

West Virginia Legislature

JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Fifth Legislature  
First Regular Session

Held at Charleston  
Published by the Clerk of the House



February 23, 2021  
FOURTEENTH DAY



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Tuesday, February 23, 2021

**FOURTEENTH DAY**

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

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

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

The Clerk proceeded to read the Journal of Monday, February 22, 2021, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Committee Reports**

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. 2529**, Prohibiting West Virginia institutions of higher education from discriminating against graduates of private, nonpublic or home schools by requiring them to submit to alternative testing,

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

**Com. Sub. for H. B. 2529** - "A Bill to amend and reenact §18B-1-1e of the Code of West Virginia, 1931, as amended, relating to prohibiting state institutions of higher education from discriminating against graduates of private, nonpublic, or home schools by requiring them to submit to alternative testing as a precondition for acceptance into the institution of higher education; and prohibiting institutions of higher education from rejecting a person with appropriate diploma or credentialing for admission to an institution of higher education solely because their secondary education was not accredited by the state Board of Education or agency the board approves,"

With the recommendation that the committee substitute do pass.

Delegate Steele, 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. 2265**, Relating to collaborative pharmacy practice and updating rulemaking authority,

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

Delegate Steele, 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. 2290**, Initiating a State Employment First Policy to facilitate integrated employment of disabled persons,

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

**Com. Sub. for H. B. 2290** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-10Q-1, §18-10Q-2, §18-10Q-3, §18-10Q-4, and §18-10Q-5; all relating to initiating a State Employment First Policy to facilitate integrated employment of disabled persons; providing legislative findings; establishing a taskforce to develop a State Employment First Policy; providing for implementation of the State Employment First Policy; and providing definitions for 'competitive integrated employment' and 'customized employment'; and incorporating a sunset provision,"

With the recommendation that the committee substitute do pass.

### Messages from the Senate

A message from the Senate, by

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

**Com. Sub. for S. B. 11** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-45a, relating to declaring any work stoppage or strike by public employees to be unlawful; providing legislative findings; defining when a county board of education employee is considered to be participating in a concerted work stoppage or strike; prohibiting use of accrued and equivalent instructional time and delivery of instruction through alternative methods to cancel days lost due to a concerted work stoppage or strike; prohibiting a waiver by the state board for a county board of education's noncompliance with the employment and instructional term requirements if the noncompliance is the result of a concerted work stoppage or strike; declaring participation in a concerted work stoppage or strike to be grounds for termination; requiring, if the employee remains employed, county boards of education to withhold the prorated salary or hourly pay of each employee participating in the concerted work stoppage or strike for each day the employee participates; requiring the sums to be forfeited to the county board of education; and prohibiting participation in extracurricular activities when an originally scheduled instructional day or noninstructional day is canceled due to a concerted work stoppage or strike."

At the request of Delegate Summers, and by unanimous consent, reference of the bill (Com. Sub. for S. B. 11) to a committee was dispensed with.

A message from the Senate, by

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

**Com. Sub. for S. B. 66** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-33c, relating to West Virginia University Rifle Team electronic application donation program; including solicitation for voluntary donation to West Virginia University Rifle Team on electronic application for hunting or fishing license; providing opportunity to designate donation in any amount; creating special account; establishing funding sources; specifying terms for expenditures; authorizing disbursements and administrative fee; and requiring annual reports"; which was referred to the Committee on Agriculture and Natural Resources then Finance.

A message from the Senate, by

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

**S. B. 69** - "A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to providing a special license plate to support adoption; and establishing fees"; which was referred to the Committee on Technology and Infrastructure then Government Organization.

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. 280** - "A Bill to amend and reenact §12-3A-6 of the Code of West Virginia, 1931, as amended, relating generally to acceptance of electronic payments by state and local government entities; providing that costs associated with electronic payments collected by spending units may be invoiced in a commercially reasonable manner; defining a term; requiring political subdivisions to accept all payments electronically beginning on a certain date; permitting the Treasurer to exempt spending units from electronic payment requirement based on certain criteria; and authorizing legislative rules"; which was referred to the Committee on Government Organization.

A message from the Senate, by

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

**Com. Sub. for S. B. 293** - "A Bill to amend and reenact §31-15-5 and §31-15-6 of the Code of West Virginia, 1931, as amended, all relating generally to the authority of the West Virginia Economic Development Authority to enter into certain contracts and agreements; providing that board may direct the executive director to enter into those contracts, agreements, and instruments that are necessary to carry out the statutory powers and duties of the authority; and providing the authority is not authorized to enter into contracts or agreements with financial institutions for banking goods or services without the approval of the State Treasurer"; which was referred to the Committee on Government Organization.

A message from the Senate, by

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

**Com. Sub. for S. B. 295** - "A Bill to amend and reenact §12-6C-11 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §12-6C-11a; to amend and reenact §31-15-8 of said code; and to amend said code by adding thereto a new section, designated §31-15-8a, all relating generally to economic development loans and loan insurance issued by the state; clarifying provision stating that the Board of Treasury Investments has no fiduciary duty with regard to economic development loans administered by the Economic Development Authority; providing that the Board of Treasury Investments may inspect and copy, upon written notice, all records related to loans made available by the board to the Economic Development Authority and providing that such records shall not be considered public records and shall be exempt from disclosure pursuant to the provisions of chapter 29B of the code; defining terms; limiting the total amount of loan moneys that the board shall make available to the authority for the Broadband Loan Insurance Program to \$80 million; establishing requirements that must be met before broadband loan insurance moneys will be made available to the authority; limiting the amount of loan insurance that the authority may award in a single year to a single broadband provider to \$20 million; providing that the authority shall maintain broadband loan insurance loan moneys in a separate and segregated account; providing that broadband loan insurance moneys may only be drawn upon in the event of a broadband provider default on an insured debt or security instrument; clarifying that the authority may not deduct administrative or operational costs from broadband loan

insurance loan moneys; setting forth requirements that must be met before the authority may withdraw loan insurance moneys in the event of a broadband provider's default; providing that the authority may only use loan insurance moneys to satisfy certain obligations arising under a loan insurance agreement; requiring the authority to submit quarterly reports to the Joint Committee on Government and Finance and to the Governor containing certain information related to its loan insurance program; requiring the authority to make application forms for broadband loan insurance publicly available on its website; establishing the minimum information an applicant for broadband loan insurance shall be required to submit to the authority; establishing minimum criteria that the authority must consider in its broadband loan insurance application review process; establishing that the authority may provide loan insurance for eligible broadband providers pursuant to awards made by federally funded broadband expansion programs; providing that the authority may not issue loan insurance to a broadband provider that has previously defaulted on any debt or security instrument insured by the authority; requiring the authority to post certain information regarding loan insurance agreements on its website; requiring the authority to adhere to certain accounting and record-keeping practices; requiring the authority to submit quarterly reports to the Board of Treasury Investments, the Joint Committee on Government and Finance, and the Governor containing certain information on insured loans and broadband projects financed by insured loans; requiring a biennial legislative audit of the Broadband Loan Insurance Program; removing obsolete language; and making technical corrections"; which was referred to the Committee on Finance.

### **Resolutions Introduced**

Delegates Holstein, Keaton, Paynter, Wamsley, Barnhart, Pritt, Hanna and Longanacre offered the following resolution, which was read by its title and referred to the Committee on the Judiciary then Rules:

**H. C. R. 7** - "Urging Congress to propose an amendment to the United States Constitution limiting the number of Justices of the Supreme Court of the United States to nine members."

Whereas, The Legislature is deeply concerned about the threats to expand the number of Justices of the Supreme Court of the United States beyond the current number of nine justices and, if carried out, the result of such an action will impair the administration of a fair and impartial justice system by the Supreme Court of the United States and will impact the protected freedoms and rights of West Virginia citizens and the citizens of all of the states of the United States, guaranteed by the United States Constitution; and

Whereas, The threat to increase the number of Justices on the Supreme Court of the United States beyond the current number of nine poses an abuse of authority that threatens our constitutional liberties, including those guaranteed by the Bill of Rights of our Constitution; and

Whereas, The threat to "stack" the Supreme Court of the United States, with a sufficient number of justices beholden to the nominating magistrate of this country and with a judicial philosophy guaranteed to prevail on any issue or case before that Court, is repugnant to the principles upon which our Republic was founded; and

Whereas, This unwarranted expansion of the number of Justices on the Supreme Court of the United States will be extremely detrimental to the continuation of the expected and demanded exercise of justice for West Virginia and for the entire nation; and

Whereas, The threatened growth and abuse of the federal judiciary authority threatens our Constitutional liberties, including those guaranteed by the Bill of Rights; and

Whereas, An amendment to the United States Constitution does not require the President's approval and cannot be waived by a future Congress and President; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Legislature hereby urges the United States Congress to propose and adopt an amendment to the United States Constitution limiting the number of Justices of the Supreme Court of the United States to nine members; and, be it

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

Delegates D. Jeffries, Pinson, Smith, B. Ward and Wamsley offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 8** - "Requesting the Division of Highways name bridge number 20-79-9.20 NB and SB, carrying Interstate 79 over Little Sandy near Elkview in Kanawha County, the 'U. S. Army SFC Guy R. Hively Memorial Bridge'."

