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March 24, 2021  
FORTY-THIRD DAY



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Wednesday, March 24, 2021

**FORTY-THIRD 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 Tuesday, March 23, 2021, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Reordering of the Calendar**

Pursuant to the action of the Committee on Rules, Delegate Summers announced that Com. Sub. for H. B. 3102, on First reading, Special Calendar, had been transferred to the House Calendar; and Com. Sub. for H. B. 2702 and Com. Sub. for H. B. 2792, on Second reading, House Calendar, had been transferred to the Special Calendar.

**Committee Reports**

Mr. Speaker (Mr. Hanshaw), Chair of the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration:

**H. C. R. 12**, Charles E. Jarvis Memorial Bridge,

**H. C. R. 25**, William Edward Friese Memorial Bridge,

**H. C. R. 26**, Victor Yoak Memorial Bridge,

**H. C. R. 33**, Norman A. and Carrie G. Silver Memorial Bridge,

**H. C. R. 48**, To balance the judicial workload and realign the current court systems based on their caseloads.,

And,

**H. C. R. 56**, Create a resolution urging the FDA not to pass certain rules,

And reports the same back with the recommendation that they each be adopted.

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

**By Delegates Linville and Garcia:**

**H. B. 3302** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §31G-6-1, §31G-6-2, §31G-6-3, and §31G-6-4, all relating generally to broadband enhancement and expansion policies; providing for the creation and administration of four funds in the state treasury known as the Broadband Open Access Middle Mile Fund, the Broadband Grant Matching Fund, the Wired Wonderful West Virginia Fund, and the Broadband Provider Expansion Fund, all to be administered by and under the control of the Office of Broadband; providing for state budgeting and legislative appropriations concerning the funds; providing for the separate purposes of each of the funds and the separate conditions under which moneys in each fund may be expended, being generally broadband expansion in this state."

The Speaker referred the bill to the Committee on Finance.

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

Your Committee on Finance has had under consideration:

**H. B. 2793**, Permit out of state residents to obtain West Virginia concealed carry permits,

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

**Com. Sub. for H. B. 2793** - "A Bill to amend and reenact §61-7-4 of the Code of West Virginia, 1931, as amended, relating to permitting nonresidents to obtain state licenses to carry a concealed deadly weapon; providing that concealed weapons licenses may only be issued for pistols and revolvers; establishing a fee; and providing how that fee is to be used,"

With the recommendation that the committee substitute do pass.

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

Your Committee on Finance has had under consideration:

**H. B. 2493**, Providing valuation limitations for coal property taxation and clarifying the penalties for non-filers,

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

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

**By Delegates D. Kelly, Boggs, Capito, Fast, Westfall and L. Pack:**

**H. B. 3303** - "A Bill to amend and reenact §3-5-11 of the Code of West Virginia, 1931, as amended, and to amend and reenact §3-5-19 of said Code; all relating to clarifying the process of filling vacancies on ballots; and, providing that no appointment to an unfilled vacancy may be made after a primary election, save in the case of the subsequent death, withdrawal, incapacity, or disqualification of a candidate."

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

Your Committee on the Judiciary has had under consideration:

**Com. Sub. for S. B. 439**, Allowing use or nonuse of safety belt as admissible evidence in civil actions,

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

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

Your Committee on the Judiciary has had under consideration:

**H. B. 3261**, Relating to adoption attorneys,

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

In accordance with the former direction of the Speaker, the bill (H. B. 3261) was referred to the Committee on Finance.

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

Your Committee on the Judiciary has had under consideration:

