**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Maynard and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2368) passed.

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

Com. Sub. for H. B. 2368 - "A Bill to repeal §16-39-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-39-1 of the code; and to amend said code by adding thereto new sections, designated §61-39-2 and §61-39-8, generally relating to visitation of a patient in a healthcare facility during a declared public health state of emergency for contagious disease, to be known as 'Mylissa Smith's Law'; establishing a short title; providing definitions; establishing that visitation of a patient is allowed at any time if the patient's death is imminent; further providing that if death is not imminent visitation shall be not less than once every five days; requiring a visitor to comply with applicable facility procedures; and, establishing that the health care entity is not liable for civil damages due to disease exposure to visitors or other patients or residents during visitation unless facility failed to substantially comply with applicable procedures established by the health care entity."

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

On this question, the yeas and nays were taken (**Roll No. 253**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Maynard and Steele.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2368) takes effect from its passage.

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

Com. Sub. for H. B. 2630, Requiring DEP to reimburse fines paid by towns, villages and communities in certain instances; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 254**), and there were—yeas 89, nays 9, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Doyle, Fleischauer, Hansen, Hornbuckle, Kimes, Thompson, Walker, Williams and Young.

Absent and Not Voting: Maynard and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2630) passed.

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

Com. Sub. for H. B. 2760, Relating to economic development incentive tax credits; on third reading, coming up in regular order, was read a third time.

Delegate Espinosa requested to be excused from voting under the provisions of House Rule 49.

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 255**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Maynard and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2760) passed.

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

Com. Sub. for H. B. 2760 – “A Bill to amend and reenact §11-13Q-9, §11-13Q-10, §11-13Q-10a and §11-13Q-22 of the Code of West Virginia, 1931, as amended, all relating to economic development incentive tax credits; authorizing credit for the creation of 10 jobs under certain circumstances; terminating small business credit after a certain date; eliminating credit to business franchise tax; authorizing certain manufacturing activities to qualify for high technology

manufacturing tax credit; providing definitions; limiting certain multiple tax credits for the same qualified investment; eliminating prevailing wage requirement for certain additional credit; providing effective dates.”

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

Com. Sub. for H. B. 2785, Relating to public school enrollment for students from out of state; on third reading, coming up in regular order, was reported by the Clerk.

Delegate Ellington asked and obtained unanimous consent to amend the bill on third reading and the rule was suspended to permit the offering and consideration of an amendment on third reading.

On motion of Delegate Ellington, the bill was amended on page 2, section 18-8-1a, following line 19, by inserting a new subsection (b) to read as follows:

“(b) A parent, as defined in §18-31-2 of this code, shall have the option, prior to enrolling in a publicly supported kindergarten program, to apply for a Hope Scholarship on behalf of his or her child as set forth in §18-31-1 et seq. of this code. Every year thereafter, a parent shall have the option to renew his or her child’s enrollment in the Hope Scholarship Program pursuant to §18-31-8 of this code.”

And, re-lettering the subsequent subsections.

Having been engrossed, the bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 256**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Maynard and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2785) passed.

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

Com. Sub. for H. B. 2785 – “A Bill to amend and reenact §18-8-1a of the Code of West Virginia, 1931, as amended, relating to requirements for compulsory school attendance; providing that parent and guardian make determination to remove child from kindergarten program; updating references and removing outdated language; providing option to parent to apply for Hope Scholarship for child prior to enrollment in kindergarten and every year thereafter; prohibiting further placement testing for first grade placement in certain instances; requiring enrollment in same grade level as state or program from which student transferred; and requiring certain transcripts or credentials to be accepted as record of students previous performance for placement and credit assignment.”

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

H. B. 2874, Extend the current veteran's business fee waivers to active duty military members, their spouses and immediate family members; on third reading, coming up in regular order, was, at the request of Delegate Summers, and by unanimous consent, postponed one day.

H. B. 3010, To extend the special valuation method for cellular towers to towers owned by persons not subject to regulation by the Board of Public Works; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 257**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Maynard and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3010) passed.

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

H. B. 3010 – “A Bill to amend and reenact §11-6L-2 and §11-6L-4 of the Code of West Virginia, 1931, as amended, relating to the valuation of new cell towers at salvage value for ad valorem property tax purposes, authorizing provisions apply to towers built on or after July 1, 2024; and providing that cell towers not subject to valuation by the Board of Public Works will be valued and assessed according to procedures set forth in §11-3-1 *et seq.* of the West Virginia Code.”

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

Second Reading

Com. Sub. for S. B. 517, Relating to sunset provisions of legislative rules; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on Government Organization, was reported by the Clerk and adopted, amending the bill on page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 3. RULEMAKING.