Whereas, Sergeant First Class Guy R. Hively was born on May 22, 1938, in Roane County, and died on February 2, 1968, in Vietnam. He left behind his wife Rita Cassell Hively, and their child, Alison who was three at the time; and

Whereas, In 1998 Don Fitzwater, Sr., wrote "Memories That Won't Go Away" that he dedicated to Sergeant Hively's family: "Here it is soon to be 1998 and I still have some memories of 1968 that are almost as clear as yesterday. I suppose that is because they are burned into my memory by fear or for some other reason that I don't understand. I have decided to write this story about the loss of your husband, your father, your brother, and my friend. I have driven through or near Clendenin, West Virginia on several occasions during the past thirty years and every time that I see the city limit sign or a directional sign on the Interstate my mind immediately flashes to the memories of Guy Hively. I have often thought of finding you and telling you about his last days and hours and the events surrounding his death, however, something always caused me to talk myself out of it. I even stopped at a service station in town one day and inquired about you but still couldn't make myself look you up. I kept thinking that maybe time has taken care of everything and it would be pointless to do so. I now think that I have been wrong all these years. I first met Guy while assigned to the Berlin Commands' Second Battle Group of the Sixth Infantry. I had been assigned to Bear Company for some time where this tall, gangly, slow walking and slow talking fellow reported for duty. As everyone does when someone new shows up, we all asked him where he was from and when he said he was from Clendenin, West Virginia I then told him I was from Clay County near the small town of Ivydale. Actually, I was raised on Otter Creek some five miles northwest of Ivydale on Route 16. Everyone liked Guy. He always had a smile and a good word for everyone in the unit. He was never loud and boisterous as some of us were in those days. He had a special gait which often got him teased about being a plowboy or Hillbilly. The unit we were in was a show outfit more than anything else and required us to do an extraordinary amount of close order drill continually preparing for the inevitable parade. Our big Polish-American First Sergeant, Casmir J. Cezyk, had a set of lungs that could over shout any speaker system and I am sure all of the Berliners knew all of the country boys by name because when parade practice was going on you could always hear this booming voice yelling 'Hively, Fitzwater, Garrett, or some other country boys name, telling us to settle down and quit bobbing up and down like we were following a plow or climbing a hill'. Everyone got a kick out of that kind of stuff after it was over. I can't recall a lot more about him while we were in Berlin. I left Berlin in 1965. On

January 2, 1968, I arrived in the Republic of South Vietnam and was assigned to the Ninth Infantry Divisions' Fourth Battalion, Forty Seventh Infantry located at a base camp called Dong Tam. I was assigned to Company A as the Third Platoon Sergeant. The platoon was on base security the evening that I arrived, and I didn't get to meet all the men for a day or two. I can't remember exactly when I finally saw Guy for the first time and can't even remember if he was in my platoon initially after I arrived at the company. Shortly after I arrived, there was some shifting of personnel within the company because some of the platoons had lost people due to casualties and normal rotations back to the states and other places as is common in all units. Guy ended up being one of my Squad Leaders. We went on patrols around the base camp and flew here and there on a Med Cap (security missions for the medics to treat the Vietnamese civilians) or two. We had the occasional sniper and booby traps and shellings but nothing major during the month of January until the night of the 29th. We had flown out in the direction of the Cambodian border and established a security perimeter around a floating artillery base. The artillery pieces (howitzers) were mounted aboard pontoons and were either pulled or pushed through the myriad of waterways in the area. The troops had been pretty busy, and it was just the beginning of Tet or The Lunar New Year Season. The Armed Forces Network Radio and TV, as well as the Stars and Stripes Newspaper had been talking of the truce that would be in effect during the next few weeks or so. The troops had been a little slow building up our defensive positions and all of the squad leaders and I had to make them all understand that we had to be ready just in case the truce was a trick to get all of us relaxed in order for the enemy to get in a surprise attack. Guess what!!! It was a trick with devastating consequences for some units, especially the South Vietnamese Forces. We were attacked with mortars at around 9 PM. We also had some ground fire, but the engagement wasn't much more than harassment as our choppers came out and hosed the area down good with machine gun fire and rockets. We stayed the rest of the night and were sent back to the base camp sometime the next day and were assigned the mission of ready reaction force in the event that the basecamp was hit hard, or some other unit needed help. Our base camp was hit pretty hard with rockets and mortars during the next couple of nights, but we were hunkered down in our large bunkers and didn't do anything but complain about the heat, bugs and cramped conditions in the bunkers. Some of us would stand around the entrances to the bunkers and make a mad dash for the door when we heard a rocket or mortar coming. Talk about traffic congestion. It was always hot, and the bugs were plentiful. During these few days the First Sergeant, Bob Careless, came to me and asked if I had any objections to him making Guy a Platoon Sergeant of one of the other platoons that had lost theirs in a skirmish. I had no objection as we were all career folks and I knew he would do a good job and be good for the men in that platoon. He was a good noncommissioned officer. He worked hard and looked out for his soldiers. On the morning of February 2, the Platoon Leader, Second Lieutenant John Walsh, from Moses Lake, Washington, came to me and told me to assemble the squad leaders for a meeting and to have the troops prepare to move out in a hurry. At the meeting we learned that our sister battalion, the Third Battalion, Forty Seventh Infantry, was pinned down in or near the town of My Tho some four or five miles up the road from us and that our mission was to break through them and help them. I don't recall knowing it at the time, but the country was locked in combat nearly from one end to the other. To conduct the breakthrough, we were given a company of M113 Armored Personnel Carriers, with drivers, from B Company Fifth Battalion, Sixtieth Infantry for transportation, small arms fire protection, and 50 caliber machine firepower. This mission would not be successful. My platoon was chosen to lead the movement. I rode the lead Track (personnel carrier) as both Track Commander (TC) and 50 caliber gunner. Guy was several Tracks behind me also in the TC hatch. We moved out and picked up our prearranged distance between tracks and made communications checks with the company leadership making sure we could talk to each other when necessary. The Company Commander was several Tracks behind Guy. As we were pulling out of the company area the new company clerk, whose name I have forgotten, went to each track passing out updated versions of what we called 'Unit Line Rosters.' The rosters were used to identify someone in the unit during radio communications without having to say their names. Each Roster was in alphabetical order and also in numerical sequence with a number in the far-left column beside each name. There was never a number 13 because some folks are