**H. B. 2747**, Transferring the Parole Board to the Office of Administrative Hearings,

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

**Com. Sub. for H. B. 2747** - "A Bill to amend and reenact §15A-9-1 and §62-12-12 of the Code of West Virginia, 1931 as amended, relating to transferring the Parole Board to the Office of Administrative Hearings; specifying that the Chief Hearing Examiner be a resident of the State for five years prior to appointment; removing limitations of practice for the Chief Hearing Examiner; requiring that the governor appoint the Chief Hearing Examiner; requiring that the Governor set the salary of the Chief Hearing Examiner; increasing the number of members of the Parole Board to ten; making the Chief Hearing Examiner a member of the Parole Board; clarifying that no more than five of the board members, appointed to full time positions on the board may at any one time belong to the same political party; removing the residency requirements pertaining to congressional districts; requiring that the Chief Hearing Officer shall be chair of the Board; clarifying that the remaining nine members of the Board serve after being appointed by the Governor, with the advice and consent of the Senate; specifying the powers and duties of the vice chairperson shall be limited to Parole Board duties; clarifying the authority of the chair to hire an administrative employee; authorizing the Chief Hearing Officer to sit on parole panels as necessary; clarifying that the qualifications for board members may include being a graduate of a federal or state law enforcement academy; clarifying that temporary members serve at the will and pleasure of the governor; exempting the Board from Open Meetings; and requiring that parole hearings be open to the public,"

With the recommendation that the committee substitute do pass.

Delegate Foster, Vice 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. 2719**, Relating to the Division of Motor Vehicles use of electronic means and other alternate means to provide notice,

And,

**H. B. 2721**, Providing electronic notice of school attendance and satisfactory progress to the Division of Motor Vehicles in lieu of requiring each student to provide a paper notice,

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

Delegate Foster, Vice 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. 2773**, Permitting DNR to issue up to 100 permits for boats greater than 10 horsepower on Upper Mud River Lake,

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

**Com. Sub. for H. B. 2773** - "A Bill to amend and reenact §20-7-23 of the Code of West Virginia, 1931, as amended, all relating to boating operations with motors greater than 10 horsepower; and permitting the Division of Natural Resources to promulgate emergency legislative rules and legislative rules relating to the operation of boats with motors greater than 10 horsepower,"

With the recommendation that the committee substitute do pass.

Delegate Foster, Vice 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. 3059**, Making contract consummation with state more efficient,

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

Delegate Foster, Vice 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. 3002**, Update road abandonment process,

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

**Com. Sub. for H. B. 3002** - “A Bill to amend and reenact §17-2A-8 of the Code of West Virginia, 1931, as amended, relating to requiring the commissioner of highways to post online any petition, notice, order, decision, or other record related to the abandonment or discontinuance of any state highway or road, or any part thereof; requiring notice as a Class I legal advertisement; and providing that any member of the public shall be allowed to participate in or attend a hearing relating to the abandonment or discontinuance of any state highway or road by virtual means,”

With the recommendation that the committee substitute do pass.

Delegate Foster, Vice 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. 2890**, To clarify the regulatory authority of the Public Service Commission of West Virginia over luxury limousine services,

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

**Com. Sub. for H. B. 2890** - “A Bill to amend and reenact §24A-1-2 and §24A-1-3 of the Code of West Virginia, 1931, as amended, relating to clarifying the authority of the Public Service Commission of West Virginia over luxury limousine services; and creating an exemption from certain contract and common carrier laws for luxury limousine services,”

With the recommendation that the committee substitute do pass.

Delegate Foster, Vice 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. 2962**, Relating generally to dental practice,

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

**Com. Sub. for H. B. 2962** - “A Bill to amend and reenact §30-4-13, §30-4-15, §30-4-16, §30-4-17, §30-4-19, §30-4-20, §30-4-22, §30-4-23, and §30-4-24 of the Code of West Virginia, 1931, as amended, all relating to the practice of dentistry; requiring a board authorization be present in the place of practice; making technical corrections to special volunteer dentists; permitting a dentist or group of dentists to form professional limited liability companies; requiring dentists offering anesthesia services to have a valid permit to offer such services; updating and making other technical corrections to the complaint process without removing any notice or other requirements of the board; updating the criteria used when considering disciplinary action and the availability of certain disciplinary sanctions; requiring any person who is a practicing dentist or dental hygienist have a valid license or otherwise be subject to criminal penalties; requiring any person who holds himself or herself out to the public as a dentist or dental hygienist have a valid license or otherwise be subject to criminal penalties; clarifying that a student enrolled in an accredited dental program may, under the supervision of a licensed dentist or dental hygienist perform certain tasks under certain conditions without necessitating a license; and making other technical changes for clarification or modernization,”

With the recommendation that the committee substitute do pass.