§29A-3-19. Sunset provision in rules.

(a) Any new legislative rule promulgated pursuant to this article after April 1, 2016, shall include a sunset provision terminating the rule on August 1 of the fifth year following its promulgation: ~~after five years~~. *Provided*, That the rule may be renewed ~~for additional terms of five years or less~~ by the Legislature pursuant to the rule-making procedures and authority in this article: *Provided, however*, That if a different sunset or termination provision exists in the statute under which the proposed rule is promulgated, the enabling statute's provision shall control: *Provided further*, That this subsection shall not apply to rules promulgated by the Department of Environmental Protection or emergency rules promulgated pursuant to §29A-3-15 of this code.

(b) Any legislative rule existing as of April 1, 2016, that is thereafter ~~modified~~ amended pursuant to this article, shall include a sunset provision terminating the rule on August 1 of the applicable year as part of the ~~modification~~ amendment setting forth a termination date for the rule: *Provided*, That the rule may be renewed ~~for additional terms of years~~ by the Legislature pursuant to the rule-making procedures and authority in this article: *Provided, however*, That if a different sunset or termination provision exists in the statute under which the legislative rule is promulgated, the enabling statute's provision controls: *Provided further*, That this subsection shall not apply to legislative rules promulgated by the Department of Environmental Protection or emergency rules promulgated pursuant to §29A-3-15 of this code.

(c) The existence of a sunset provision terminating a legislative rule shall not preclude the repeal of the legislative rule by the Legislature prior to its termination.

(d) As part of its rule review under this article, the Legislative Rule-Making Review Committee may establish a procedure for timely review of a legislative rule prior to its termination for those agencies that have affirmatively sought renewal prior to expiration. The procedure may include a requirement that the agency show cause as to why the terminating legislative rule is required and necessary to be continued for another term of years.

(e) The Secretary of State shall provide notice to the promulgating agency and the Legislative Rule-Making Review Committee at least 18 months prior to every legislative rule's termination date. The promulgating agency has 60 days from receipt of the notice to file the legislative rule with the Secretary of State and the Legislative Rule-Making Review Committee affirmatively seeking renewal of the legislative rule: *Provided*, That, if the legislative rule that is scheduled to sunset ~~may not be~~ is not being amended or changed, except for a new sunset date, and the rule is not subject to the public comment period requirements contained in §29A-3-5 of this code. The Legislative Rule-Making Review Committee, as part of its rule review under this article, may begin reviewing a legislative rule upon its filing.

(f) Any agency that has promulgated a legislative rule with a sunset date prior to May 1 of the applicable year, may file a technical amendment with the Secretary of State for the purposes of establishing a sunset date of August 1 of the applicable year.

(g) The Secretary of State shall file a notice of sunset in the State Register within 30 days following the expiration of a legislative rule."

The bill was then ordered to third reading.

H. B. 2028, Exempting veterinarians from the requirements of controlled substance monitoring; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 2029, Relating to teacher preparation clinical experience programs; 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. 2427, Authorizing the Department of Health and Human Resources to promulgate legislative rules; 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. 2982, Relating to the Second Chances at Life Act of 2021; on second reading, coming up in regular order, was read a second time.

Delegate Fleischauer moved to amend the bill on page 3, section 2, line 22, following the period, by inserting the following:

“There exist only limited studies that test the hypothesis that medication abortion can be reversed, and those that exist are scientifically weak and rely on ethically compromised methodology, but there is scientific evidence that attempting to reverse a medication abortion by not taking the second drug, misoprostol, may be associated with side effects including, but not limited to, severe hemorrhaging requiring hospitalization.”

And,

On page 6, Section 3, line 29, following the word “available”, by striking out the period, and inserting the following:

“as well as information about the potential side effects of this procedure, which is deemed experimental by some medical groups because of the lack of scientifically reliable studies.”

The question being on the adoption of the amendment offered by Delegate Fleischauer, the same was put and did not prevail.

Delegate Zukoff moved to amend the bill on page 4, section 2, line 47, by striking out the words “based upon his ability to” and inserting in lieu thereof, “including paying 50% of medical expenses that began at conception, including hospital and delivery costs and also”.

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

The yeas and nays having been ordered, they were taken (**Roll No. 258**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Bridges.

Absent and Not Voting: Maynard and Steele.

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

The bill was then ordered to engrossment and third reading.

H. B. 3045, Relating to firefighter disability claims; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 3107, Declaring that Post Traumatic Stress Disorder diagnosed by a licensed psychiatrist is a compensable occupational disease for first responders; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 3164, Relating generally to kidnapping; on second reading, coming up in regular order, was reported by the Clerk.