superstitious, and you don't need any superstitions that you can avoid in a combat zone. A short distance after leaving the base camp we traveled through a small village occupied by local civilians and several members of the South Vietnamese military. I remember seeing a number of young men standing around in white shirts which was indicative of them not being in the South Vietnamese armed forces and wondered why there were so many of them not in the military when we were there fighting for them. Near the end of the village we had to make a hard turn to the left. After we left the village we would next pass by a South Vietnamese training camp on the left side of the road. A small contingent of American advisers were also stationed there. We passed by the training camp waving at the guards and other locals standing around the entrance. No warning or any word of approaching danger was given by any of them. Nothing looked suspicious to any of us and we continued up the road. As I remember we had gone approximately 1,000 yards past the training camp and the road made a gradual turn to the right. As I was lead track I was the eyes and ears for the front of the column. After making the right turn we had another 1,000 or so yards of open territory, both rice paddies and grassy area, to cross before the road passed a South Vietnamese Army outpost located just inside the tree line of a fair-sized forest. Just after breaking into the opening area after making the turn, I looked at the tree line through my binoculars and immediately saw that the outpost had been overrun by the enemy and was flying Viet Cong (VC) flags on what was left of the towers on both sides of the road. I immediately gave the halt signal to the rest of the column by holding my right arm up with the palm facing forward. We had a quick discussion with the Company Commander as to what the proper action should be to minimize our risks and the decision was made to form a line with the tracks side by side, a few yards apart, and move to the tree-line. With the tracks online we would be able to put all of our 50 caliber firepower to the front instead of everybody shooting over or past the front tracks. Everything went smoothly with just a few nervous bursts of fire from the tracks until we reached a small canal near the tree-line. The canal was obscured with grass and wasn't on the maps. Everyone had a bad feeling about having all those tracks stopped out in the open 50 or so yards from the tree line. The decision was made to dismount the troops and walk to the tree line and to have the tracks return to and line up on the road. All of the troops crossed the canal and went into the tree line without incident. The company commander then gave the word to move back to the road and mount back up onto the tracks. The tracks came forward and stopped for the troops to load up. I walked to the lead track but discovered that the tracks had gotten all mixed up during their movement back to the road, and instead of my track being in the lead, Guy's track was the front vehicle. The area surrounding the outpost was sort of a half circle on each side of the road. We had cleared the outpost by several yards before the tracks moved forward. When I discovered that my track was not the first track I started back toward the other vehicles looking for mine. I had just reached the rear of Guy's track when he arrived looking for it. He was smiling and we chatted for a few seconds with his last words to me and probably his last words to anyone being, 'What a mess those mixed up tracks were and that there probably wasn't a VC within 10 miles of the place.' We were to get our tracks back into our assigned positions once we began to move up the road again, however, we never reached that point. I had stopped at the back of Guy's track talking to him when my platoon leader stopped to say something to me. As LT. Walsh and I began talking, Guy went to the front of his track and climbed aboard. Just as he was entering the TC hatch a rocket-propelled grenade (RPG) hit his machinegun mount and blew him off the track killing him instantly. The track driver was critically injured and several others, including my platoon leader, were injured in the initial blasts of RPG and small arms fire. We exchanged fire for what seemed to be an eternity. Some of our own artillery landed in our positions killing some more soldiers and wounding several. Everything, including my flak jacket, except my boots and pants were blown off me and my M16 was destroyed in my hands. God was looking out for me that day. I had another track driver pull his track in front of Guys in order to provide protection for some of us to get into his track to render life-saving first aid to the critically wounded driver. The covering track hit the mine that my track was supposed to have hit to spring the ambush initially, had we driven straight up the road instead of getting in line and becoming disorganized as we did. Fortunately, that driver was uninjured, but the track was badly damaged, locking the tracks so that it wouldn't move until we disconnected the final drives. Guy's track took

another hit and burned. It was full of gasoline and ammunition and burned and exploded for a long time. He was not burned. I only saw his body at a distance a few seconds after the initial burst of enemy fire. I didn't know it was him until after the fracas was over. Some of the men told me that the only wounds they observed were small shrapnel wounds in the middle of his chest. Your husband, your father, your brother and my friend died bravely and dedicated to that which he thought to be right. He didn't run and hide in Canada or disobey orders or make excuses. He died as a soldier dies true to his country. If only the national leadership at the time would have supported the soldier as much as the soldier supported them, the results of the Vietnam conflict would have had been better recorded in the annals of history. I don't want his memory to go away. Sometimes memories are all you have. Oh yes, that new company clerk that had just finished updating the Unit Line Roster hadn't learned the routine and added a 13 to the list. Guy was number 13; and

Whereas, Sergeant Hively's funeral was held at the First Baptist Church on February 22, 1968, and his body was interred at Elk Hill Memorial Gardens in Big Chimney; and

Whereas, Sergeant Hively was posthumously awarded the Bronze Star and the Purple Heart for his heroic efforts; and

Whereas, It is fitting that an enduring memorial be established to commemorate Sergeant First Class Guy R. Hively and his contributions to our country and state, having made the ultimate sacrifice; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 20-79-9.20 NB and SB, carrying Interstate 79 over Little Sandy near Elkview in Kanawha County, the "U. S. Army SFC Guy R. Hively Memorial Bridge"; and, be it

*Further Resolved,* That the Division of Highways is hereby requested to erect signs containing bold and prominent letters identifying the bridge as the "U. S. Army SFC Guy R. Hively 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 J. Pack, Bruce, Burkhammer, Conley, Dean, Ellington, Ferrell, Foster, Graves, Hanna, Haynes, Holstein, Hott, D. Jeffries, J. Jeffries, Keaton, Kessinger, Kimble, Longanacre, Mandt, Miller, Paynter, Phillips, Pritt, Reynolds, Riley, Rohrbach, Smith, Steele, Toney, Wamsley and G. Ward offered the following resolution, which was read by its title and referred to the Committee on Government Organization then Rules:

**H. C. R. 9** - "Applying to and urging Congress to call a convention of the states, under the authority reserved to the states in Article V of the United States Constitution, limited to proposing amendments to the Constitution of the United States to limit the terms of office that a person may be elected as a member of the United States House of Representatives, and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

Whereas, The Legislature of West Virginia hereby makes an application to Congress, as provided by Article V of the Constitution of the United States, to call a convention limited to proposing an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives, and to set a limit on the number of terms that a person may be elected as a member of the United States Senate; and

Whereas, This application shall be considered as covering the same subject matter as the applications from other states to Congress to call a convention to set a limit on the number of terms that a person may be elected to the House of Representatives of the Congress of the United States and the Senate of the United States; and this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but shall not be aggregated with any other applications on any other subject; and

Whereas, This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Legislature hereby urges Congress to call a convention of the states, under the authority reserved to the states in Article V of the United States Constitution, limited to proposing amendments to the Constitution of the United States to call a convention limited to proposing an amendment to the Constitution of the United States of America to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives or as a member of the United States Senate; and, be it

*Further Resolved,* That the Clerk of the House is hereby directed to forward copies of this resolution to the President and Secretary of the Senate of the United States and to the Speaker, Clerk, and Judiciary Committee Chairman of the House of Representatives of the Congress of the United States, and copies to the members of the said Senate and House of Representatives from this state; also to forward copies thereof to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

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

**By Delegates Skaff and Zukoff:**

**H. J. R. 20** - "Proposing an amendment to the Constitution of the State of West Virginia amending section 13, article VI thereof, relating to allowing elected state official to be a government employee or employee of a public school, college, or university; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Government Organization then the Judiciary.

**By Delegates Householder, Barrett, Hardy, Burkhammer and Hanna:**

**H. J. R. 21** - "Proposing an amendment to the Constitution of the State of West Virginia, amending section four, article VII, relating to preventing any individual from serving in the office of secretary of state, auditor, treasurer, commissioner of agriculture, or attorney general for more than three consecutive terms; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Government Organization then the Judiciary.

**Bills Introduced**

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

**By Delegates Hornbuckle and Skaff:**

**H. B. 2638** - "A Bill to amend and reenact §18A-4-10 of the Code of West Virginia, 1931, as amended, relating to granting full time employees of county boards of education three months of paid leave following the birth of a child, or the placement of a child in the home through adoption or foster

care; and providing that the leave is in addition to any other leave available to the employee”; to the Committee on Education then Finance.

**By Delegate Hornbuckle:**

**H. B. 2639** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-3F-1, §21-3F-2, §21-3F-3, §21-3F-4, and §21-3F-5, all relating to enacting a workplace violence prevention for health care and social service workers act; providing legislative findings, definitions, workplace violence prevention standard, and requirements for such”; to the Committee on the Judiciary.

**By Delegate Hornbuckle:**

**H. B. 2640** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-97; and to amend said code by adding thereto a new section, designated §11-24-44, all relating to establishing personal or corporate income tax credit for businesses who hire, promote, and develop women and minorities into executive, professional, or administrative roles; findings; determination of eligibility for credit, amount of credit, effective date”; to the Committee on Small Business, Entrepreneurship and Economic Development then Finance.

**By Delegate Hornbuckle:**

**H. B. 2641** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13EE-1, relating to creating ‘The Young Professional Tax Credits’ for student loans; and allowing tax credits for student loans for graduates between ages 18 and 40, together with a refundable child care credit”; to the Committee on Education then Finance.

**By Delegate Hornbuckle:**

**H. B. 2642** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §25-8-1, §25-8-2, §25-8-3, §25-8-4, §25-8-5, §25-8-6, §25-8-7, §25-8-8, and §25-8-9; all relating to creation of a task force to provide comprehensive reentry transitional services to offenders reentering communities; providing for a short title; providing for legislative findings; providing for membership of the task force; providing for no compensation to members; providing for staffing requirements; providing for duties of the task force; providing for funding; creating a fund; providing for the disposition of fund moneys; establishing requirements to apply for federal grant funding; requiring a strategic plan for funding; providing for standard reentry services; providing for family-based substance abuse services; providing for educational services; providing for drug treatment and mentoring services; providing for responsible reintegration services; providing for elderly and family reunification services; providing for children of incarcerated parents services; providing for reports to the legislature; providing a severability clause; and providing for an effective date”; to the Committee on the Judiciary then Finance.