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

**By Delegates Martin, Higginbotham, Ellington, Horst, Mazzocchi and Wamsley:**

**H. B. 3305** - "A Bill to amend and reenact §18-2-7c and §18-2-9 of the Code of West Virginia, 1931, as amended; and to further amend said Code by adding thereto a new section designated §18-2-8c, all relating to required courses of instruction; requiring one credit course in personal finance; requiring all public schools to teach cursive writing in grades three through five; imposing additional requirements for the courses required for all public, private, parochial, and denominational schools in the history of the United States, civics, the Constitution of the United States, and the government of West Virginia; requiring state board to consult with certain other entities in prescribing such courses of study; requiring the state board to include basic course requirements for middle school and high school and academic standards when prescribing such courses of study; requiring state board to publish approved list of instructional resources; requiring the state board to provide testing or assessment instruments for the history and civics courses of instruction; requiring passing assessment score for credit; expanding the amendments to the Constitution of the United States to be emphasized as a part of the instruction during Celebrate Freedom Week; and requiring public middle and high schools to give instruction on Holocaust and other genocides."

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

**By Delegates Jennings, Ellington, Horst and Martin:**

**H. B. 3306** - "A Bill to amend and reenact §18-5-45 of the Code of West Virginia, 1931, as amended, relating to virtual instruction; permitting incorporation of instruction through virtual methods in instructional day; and permitting instructional days to be satisfied by virtual learning classes."

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. 3217**, Student Rescue Act,

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

In accordance with the former direction of the Speaker, the bill (H. B. 3217) was referred to the Committee on Finance.

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

Your Committee on Education has had under consideration:

**H. B. 3157**, The Forming Open and Robust University Minds (FORUM) Act,

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

In accordance with the former direction of the Speaker, the bill (H. B. 3157) was referred to the Committee on the Judiciary.

### **Messages from the Senate**

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendment to

**Com. Sub. for H. B. 2263**, Update the regulation of pharmacy benefit managers.

On motion of Delegate Summers, the House of Delegates refused to recede from its amendment and requested the Senate to agree to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates J. Pack, D. Jeffries and Griffith.

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

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

**Com. Sub. for S. B. 156**, Authorizing Department of Homeland Security to promulgate legislative rules.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

**Com. Sub. for S. B. 160**, Authorizing Department of Revenue to promulgate legislative rules.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

**Com. Sub. for S. B. 182**, Authorizing miscellaneous agencies and boards to promulgate legislative rules.

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. 395** - "A Bill to amend and reenact §5-16-4 of the Code of West Virginia, 1931, as amended, relating to expanding the membership of the Public Employees Insurance Agency Finance Board; providing for qualifications of newly appointed members; defining terms; and making technical corrections"; which was referred to the Committee on Finance.

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. 398** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-29, relating to limiting employer eligibility for participation in plans by the Public Employees Insurance Agency"; which was referred to the Committee on Finance.

A message from the Senate, by

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

**Com. Sub. for S. B. 478** - "A Bill to amend and reenact §15-1J-4 of the Code of West Virginia, 1931, as amended, relating to permitting the use of established federal or state contracts"; 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. 479** - "A Bill to repeal §15-1G-10 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §9A-1-16, relating to the West Virginia veterans service decoration and West Virginia Service Cross"; 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. 586** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-5-23, relating to the development of an incentive plan for West Virginia veterans which includes reductions and discounts in fees and charges at state parks"; which was referred to the Committee on Finance.

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

**S. B. 693** - "A Bill to amend and reenact §11-21-9 of the Code of West Virginia, 1931, as amended, relating to updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act; and specifying effective dates"; which was referred to the Committee on Finance.

**Resolutions Introduced**

Delegates Hanshaw (Mr. Speaker) and Skaff offered the following resolution, which was read by its title and referred to the Committee on Finance:

**H. C. R. 68** - "Providing for the issuance of not to exceed \$22 million of refunding bonds pursuant to the Safe Roads Amendment of 1996, §13-2G-1 *et seq.* and §17-26-1 *et seq.* of the Code of West Virginia."