Delegate Summers asked and obtained unanimous consent to return to consideration of H. B. 3107.

Delegate Summers then asked and obtained unanimous consent to postpone action on the bill one day.

H. B. 3164, Relating generally to kidnapping; having been reported in earlier proceedings, the bill was read a second time and ordered to engrossment and third reading.

H. B. 3177, Removing expired, outdated, inoperative and antiquated provisions and report requirements in education; 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. 3215, Amending the requirements to become an elected prosecutor; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

First Reading

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

Com. Sub. for H. B. 2726, Allowing for the lease of air space above public roads for the safe operation of unmanned aircraft,

Com. Sub. for H. B. 2953, To clarify that counties can hire fire fighters as paid staff and to modify the existing procedures to include a procedure of public hearing to commission a vote,

Com. Sub. for H. B. 3137, To accelerate the conversion of the transfer tax on the privilege of transferring real property from a state excise tax to a county excise tax,

H. B. 3191, Requiring employers to send certain notifications when retirants are hired as temporary, part-time employees,

Com. Sub. for H. B. 3231, Public Utilities not required to pay interest on security deposits,

Com. Sub. for H. B. 3293, Relating to single-sex participation in interscholastic athletic events,

And,

H. B. 3294, Relating to unemployment insurance.

Leaves of Absence

At the request of Delegate Summers, and by unanimous consent, leaves of absence for the day were granted Delegates Maynard and Steele.

Miscellaneous Business

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

- Delegate D. Jeffries, closing remarks regarding Com. Sub. for H. B. 2368
- Delegates Summers, Linville and Tully regarding Com. Sub. for H. B. 2368

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

H. B. 2145: Delegates Hanshaw and Rohrbach;

H. B. 2927: Delegate L. Pack;

H. B. 3106: Delegate Fleischauer;

And,

H. C. R. 48: Delegate Espinosa.

At 12:56 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, March 24, 2021.

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

SPECIAL CALENDAR

Wednesday, March 24, 2021

43rd Day

11:00 A.M.

THIRD READING

- Com. Sub. for S. B. 517 - Relating to sunset provisions of legislative rules (FOSTER)
(EFFECTIVE FROM PASSAGE)
- H. B. 2028 - Exempting veterinarians from the requirements of controlled
substance monitoring (J. PACK) (REGULAR)
- H. B. 2029 - Relating to teacher preparation clinical experience programs
(ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2427 - Authorizing the Department of Health and Human Resources to
promulgate legislative rules (FOSTER) (EFFECTIVE FROM PASSAGE)
- H. B. 2874 - Extend the current veteran's business fee waivers to active duty
military members, their spouses and immediate family members
(HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2982 - Relating to the Second Chances at Life Act of 2021 (CAPITO)
(REGULAR)
- H. B. 3045 - Relating to firefighter disability claims (ELLINGTON) (REGULAR)
- H. B. 3164 - Relating generally to kidnapping (CAPITO) (REGULAR)
- H. B. 3177 - Removing expired, outdated, inoperative and antiquated
provisions and report requirements in education (ELLINGTON)
(REGULAR)

Com. Sub. for H. B. 3215 - Amending the requirements to become an elected prosecutor (CAPITO) (REGULAR)

SECOND READING

Com. Sub. for H. B. 2726 - Allowing for the lease of air space above public roads for the safe operation of unmanned aircraft (CAPITO) (REGULAR)

Com. Sub. for H. B. 2953 - To clarify that counties can hire fire fighters as paid staff and to modify the existing procedures to include a procedure of public hearing to commission a vote (CAPITO) (REGULAR)

H. B. 3107 - Declaring that Post Traumatic Stress Disorder diagnosed by a licensed psychiatrist is a compensable occupational disease for first responders (CAPITO) (REGULAR)

Com. Sub. for H. B. 3137 - To accelerate the conversion of the transfer tax on the privilege of transferring real property from a state excise tax to a county excise tax (HOUSEHOLDER) (REGULAR)

H. B. 3191 - Requiring employers to send certain notifications when retirants are hired as temporary, part-time employees (HOUSEHOLDER) (REGULAR)

Com. Sub. for H. B. 3231 - Public Utilities not required to pay interest on security deposits (CAPITO) (REGULAR)

Com. Sub. for H. B. 3293 - Relating to single-sex participation in interscholastic athletic events (CAPITO) (REGULAR)