**By Delegates Hornbuckle and Lovejoy:**

**H. B. 2643** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-8-32, relating to making it a misdemeanor for a person to knowingly allow a felony drug offense to be committed on his or her property; creating a duty to report; creating criminal penalties; and allowing a private cause of action”; to the Committee on Prevention and Treatment of Substance Abuse then the Judiciary.

**By Delegates Skaff, Boggs and Maynard:**

**H. B. 2644** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-6M-1, §11-6M-2, §11-6M-3, §11-6M-4, §11-6M-5, §11-6M-6, and §11-6M-7; and to amend said code by adding thereto a new article, designated §11-13EE-1, §11-13EE-2, §11-13EE-3, §11-13EE-4, §11-13EE-5, §11-13EE-6, §11-13EE-7, §11-13EE-8, §11-13EE-9, §11-13EE-10, §11-13EE-11, §11-13EE-12, §11-13EE-13, §11-13EE-14, §11-13EE-15, §11-13EE-16,

§11-13EE-17, and §11-13EE-18, all relating to creating the West Virginia Innovation Free-Trade Business Technology Property Valuation Act and the West Virginia Innovation Free-Trade Tax Credit Act; defining terms; specifying method for valuation of certain property; providing for application to county assessors by specified date; providing procedure for protest and appeal of determination by county assessor; requiring the West Virginia Development Office to report to the Joint Committee on Government and Finance on the economic impact; specifying effective date; making legislative findings; allowing credits and exemptions from certain taxes; providing for computation of credit, application of credit and period for which credit is allowed; requiring application to claim credit; requiring that new jobs be good-paying jobs with health benefits; requiring identification of investment credit property and recomputation of credit in event of premature disposition of investment property; providing for forfeiture of unused tax credits and redetermination of credit allowed; imposing recapture tax under specified circumstances to recover state taxes and property taxes; allowing transfer of qualified investment to successors; providing for tax credit review and accountability; specifying effective date and termination date; providing rule-making authority; and providing a severability clause”; to the Committee on Finance.

**By Delegates Skaff, D. Jeffries and Rowe:**

**H. B. 2645** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10-56, relating to establishing a class of employees within the West Virginia Public Employees Retirement System consisting of 911 staff; and providing for lower retirement age and increased pension payments”; to the Committee on Pensions and Retirement then Finance.

**By Delegates Brown, Boggs and Lovejoy:**

**H. B. 2646** - “A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to authorizing the commissioner to issue registration plates to recognize and honor those families affected by Alzheimer’s disease”; to the Committee on Technology and Infrastructure then Government Organization.

**By Delegates Walker, Fleischauer and Hansen:**

**H. B. 2647** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-63-1, §16-63-2, §16-63-3, §16-63-4, §16-63-5, §16-63-6, §16-63-7, and §16-63-8, all relating to generally to prohibiting the use of polystyrene containers; definitions; and authorizing the West Virginia Department of Health and Human Resources to impose civil fines for violations”; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Hornbuckle and Lovejoy:**

**H. B. 2648** - “A Bill to amend and reenact §11-16-10 of the Code of West Virginia, 1931, as amended, relating to authorizing a temporary foreign brewers import license”; to the Committee on the Judiciary.

**By Delegate Hornbuckle:**

**H. B. 2649** - “A Bill to amend and reenact §11-19-1 and §11-19-2 of the Code of West Virginia, 1931, as amended, all relating to the tax on soft drinks; modifying the tax to only cover sugary drinks; modifying the tax to two cents per ounce; redistributing the revenue generated to all three medical schools in the state; and providing for an effective date”; to the Committee on Finance.

**By Delegates Hornbuckle, Rohrbach and Lovejoy:**

**H. B. 2650** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-5-9, relating to establishing a pilot program to develop school-based mental and behavioral health services as an alternative to disciplinary action for disruptive student behavior”; to the Committee on Health and Human Resources then Education.

**By Delegates Hornbuckle and Lovejoy:**

**H. B. 2651** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-5-9, relating to creating a pilot program for expansion of school-based mental health and school-based diversion; defining terms; detailing eligibility for schools to take part in the pilot program; setting requirements for schools that participate in the pilot program; authorizing mental health providers to provide certain services; requiring notice to parents and students of the pilot project; authorizing parents to opt-out in certain circumstances; requiring the collection of certain data in relation to the pilot project; explicitly stating that the pilot project does not require additional expenditures; authorizing rule making; and requiring that the pilot project may not begin until the Legislature approves the relevant rules"; to the Committee on Health and Human Resources then Education.

**By Delegates Hornbuckle, Paynter and Walker:**

**H. B. 2652** - "A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, relating to modifying the school calendar; setting the school year to 170 days of instruction; establishing limits on the start and end of the school year; and modifying the number and purposes of noninstructional days"; to the Committee on Education.

**By Delegates Walker, Skaff and Hansen:**

**H. B. 2653** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12j, relating to tax exemption for funds from qualified retirement plans used for long-term care"; to the Committee on Health and Human Resources then Finance.

**By Delegates Walker and Hansen:**

**H. B. 2654** - "A Bill to amend and reenact §18B-1-6 of the Code of West Virginia, 1931, as amended, relating to rulemaking for healthcare plans; providing that the commission and council promulgate rules for healthcare plans offered to graduate students attending a college or university in this state; providing that the healthcare plans offered to graduate students permit adding dependents to the policy; providing that healthcare plans offered to graduate students not exclude any graduate student with a preexisting condition; and establishing an effective date"; to the Committee on Banking and Insurance then Education then Finance.

**By Delegates Walker, Skaff, Zukoff and Hansen:**

**H. B. 2655** - "A Bill to amend and reenact §61-6-21 of the Code of West Virginia, 1931, as amended, to provide civil rights protections to certain individuals"; to the Committee on the Judiciary then Finance.

**By Delegates Walker, Zukoff and Hansen:**

**H. B. 2656** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-3-9a, relating to exempting from personal property taxation, vehicles of certain volunteer firefighters"; to the Committee on Fire Departments and Emergency Medical Services then Finance.

**By Delegates Walker and Hansen:**

**H. B. 2657** - "A Bill to amend and reenact §18-16-2 of the Code of West Virginia, 1931, as amended, relating to the Antihazing Law; modifying the definition of hazing to address any type of organization whose members include students at any public or private institution of higher education"; to the Committee on Education.

**By Delegate Hornbuckle:**

**H. B. 2658** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18B-20-1, §18B-20-2, §18B-20-3, and §18B-20-4, all relating to creating the

Mountaineer Games Sports League; establishing findings; establishing board of directors; creating duties and objectives for the board; establishing league affiliates; and creating structure for the divisions; creating the Mountaineer Games Governor's Cup"; to the Committee on Health and Human Resources then Government Organization.

**By Delegate Hornbuckle:**

**H. B. 2659** - "A Bill to amend and reenact §18-2-25 and §18-2-25a of the Code of West Virginia, 1931, as amended, relating to granting jurisdiction to supervise youth sport league athletic events to county boards of education and the West Virginia Secondary School Activities Commission; requiring schools and youth sport leagues to implement certain safety measures during athletic events; authorizing fines; and requiring rulemaking"; to the Committee on Education then the Judiciary.

**By Delegate Hornbuckle:**

**H. B. 2660** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-3E-1, §16-3E-2, §16-3E-3, §16-3E-4, and §16-3E-5, all relating to creating a policy on vaccine preventable diseases; requiring health care facilities to develop and implement a policy to protect its patients from vaccine preventable diseases; setting forth what a policy must contain; providing exceptions; establishing a disaster exemption; providing for penalties; defining terms; and requiring rule-making"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Hornbuckle, Anderson, Rohrbach and Lovejoy:**

**H. B. 2661** - "A Bill to amend and reenact §2-2-1a of the Code of West Virginia, 1931, as amended, relating to declaring November 14 every year, a special memorial day in remembrance of the Marshall University airplane crash"; to the Committee on Government Organization.