*Resolved by the Legislature of West Virginia:*

That safe road refunding bonds in the principal amount not to exceed \$22 million are authorized to be issued by the State of West Virginia and sold by the Governor during the fiscal year ending June 30, 2021 or the fiscal year ending June 30, 2022. The bonds shall be issued in registered form and may be issued by the Governor in such amounts and in one or more series, in such denominations, at such times during that fiscal year and bearing the date or dates as the Governor may determine; and, be it

*Further Resolved*, That all bonds shall be payable at the Office of the Treasurer of the State of West Virginia or at a paying agent designated by the Governor. The bonds shall be dated and mature on dates and at times as the Governor shall determine. The bonds shall bear interest at rates not exceeding five percent per annum, payable semiannually or annually. The Treasurer of the State of West Virginia shall issue his or her check for the interest and principal then due on the same dates each year and mail it to the registered owner at the addresses shown by the record of registration or shall provide the requisite funds by electronic means acceptable to the public municipal finance industry. The bonds may be redeemable on a date or dates prior to maturity as determined by the Governor; and, be it

*Further Resolved*, That the bonds shall be signed on behalf of the State of West Virginia as provided under §17-26-2 of the Code of West Virginia; and, be it

*Further Resolved*, That the Governor shall sell the bonds herein mentioned at a time or times during the fiscal year as he may determine necessary to provide funds for the purposes provided below; and, be it

*Further Resolved*, That the net proceeds of all sales of bonds herein authorized shall be paid into a special and irrevocable trust fund, separate and apart from other funds of the State of West Virginia, to be held in the custody of an escrow trustee to be designated by the Governor; and, be it

*Further Resolved*, That an irrevocable deposit of said moneys in trust for, and such moneys and the investments thereof, together with any income or interest earned thereon, shall be applied to the payment of the principal or redemption price of and interest on certain issued and outstanding state road bonds, to be selected by the Governor, as the same become due and payable.

Delegates Fleischauer, Anderson, Barach, Barnhart, Barrett, Bates, Boggs, Booth, Brown, Bruce, Capito, Cooper, Dean, Diserio, Doyle, Evans, Ferrell, Fluharty, Garcia, Griffith, Hamrick, Hansen, Hardy, Higginbotham, Hornbuckle, D. Jeffries, Jennings, J. Kelly, Linville, Longanacre, Lovejoy, Mallow, Mandt, Martin, Miller, L. Pack, Pethel, Phillips, Pushkin, Reed, Reynolds, Riley, Rohrbach, Rowan, Rowe, Skaff, Statler, Storch, Sypolt, Thompson, Toney, Tully, Walker,

Wamsley, G. Ward, Williams, Young and Zukoff offered the following resolution, which was read by its title and referred to the Committee on Rules:

**H. C. R. 69** - "Requesting that the Joint Committee of Government and Finance recognize the historical legacy of West Virginia suffragists through the creation of 'The West Virginia Women's Suffrage Memorial' to be located on the Capitol grounds as a permanent reminder of the impact of the suffragists on West Virginia's past, present, and future."

Whereas, The definition of a suffragist is a person advocating to extend the right to vote to more people and especially women; and

Whereas, West Virginia suffragists worked for decades from the advent of statehood to 1920 to win the vote for women in West Virginia and expand the democratic participation in society of women; and

Whereas, The accomplishments and contributions of women have not been fully recognized in West Virginia; and

Whereas, Their sacrifices for a long, persistent, and heroic struggle is not well-known; and

Whereas, The beautiful grounds of our State Capitol would be a proper place to honor women's struggle for their rights including the right to vote; and

Whereas, It is fitting that a permanent memorial be established to honor the lives and work of West Virginia suffragists; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the West Virginia Governor shall establish a nine member commission called the Suffragist Memorial Committee; and it shall be composed of one (1 ) member of the Senate, one ( 1 ) member of the House, one (1) representative of the Governor's office, one (1) representative from the Office of the Secretary of State, one (1) representative of the League of Women Voters, one (1) representative of the Kanawha Valley National Organization for Women, one (1) member of the WVU Women's Studies Program, one (1) member of the Marshall University Women's studies program, and one (1) representative of the West Virginia Division of Culture and History.

*Further Resolved*, That the work of the committee will be staffed by the West Virginia Women's Commission to provide administrative support to organize meetings and record minutes of all meetings;

*Further Resolved*, That meetings will begin in July of 2021 and meet monthly until December 31st of 2021. During this time, the committee will consult with the public about the project, research the suffragists active in getting the vote ratified in West Virginia, and choose one prominent suffragist to be honored.