H. B. 3294 - Relating to unemployment insurance (CAPITO) (REGULAR)

FIRST READING

S. B. 67 - Relating to authority of Emergency Medical Services Advisory Council (J. PACK) (EFFECTIVE FROM PASSAGE)

- Com. Sub. for S. B. 356 - Allowing for written part of drivers' exam given in high school drivers' education course (ELLINGTON) (REGULAR)
- S. B. 390 - Reorganizing Health Care Authority under DHHR and clarifying responsibilities for all-payer claims database (J. PACK) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 431 - Relating to school attendance notification requirements to DMV (ELLINGTON) (REGULAR)
- Com. Sub. for S. B. 435 - Requiring county superintendents to authorize certain school principals or administrators at nonpublic schools to issue work permits for enrolled students (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2145 - Relating to student aide class titles (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2573 - Relating generally to the transparency and accountability of state grants to reduce waste, fraud, and abuse (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2694 - Create the 2nd Amendment Preservation Act (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2842 - Preventing cities from banning utility companies in city limits (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2981 - Providing veterans with suicide prevention assistance (J. PACK) (REGULAR)
- Com. Sub. for H. B. 3102 - Requiring Director of transportation to have experience in transportation department (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 3254 - Authorizing members of development authorities to accept federally authorized reimbursement for services which the members rendered on a voluntary basis (CAPITO) (REGULAR)

Com. Sub. for H. B. 3266 - Providing for termination of extracurricular contact upon retirement
(ELLINGTON) (JULY 1, 2021)

H. B. 3299 - Authorizing Higher Education Rules (ELLINGTON) (REGULAR)

H. B. 3300 - Relating to reducing personal income tax rates generally
(HOUSEHOLDER) (REGULAR)

H. B. 3301 - Relating generally to property tax increment financing districts
(HOUSEHOLDER) (REGULAR)

HOUSE CALENDAR

Wednesday, March 24, 2021

43rd Day

11:00 A. M.

THIRD READING

- Com. Sub. for H. B. 2675 - Relating to costs and interest in eminent domain condemnation proceedings (CAPITO) (REGULAR)
- H. B. 2741 - Relating to expansion of the alcohol test and lock program to offenders with a drug related offense (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2933 - Anti-Discrimination Against Israel Act (CAPITO) (REGULAR)

SECOND READING

- Com. Sub. for H. B. 2004 - Permit a licensed health care professional from another state to practice in this state through telehealth when registered with the appropriate West Virginia board (J. PACK) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2015 - Requiring rules of local boards of health to be approved by the county commission except in cases of a public health emergency (J. PACK) (EFFECTIVE FROM PASSAGE)
- H. B. 2536 - Relating to expressions of legislative intent regarding equivalent instruction time (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2628 - Relating to the removal of the prohibition on having ATMs in the area where racetrack video lottery machines are located (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2702 - To require all public high school students to complete and submit a free application for federal student aid (FAFSA) prior to graduation (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2792 - Relating to the expansion of direct access to natural gas service for new customers (ANDERSON) (REGULAR)
- Com. Sub. for H. B. 2959 - Relating to the financing of environmental pollution control equipment for coal-fired power plants (ANDERSON) (REGULAR)
- Com. Sub. for H. B. 3009 - Relating to the publication of county board financial statements (ELLINGTON) (REGULAR)
- H. B. 3079 - Relating to exempting recovery residences from certain standards (J. PACK) (REGULAR)

H. B. 3131 - Relating to correcting internal code references and citations
(CAPITO) (REGULAR)

FIRST READING

H. B. 2582 - Relating to creating a third set of conditions for the professional
teaching certificate (ELLINGTON) (REGULAR)

H. B. 2590 - Relating to the West Virginia Employment Law Worker
Classification Act (CAPITO) (REGULAR)

Com. Sub. for H. B. 2620 - Relating to a departmental study of the child protective services
and foster care workforce (J. PACK) (REGULAR)

WEST VIRGINIA HOUSE OF DELEGATES

WEDNESDAY, MARCH 24, 2021

HOUSE CONVENES AT 11:00 A.M.

AGRICULTURE AND NATURAL RESOURCES
9:00 A.M. – HOUSE CHAMBER

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

PENSIONS AND RETIREMENT
10:00 A.M. – ROOM 462 M

COMMITTEE ON RULES
10:45 A.M. – ROOM 434 M

WORKFORCE DEVELOPMENT
1:00 P.M. – HOUSE CHAMBER

VETERANS' AFFAIRS AND HOMELAND SECURITY
3:00 P.M. – ROOM 215 E

THURSDAY, MARCH 25, 2021

PUBLIC HEARING
COMMITTEE ON FINANCE
3:00 P.M.

H. B. 3300, RELATING TO REDUCING PERSONAL INCOME TAX RATES GENERALLY.

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