**By Delegates Hornbuckle, Hansen, Lovejoy and Walker:**

**H. B. 2662** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17C-15-51, relating to prohibiting certain devices which enhance a diesel-powered vehicle's capacity to emit soot, smoke, or other particulate emissions; and creating misdemeanor offense with penalty"; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegates Hornbuckle, Rowan and Lovejoy:**

**H. B. 2663** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-7h; to amend said code by adding thereto a new section, designated §16-5a-6; to amend said code by adding thereto a new section, designated §33-15-4x; to amend and reenact §33-16-3g of said code; to amend said code by adding thereto a new section, designated §33-16-3pp; to amend and reenact §33-24-7b of said code; to amend said code by adding thereto a new section, designated §33-24-7x; to amend said code by adding thereto a new section, designated §33-25-8u; and to amend said code by adding thereto a new section, designated §33-25A-8x, all relating to insurance coverage for breast cancer screening"; to the Committee on Banking and Insurance then Health and Human Resources.

**By Delegates Hornbuckle, Zukoff, Lovejoy and Rowe:**

**H. B. 2664** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-25A-1, §16-25A-2, and §16-25A-3, relating to screening for adverse childhood experiences; definitions and findings; mandatory insurance coverage"; to the Committee on Banking and Insurance then Health and Human Resources.

**By Delegates Hornbuckle and Higginbotham:**

**H. B. 2665** - "A Bill to repeal §16A-5-10 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §5B-10-1, §5B-10-2, §5B-10-3, §5B-

10-4, §5B-10-5, §5B-10-6, §5B-10-7, §5B-10-8, §5B-10-9, §5B-10-10, §5B-10-11, §5B-10-12, §5B-10-13, §5B-10-14, §5B-10-15, and §5B-10-16; to amend and reenact §16A-15-4 of said code; and to amend said code by adding thereto a new section, designated §60A-7-709, all relating to decriminalizing cannabis; providing a short title; providing legislative purpose and findings; providing for definitions; permitting the possession of cannabis and cannabis products by adults; permitting production and adult use of cannabis; restricting public smoking of cannabis; prohibiting false identification to obtain cannabis; providing for the unlawful extraction of cannabis; providing for the lawful operation of a cannabis facility; permitting growing and possession of cannabis by adults; providing procedure for municipalities to enact an ordinance to permit cannabis production and sales; regulating market activity for the production, sales, transfer and transport of cannabis; establishing diversity licensing goals for minority, women, and veteran owned businesses; establishing mechanisms for permitting and licensing production and sales facilities by the Department of Commerce and localities; authorizing the department to promulgate rules, establish licensing and administrative penalties relating to the production, sales, transfer and transport cannabis in authorizing counties; authorizing the Department of Revenue to promulgate rules and administer tax collections; authorizing localities to regulate manufacturing and sales locations; providing for safety warning and inserts on cannabis products; authorizing a special excise tax on cannabis; creating a new fund and dedicating proceeds of the fund to additional funds; creating new funds for excise tax deposits; providing for a portion of tax collected benefit municipal governments where market activity occurs; providing current laws relating to employment, vehicle operation, underage use or private property use preserved; providing for background checks to employ anyone in a cannabis establishment; establishing certain conditions for employees to pass background checks; providing that no medical cannabis provisions are affected; expanding protections to employees relating to employment and the use of medical cannabis; and prohibiting asset forfeiture”; to the Committee on the Judiciary then Finance.

**By Delegates Holstein, Pritt, Wamsley, Kimble, Barnhart and Keaton:**

**H. B. 2666** - “A Bill to amend and reenact §3-3-2 of the Code of West Virginia, 1931, as amended, relating to absentee voting; providing that no exception other than listed in this section shall permit an individual to apply for an absentee ballot; and providing that any attempt to falsely claim eligibility shall be punishable under the law”; to the Committee on the Judiciary.

**By Delegates Riley, Hansen, Queen, Hanna, Skaff, Steele, Hardy and Clark:**

**H. B. 2667** - “A Bill to amend and reenact §5A-3B-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §5A-3B-3; and to amend said code by adding thereto two new sections, designated §5A-4-7 and §5A-4-8; and to amend and reenact §5B-2F-2 of said code, all relating to energy savings in state owned buildings; providing prequalification of energy savings performance contractors; adoption of energy savings goals for state buildings; auditing energy metering devices installed for state buildings; and benchmarking and energy efficiency grading for state buildings”; to the Committee on Energy and Manufacturing then Finance.

**By Delegate Criss:**

**H. B. 2668** - “A Bill to amend and reenact §17C-15-37 of the Code of West Virginia, 1931, as amended, relating to removing inoperative provisions requiring Commissioner of Highways set standards for studded snow tires”; to the Committee on Technology and Infrastructure then Government Organization.

**By Delegates Walker, Fleischauer, Hansen and Rowe:**

**H. B. 2669** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12m; to amend said code by adding thereto a new section, designated §11-24-23h; and to amend said code by adding thereto a new section, designated §16-

35-4b, all relating to establishing tax credits for lead abatement in child occupied residences; establishing personal and corporate tax credit to owners or occupiers of these residences; providing for varying tax credits based on time periods when the credit is claimed; and providing for rule-making authority”; to the Committee on Finance.

**By Delegate Capito:**

**H. B. 2670** - “A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §29-2A-21, all relating generally to providing a special license plate for aviation; setting fees; creating the Aeronautics Education Fund; and designating where funds are to be deposited and expended”; to the Committee on Technology and Infrastructure then Finance.

**By Delegates Rowan, Sypolt, Martin, Mandt, Queen, Hanna, Zukoff, Pinson, Rohrbach, Smith and J. Kelly:**

**H. B. 2671** - “A Bill to amend and reenact §55-7J-1, §55-7J-4, §55-7J-5, and §55-7J-6 of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-2-29b of said code, all relating to financial exploitation of elderly persons, protected persons or incapacitated adults; updating terms; clarifying actions; including criminal penalties for violation or contempt of protective orders for victims of financial exploitation; and requiring notice of penalties in all injunctive or protective orders”; to the Committee on Senior, Children, and Family Issues then the Judiciary.

**By Delegates Tully and Summers:**

**H. B. 2672** - “A Bill to amend and reenact §16-5B-8 of the Code of West Virginia, 1931, as amended, relating to posting of safety information in hospitals”; to the Committee on Health and Human Resources.

**By Delegate Criss:**

**H. B. 2673** - “A Bill to amend and reenact §17-2A-13 of the West Virginia Code, 1931, as amended, relating to authorizing the Division of Highways to utilize its own purchasing and contracting system; mandating compliance with Federal Highway Administration and other requirements; and requiring a procedural rule”; to the Committee on Government Organization.

**By Delegates Tully and Summers:**

**H. B. 2674** - “A Bill to amend and reenact §30-7-15 of the Code of West Virginia, 1931, as amended, relating to the administration of anesthetics”; to the Committee on Health and Human Resources.

**By Delegate Criss:**

**H. B. 2675** - “A Bill to amend and reenact §54-2-12, §54-2-13, §54-2-14, §54-2-14a, §54-2-15, §54-2-16, §54-2-18, and §54-2-21, of the Code of West Virginia, 1931, as amended, all relating to bringing the statutory interest rate to be paid in condemnation cases into conformity with current statutory rates; and making revisions to meet Legislative standards”; to the Committee on the Judiciary.

**By Delegate Westfall:**

**H. B. 2676** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-9A-27, relating to requiring, for an official or unofficial school-sanctioned athletic or sporting event, that each athlete’s participation in the athletic or sporting event be based on the athlete’s biological sex as indicated on the athlete’s original birth certificate issued at the time of birth; providing a revised designation for sporting events; and providing a means by which civil actions can be taken”; to the Committee on Education.

**By Delegates Steele, Diserio, D. Jeffries, Lovejoy, Maynard, Barrett, Skaff, Fluharty and D. Kelly:**

**H. B. 2677** - "A Bill to amend and reenact §15A-3-14 of the Code of West Virginia, 1931, as amended, relating to increasing the amount of money for which a purchase may be made without obtaining three bids to \$10,000"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

**By Delegate Steele:**

**H. B. 2678** - "A Bill to amend and reenact §53-4A-1 of the Code of West Virginia, 1931, as amended, relating to the use of scientific evidence in a trial; providing for a limitation on when a hearing or trial may be determined finally adjudicated when relevant forensic scientific evidence was not able to be presented at the time of trial; providing for a limitation on when a hearing or trial may be determined finally adjudicated when relevant forensic scientific evidence exists that undermines the evidence used by the state at trial; providing for a requirement that there must be a reasonable probability that the relevant forensic scientific evidence would have changed the outcome of the trial; providing for definitions; providing for a contention or contentions may not be considered to have been waived when relevant forensic scientific evidence exists that was not able to be presented at the time of trial; providing for a contention or contentions may not be considered to have been waived when relevant forensic scientific evidence exists that undermines the evidence relied upon by the State at trial; providing for a reasonable probability that the relevant forensic evidence would have changed the outcome of the trial; providing for no additional liabilities for an expert who repudiates his or her original opinion or whose opinion is later undermined by scientific or technological advancements; and providing for other technical changes"; to the Committee on the Judiciary.

**By Delegates Steele, Foster, J. Pack and Graves:**

**H. B. 2679** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §16-3-14 relating to cause of action for the spread of a communicable disease; providing that no cause of action shall be maintained in any court under certain conditions; providing for an evidentiary standard; providing for reasonable attorney's fees and costs under certain conditions; providing that the transmission of the communicable disease must have been a knowing and intentional act; and providing for the burden of proof on the plaintiff"; to the Committee on the Judiciary.

**By Delegates Westfall and Hott:**

**H. B. 2680** - "A Bill to amend and reenact §46A-1-102 of the Code of West Virginia, 1931, as amended; to amend and reenact §46A-2-122 of said code; to amend and reenact §46A-5-101, §46A-5-104, and §46A-5-106 of said code; and to amend and reenact §46A-6-106 of said code, all relating to the Consumer Credit and Protection Act; excluding checking, savings, and other depository accounts from the definition of services; excluding a party collecting on its own debt from the definition of a debt collector; establishing an actual loss threshold of \$5,000 for the certification of a class action; limiting recovery of each individual within a class to the greater of \$1,000 per claim penalty or the total outstanding indebtedness; reducing the current statute of limitations from four years to one year; reducing stator penalties to \$1,000 per claim from \$1,000 per violation; limiting recoverable attorney's fees to four times the award; updating the adjustment for inflation from September of 2015 to September of 2021; prohibiting class actions under Article 6 of the Act"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegates Westfall and Hott:**

**H. B. 2681** - "A Bill to amend and reenact §23-2C-16 of the Code of West Virginia, 1931, as amended, relating to authorizing the Insurance Commissioner to transfer moneys from the Insurance Commission Fund, also known as the Commissioner's operating fund, into the Workers'

Compensation Old Fund to reduce any deficit balance of the Old Fund”; to the Committee on Banking and Insurance then Finance.

**By Delegates Westfall and Hott:**

**H. B. 2682** - “A Bill to amend and reenact §33-12-8 and §33-12-9 of the Code of West Virginia, 1931, as amended, and to amend and reenact §33-12B-13 and §33-12B-14 of said code, all relating to the issuance of license suspensions to insurance producers and insurance adjusters who have failed to meet continuing education requirements; replacing the requirement that the Insurance Commissioner send license suspensions by certified mail with a requirement that the suspensions be sent by electronic mail or regular mail; and providing that each insurance producer or insurance adjuster must report his or her respective electronic mail address to the Insurance Commissioner”; to the Committee on Banking and Insurance then the Judiciary.

**By Delegates Steele, Diserio, Maynard, Hanna, Barrett, D. Jeffries, Fluharty and Skaff:**

**H. B. 2683** - “A Bill to amend and reenact §29-31-2 of the Code of West Virginia, 1931, as amended, relating to clarifying that the office is responsible to plan for emergency and disaster response, recovery, and resiliency, clarifying that the state resiliency officer is a member of the board, placing the Secretary of the Department of Health and Human Resources on the board, requiring that the resiliency officer only vote in the event of a tie vote of the board, requiring that the board elect a vice-chair from its membership, creating the duties and responsibilities of the vice-chairman; eliminating the notice requirement for board meetings”; to the Committee on Veterans’ Affairs and Homeland Security then Government Organization.

**By Delegates Walker and Fleischauer:**

**H. B. 2684** - “A Bill to amend and reenact §60A-11-5 of the Code of West Virginia, 1931, as amended, relating to creating a duty to disclose by owners of property that knew or should have known that crystal methamphetamine production was occurring at a residential property; and authorizing voiding of lease or conveyance for failure to disclose information”; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Walker:**

**H. B. 2685** - “A Bill to amend and reenact §19-16-3 and §19-16-3a of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §19-16-3c; and to amend and reenact §60A-2-204 of said code, all relating to state certification of industrial hemp and medical cannabis seed; authorizing the Commissioner of Agriculture to issue special business and residential incubator permits; encouraging state research and development; providing rule-making authority; prohibiting civil asset forfeiture for permittees; and removing cannabis from Schedule 1 consistent with state law”; to the Committee on Agriculture and Natural Resources then the Judiciary.

**By Delegates Westfall and Hott:**

**H. B. 2686** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6-9C-1, §6-9C-2, §6-9C-2a, §6-9C-3, §6-9C-4, §6-9C-5, §6-9C-6, §6-9C-7, §6-9C-8, §6-9C-9, §6-9C-10, and §6-9C-11 all relating generally to fiscal emergencies of local governments; establishing a system to remediate those emergencies; and requiring certain action be taken by the State Auditor or a designee”; to the Committee on Political Subdivisions then Finance.

**By Delegates Higginbotham, Rohrbach, G. Ward and Thompson:**

**H. B. 2687** - “A Bill to amend and reenact §18-8-1a of the Code of West Virginia, 1931, as amended, relating to raising the compulsory school attendance age to 18 years”; to the Committee on Education.

**By Delegate Higginbotham:**

**H. B. 2688** - "A Bill to amend and reenact §3-8-2c of the Code of West Virginia, 1931, as amended, relating to allowing county executive committees to create building funds in the same manner as a party headquarters committee"; to the Committee on the Judiciary.

**By Delegate Higginbotham:**

**H. B. 2689** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §53-4-14, relating to scientific evidence that was not available to be offered by a convicted person at the convicted person's trial or contradicts scientific evidence relied on by the State at trial; authorizing a court to grant a convicted person relief on an application for a writ of habeas corpus if the methods used to convict are determined to be outdated or false, such as bad forensic methods; and providing an effective date"; to the Committee on the Judiciary.

**By Delegate Higginbotham:**

**H. B. 2690** - "A Bill to amend and reenact §18-4-4 of the Code of West Virginia, 1931, as amended, relating to providing for excused absences from compulsory school attendance for exclusion, expulsion or suspension when no other reasonable alternative placement for learning has been provided"; to the Committee on Education.

**By Delegate Higginbotham:**

**H. B. 2691** - "A Bill to amend and reenact §11-14-5 of the Code of West Virginia, 1931, as amended, relating to permitting a municipality or county that borders other states and retailers of gasoline situate in counties that border other states to purchase an exemption form the tax on gasoline, equal to the exemption claimed by the municipality or county in which the retailer is located"; to the Committee on Political Subdivisions then Finance.

**By Delegates Higginbotham, J. Pack, Rohrbach and Ellington:**

**H. B. 2692** - "A Bill to amend and reenact §30-3-13a of the Code of West Virginia, 1931, as amended, relating to allowing for the coverage of addiction treatment services to out-of-state providers only for emergency purposes and only for telehealth purposes"; to the Committee on Health and Human Resources.

**By Delegates Steele, Foster, J. Pack and L. Pack:**

**H. B. 2693** - "A Bill to repeal §5-11-5, §5-11-6, §5-11-7, §5-11-8, §5-11-11, §5-11-12, §5-11-13, §5-11-14, and §5-11-17 of the Code of West Virginia, 1931, as amended; to amend and reenact §5-11-3, §5-11-4, §5-11-10, and §5-11-18 of said code; and to amend said code by adding thereto a new section, designated §5-11-22, all relating to the termination of the Human Rights Commission; providing for the courts of this state to hear claims relating to discrimination or other jurisdiction of the commission; providing for the courts the powers and objectives to carry out the provisions; providing for the courts to receive complaints, conduct hearings, and issue orders relating to discriminatory practices; providing for the right of a plaintiff or defendant to request a jury trial; providing for the courts of this state to issue injunctions relating to certain housing complaints; providing for termination of the Human Rights Commission; providing for 180 days for the commission to wind up its affairs; providing for other mechanisms persons in this state may seek redress for complaints filed with the commission; providing for any remaining funds outstanding the day the commission ceases to exist to be used for any outstanding financial obligations; and providing for any remaining funds from the commission after paying financial obligations be transferred to the General Revenue Fund"; to the Committee on Government Organization.

**By Delegates Steele, Foster, Summers, J. Pack, Phillips, D. Jeffries, Clark, Sypolt, Maynard, Graves and Howell:**

**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; prohibitions; penalties; and providing for severability"; to the Committee on the Judiciary.

**By Delegates Westfall and Hott:**

**H. B. 2695** – "A Bill to amend and reenact §33-41-8 and §33-41-8a of the Code of West Virginia, 1931, as amended, relating to the consolidation the positions of the Inspector General of the former Workers' Compensation Commission's Fraud and Abuse Unit and the position of Director of the Insurance Fraud Unit"; to the Committee on Banking and Insurance then Government Organization.

**By Delegates Steele, Statler, Skaff, Fluharty, Maynard, Barrett, Lovejoy, Diserio, Garcia and D. Kelly:**

**H. B. 2696** - "A Bill to amend and reenact §15A-11-11 of the Code of West Virginia, 1931, as amended, relating to creating the Fire Service Equipment and Training Fund, restricting the use of grant funds to specified purposes; specifying disposition of grant funds remaining in the fund at the end of the fiscal year; requiring the Fire Commission to establish an equipment and training grant program for volunteer and part volunteer companies based upon certain circumstances; specifying the criteria the State Fire Marshal shall consider when making grants; authorizing the Fire Commission to propose emergency legislative rules and legislative rules; requiring the legislative auditor notify the Fire Commission of any volunteer or part volunteer department that is ineligible to receive grant funds; requiring that volunteer or part volunteer department or companies are ineligible until the Legislative Auditor informs the Fire Commission that the company or department has come into compliance"; to the Committee on Finance.

**By Delegates Walker, Barrett and Rowe:**

**H. B. 2697** - "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 Workforce Development then the Judiciary.

**By Delegates Walker, Hansen and Evans:**

**H. B. 2698** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-11-22, relating to making it illegal to discriminate based on hair texture or hair style; and defining terms"; to the Committee on Government Organization then the Judiciary.

**By Delegate Capito:**

**H. B. 2699** - "A Bill to amend §21A-2-6 of the Code of West Virginia, 1931, as amended, relating to the general powers and duties of the Commissioner of Workforce West Virginia, and authorizing the agency to hire additional employees to serve at the will and pleasure of the Commissioner"; to the Committee on Government Organization then Finance.

**By Delegate J. Pack:**

**H. B. 2700** - "A Bill amend and reenact §16-1-9a of the Code of West Virginia, 1931, as amended, relating to informing water customers of boiled water advisories; extending the deadline for compliance; and providing an option in how the notice is provided"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Capito:**

**H. B. 2701** - "A Bill to amend and reenact §17B-2B-1, §17B-2B-2, §17B-2B-4 and §17B-2B-6 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Rehabilitation

Services to approve acceptable training programs required for low vision individuals to obtain a Class G driver's license"; to the Committee on Government Organization.

**By Delegate Capito:**

**H. B. 2702** - "A Bill to amend and reenact, §18-5G-3; of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18-2-44, all relating to requiring public high school students to complete and submit a free application for federal student aid (FAFSA) prior to graduation"; to the Committee on Education.

**By Delegates Rohrbach and J. Pack:**

**H. B. 2703** - "A Bill to amend and reenact §30-3-11 of the Code of West Virginia, 1931, as amended, relating to a temporary license to practice medicine and surgery and podiatry"; to the Committee on Health and Human Resources.

**By Delegate Holstein:**

**H. B. 2704** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18C-10-1, §18C-10-2, §18C-10-3, §18C-10-4, and §18C-10-5, all relating to creating the 'Civic Minded Mountaineer Scholarship Act,' addressing legislative findings; establishing a framework for the test generally for all West Virginia students; establishing a \$250 scholarship for students who achieve at least a 90% on the test; providing for mandatory participation; and providing an effective date"; to the Committee on Education then Finance.

**By Delegate J. Pack:**

**H. B. 2705** - "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 food establishments"; to the Committee on Government Organization.

**By Delegate Capito:**

**H. B. 2706** - "A Bill to amend and reenact §31-15-6 of the Code of West Virginia, 1931, as amended, relating to authorizing and permitting the Economic Development Authority to make working capital loans from a revolving loan fund capitalized with federal grant funds including those federal grant funds received from the United States Economic Development Administration"; to the Committee on Finance.

**By Delegates Tully and Summers:**

**H. B. 2707** - "A Bill to repeal §30-7-15e the Code of West Virginia, 1931, as amended; and to amend and reenact §30-7-1, §30-7-15a and §30-7-15b of said code, all relating to prescriptive authority for advanced practice registered nurses"; to the Committee on Health and Human Resources.

**By Delegates Rohrbach, Fleischauer and Griffith:**

**H. B. 2708** - "A Bill to amend and reenact §5-16-7g of the Code of West Virginia, 1931, as amended, and to amend and reenact §33-59-1 of said code, all relating generally to required health insurance coverage for diabetics; providing cost sharing in prescription drugs used to diabetes; defining terms; requiring insurance coverage for prescription insulin drugs; providing for coverage pursuant to the West Virginia Public Employees Insurance Act"; to the Committee on Health and Human Resources then Finance.

**By Delegate Capito:**

**H. B. 2709** - "A Bill to amend and reenact §31A-8G-4 of the Code of West Virginia, 1931, as amended, relating to the aggregate liability of a surety on a consumer protection bond under the West Virginia Fintech Regulatory Sandbox Program"; to the Committee on the Judiciary.

**By Delegate J. Kelly:**

**H. B. 2710** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-28-1, related to authorizing counties to establish a county sales tax if there is a municipality within their borders participating in the Municipal Home Rule Pilot Program that has enacted a municipal home rule sales tax; establishing county tax will not be in effect for municipality that has enacted municipal home rule sales tax; and requiring county to submit county tax to Tax Commissioner"; to the Committee on Political Subdivisions then Finance.

**By Delegate J. Kelly:**

**H. B. 2711** - "A Bill to amend and reenact §17C-15-44 of the Code of West Virginia, 1931, as amended, relating to permitting persons who are 21 years of age or older to operate or be a passenger on a motorcycle without a helmet if they have held a license valid for the operation of a motorcycle for a minimum of two years; and making a technical correction"; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegate J. Kelly:**

**H. B. 2712** - "A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, all relating to modifying the school calendar to begin not earlier than Labor Day and end prior to Memorial Day"; to the Committee on Education.

**By Delegates Criss and Evans:**

**H. B. 2713** - "A Bill to amend and reenact §5D-1-2 and §5D-1-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §24-2-21, all relating to the Public Energy Authority Act of West Virginia; required environmental pollution controls for coal-fired power plants; providing legislative findings; providing expedited recovery process for coal-fired power plants owned by electric utilities in West Virginia; and providing procedures to ensure that no more coal-fired plants close and long-term state prosperity is maintained"; to the Committee on Energy and Manufacturing then the Judiciary.

**By Delegates Hornbuckle, Hansen and Lovejoy:**

**H. B. 2714** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-18-1, relating to collecting a tax from all manufacturers and distributors selling opium and opiate drugs and their derivatives and substances included as schedule II drugs in this state for funding drug addiction and prevention programs"; to the Committee on Health and Human Resources then Finance.

**By Delegate Foster:**

**H. B. 2715** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6-15-1, §6-15-2, and §6-15-3, all relating to requiring the State Auditor to establish a website centralizing access to all postings of legal advertisements required by law"; to the Committee on the Judiciary.

**By Delegate Espinosa:**

**H. B. 2716** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §55-18-1, §55-18-2, §55-18-3, §55-18-4, §55-18-5 and §55-18-6, all relating to creating the West Virginia Public Participation Protection Act; permitting motions to dismiss suits that are based on an alleged right of petition, free speech, or association under the United States Constitution or the Constitution of West Virginia in connection with a public issue; providing exceptions to which this procedure is applicable; providing for hearings on such motions; authorizing award of attorney fees; providing limitations and exclusions to the scope of the proceeding; and establishing an effective date for proceedings subject to this act"; to the Committee on the Judiciary.

**Special Calendar****Third Reading**

**Com. Sub. for H. J. R. 1**, Education Accountability Amendment; on third reading, coming up in regular order, was read a third time.

On the adoption of the resolution, the yeas and nays were taken (**Roll No. 49**), and there were— yeas 95, nays 2, absent and not voting 3, with the yeas, nays and absent and not voting being as follows:

Yeas: Anderson, Barach, Barnhart, Barrett, Boggs, Booth, Bridges, Brown, Bruce, Burkhammer, Capito, Clark, Conley, Cooper, Criss, Dean, Diserio, Espinosa, Evans, Fast, Ferrell, Fleischauer, Fluharty, Forsht, Foster, Garcia, Gearheart, Graves, Griffith, Hamrick, Hanna, Hansen, Hardy, Haynes, Higginbotham, Holstein, Hornbuckle, Horst, Hott, Householder, Howell, D. Jeffries, J. Jeffries, Jennings, Keaton, D. Kelly, J. Kelly, Kessinger, Kimble, Kimes, Linville, Longanacre, Lovejoy, Malow, Mandt, Martin, Maynard, Mazzocchi, McGeehan, Miller, Nestor, J. Pack, L. Pack, Pethtel, Phillips, Pinson, Pritt, Pushkin, Queen, Reed, Reynolds, Riley, Rohrbach, Rowan, Skaff, Smith, Statler, Steele, Storch, Summers, Sypolt, Thompson, Toney, Tully, Walker, Wamsley, B. Ward, G. Ward, Westfall, Williams, Worrell, Young, Zatezalo, Zukoff and Hanshaw (Mr. Speaker).

Nays: Paynter and Rowe.

Absent and Not Voting: Bates, Doyle and Ellington.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the resolution (Com. Sub. for H. J. R. 1) adopted, as follows:

**Com. Sub. for H. J. R. 1** - “Proposing an amendment to the Constitution of the State of West Virginia, amending section 2, article 12 thereof, relating to education and the supervision of free schools; clarifying that the general supervisory authority of the State Board of Education is subject to legislative enactments; allowing the board to promulgate rules; requiring rules to be submitted to the Legislature for its review and approval, amendment, or rejection; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.”

*Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:*

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2022, which proposed amendment is that section 2, article 12 thereof, be amended and reenacted to read as follows:

**ARTICLE XII. EDUCATION****§2. Supervision of free schools.**

Subject to the enactments of the Legislature, The the general supervision of the free schools of the State shall be vested in the West Virginia Board of Education which shall perform such duties as may be prescribed by law. In the performance of its supervisory duties, the West Virginia Board of Education may promulgate rules which shall be submitted to the Legislature for its review and approval, amendment or rejection, in whole or in part, in the manner prescribed by general law. The

board shall consist of nine members to be appointed by the Governor, by and with the advice and consent of the Senate, for overlapping terms of nine years, except that the original appointments shall be for terms of one, two, three, four, five, six, seven, eight, and nine years, respectively. No more than five members of the board shall belong to the same political party, and in addition to the general qualifications otherwise required by the legislature may require other specific qualifications for membership on the board. No member of the board may be removed from office by the Governor except for official misconduct, incompetence, neglect of duty, or gross immorality, and then only in the manner prescribed by law for the removal by the Governor of state elective officers.

The West Virginia Board of Education shall, in the manner prescribed by law, select the State Superintendent of Free Schools who shall serve at its will and pleasure. He or she shall be the chief school officer of the state and shall have such powers and shall perform such duties as ~~may be~~ are prescribed by law.

The State Superintendent of Free Schools shall be a member of the Board of Public Works as provided by subsection B, section fifty-one, article six of this Constitution.

*Resolved further*, That in accordance with the provisions of article 11, chapter 3 of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment No. 1" and designated as the "Supervision of Free Schools Modification Amendment" and the purpose of the proposed amendment is summarized as follows: "The purpose of this rule is to clarify that the general supervisory authority of the State Board of Education, including its rules, is subject to legislative enactments."

*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. 2260**, Relating to procurement of child placing services; 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. 50**), and there were—yeas 98, nays none, absent and not voting 2, with absent and not voting being as follows:

Absent and Not Voting: Bates and Ellington.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2260) passed.

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

**H. B. 2500**, Create an act for Statewide Uniformity for Auxiliary Container Regulations; 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. 51**), and there were—yeas 79, nays 19, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Barach, Diserio, Doyle, Evans, Fleischauer, Fluharty, Garcia, Griffith, Hansen, Hornbuckle, Lovejoy, Pushkin, Rowe, Skaff, Thompson, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Bates and Ellington.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2500) passed.

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

### **Second Reading**

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

**Com. Sub. for H. B. 2094**, Relating to the juvenile restorative justice programs,

And,

**H. B. 2184**, Increasing the penalties for exposure of governmental representatives to fentanyl or any other harmful drug.

### **First Reading**

The following bill, on first reading, was read a first time and ordered to second reading:

**Com. Sub. for H. B. 2372**, Allow pre-candidacy papers to be filed the day after the general election.

### **Leaves of Absence**

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

### **Miscellaneous Business**

Delegate Doyle noted to the Clerk that he was absent when the vote was taken on Com. Sub. for H. J. R. 1, and had he been present, he would have voted "Yea" thereon.

Delegate Bates noted to the Clerk that he was absent when the votes were taken on Com. Sub. for H. J. R. 1, Com. Sub. for H. B. 2260 and H. B. 2500, and had he been present, he would have voted "Yea" thereon.

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

**H. B. 2114**: Delegate Fleischauer;

**H. B. 2119**: Delegate Walker;

**H. B. 2208**: Delegate Griffith;

**H. B. 2127**: Delegate Walker;

**H. B. 2222**: Delegate Criss;

**H. B. 2279**: Delegate Bates;

**H. B. 2308:** Delegate Skaff;

**H. B. 2356:** Delegate Walker;

**H. B. 2494:** Delegate Riley;

**H. B. 2538:** Delegate Zukoff;

**H. B. 2547:** Delegate Zukoff;

**H. B. 2561:** Delegate Zukoff;

**H. B. 2564:** Delegate Zukoff;

**H. B. 2566:** Delegate Zukoff;

**H. B. 2620:** Delegate L. Pack;

And,

**H. J. R. 9:** Delegates Linville, L. Pack, Statler, Tully, B. Ward and Zatezalo.

At 11:24 a.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, February 24, 2021.

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



**SPECIAL CALENDAR**

**Wednesday, February 24, 2021**

**15<sup>th</sup> Day**

**11:00 A. M.**

**THIRD READING**

- Com. Sub. for H. B. 2094 - Relating to the juvenile restorative justice programs (GRAVES) (REGULAR)
- H. B. 2184 - Increasing the penalties for exposure of governmental representatives to fentanyl or any other harmful drug (CAPITO) (REGULAR)

**SECOND READING**

- Com. Sub. for H. B. 2372 - Allow pre-candidacy papers to be filed the day after the general election (CAPITO) (REGULAR)

**FIRST READING**

- Com. Sub. for S. B. 11 - Declaring work stoppage or strike by public employees to be unlawful
- H. B. 2265 - Relating to collaborative pharmacy practice and updating rulemaking authority (STEELE) (REGULAR)
- Com. Sub. for H. B. 2290 - Initiating a State Employment First Policy to facilitate integrated employment of disabled persons (STEELE) (REGULAR)
- Com. Sub. for H. B. 2529 - Prohibiting West Virginia institutions of higher education from discriminating against graduates of private, nonpublic or home schools by requiring them to submit to alternative testing (ELLINGTON) (REGULAR)

## HOUSE CALENDAR

Wednesday, February 24, 2021

15<sup>th</sup> Day

11:00 A. M.

### 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)

### FIRST READING

- H. J. R. 2 - Providing that courts have no authority or jurisdiction to intercede or intervene in, or interfere with, any impeachment proceedings of the House of Delegates or the Senate (CAPITO)
- H. B. 2582 - Relating to creating a third set of conditions for the professional teaching certificate (ELLINGTON) (REGULAR)

**WEST VIRGINIA  
HOUSE OF DELEGATES**

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**WEDNESDAY, FEBRUARY 24, 2021**

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**HOUSE CONVENES AT 11:00 A.M.**

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**AGRICULTURE AND NATURAL RESOURCES  
8:00 A.M. – ROOM 215 E**

**BANKING AND INSURANCE  
9:00 A.M. – HOUSE CHAMBER**

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

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

**SENIOR, CHILDREN, AND FAMILY ISSUES  
1:00 P.M. – ROOM 215 E**

**PREVENTION AND TREATMENT OF SUBSTANCE ABUSE  
2:00 P.M. – ROOM 215 E**

**TECHNOLOGY AND INFRASTRUCTURE  
3:00 P.M. – HOUSE CHAMBER**

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

**REMARKS BY MEMBERS  
4:30 P.M. – HOUSE CHAMBER**

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**THURSDAY, FEBRUARY 25, 2021**

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**COMMITTEE ON GOVERNMENT ORGANIZATION  
3:00 P.M. – ROOM 215 E**

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