*Further Resolved*, That beginning in January of 2022, the committee shall consult on cost of the project, begin to solicit funds, and ultimately solicit proposals for creation of a memorial on the Capitol Grounds upon approval of the Capitol Grounds Building Authority.

*Further Resolved*, That the Clerk of the House forward a certified copy to the Senate for consideration and to the West Virginia Women's Commission.

Delegate Howell offered the following resolution, which was read by its title and referred to the Committee on Rules:

**H. C. R. 70** - "Calling for the construction of a licensed Off Highway Vehicle semi-contiguous trail to parallel the Appalachian Hiking Trail on the western side."

Whereas, The U.S. Department of Commerce's Bureau of Economic Analysis shows that the outdoor recreation economy accounted for 2.2 percent (\$412 billion) of current-dollar GDP in 2016; and

Whereas, In 2017 Backcountry Discovery Routes generated \$17.3 million in new tourism expenditures, with the average traveling party spending \$3,769 per trip; and

Whereas, The construction of a licensed Off Highway Vehicle (OHV) semi-contiguous trail to parallel the Appalachian Hiking Trail on the western side connecting existing OHV trails, and off-road parks where possible, would bring in significant tourism dollars. The proposed trail should enter West Virginia in the southern part of the state and exit in the Potomac Highlands; and

Whereas, The Legislature believes that the OHV trail will generate much needed economic stimulus to the state, create new jobs and increase tax revenue; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the construction of a licensed Off Highway Vehicle semi-contiguous trail to parallel the Appalachian Hiking Trail on the western side should be a high priority for State Government; and, be it

*Further Resolved*, That the construction of a licensed Off Highway Vehicle semi-contiguous trail to parallel the Appalachian Hiking Trail on the western side can be supported by all West Virginians; and, be it

*Further Resolved*, That the Clerk of the House is hereby directed to forward a copy of this resolution to the Governor and the state legislatures of the states where the Appalachian Trail traverses, Georgia, North Carolina, Tennessee, Virginia, Maryland, Pennsylvania, New Jersey, New York, Massachusetts, Vermont, New Hampshire and Maine with the addition of Alabama which lies to the west of Georgia and the trail.

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

**H. C. R. 71** - "Requesting the Division of Highways name a bridge bearing the number 10-060/00-000.32 (10A140), (38.18106, -81.30672) locally known as 'Smithers Creek Bridge', carrying US Route 60 over Smithers Ck. & CR 21/15 in Fayette County as the 'The Doctor Enrique Aguilar Memorial Bridge'."

Whereas, Dr. Enrique Aguilar was a long time physician in Montgomery, West Virginia, who delivered over 3,000 babies in the Montgomery area; and

Whereas, Dr. Enrique Aguilar was born in Mexico City on October 20, 1919, and he finished his medical training at the University of Mexico Medical School in September 1945, and began working as a doctor for a mining company in remote Baja California, Mexico; and

Whereas, In 1946, Dr. Aguilar married the former Sallie Hunter, who was managing the local office of American Airlines in their hometown of Monterey, Mexico, and they had five children: Enrique, Jr., Sarita, Francisco, Fernando, and Ricardo; and

Whereas, In Montgomery, Dr. Enrique Aguilar became an accomplished general surgeon, emergency room doctor, and family physician who performed a vast variety of medical procedures including orthopedics, OBGYN, FAA pilot physicals, and school physicals; and

Whereas, Dr. Enrique Aguilar opened his own medical practice in Montgomery in 1962, and also operated the Hillside Clinic in Charlton Heights in partnership with Dr. Lewis Elias until 1974; and

Whereas, Dr. Enrique Aguilar was a member of the staff at Montgomery General Hospital and member of Board of Trustees; and

Whereas, Dr. Enrique Aguilar also served as the medical doctor for Montgomery's police department as well as the plant doctor for the Elkem Metals plant (formerly Union Carbide) in Alloy; and

Whereas, Dr. Enrique Aguilar is believed to be the last doctor in the Kanawha Valley to perform house calls to patient's homes; and

Whereas, Dr. Enrique Aguilar was also an accomplished pilot who learned how to fly at Frank Thomas's airport in Fayetteville, West Virginia, and as a pilot, he made nine trips with members of his family to his native Mexico where he flew his personal aircraft, and he was a member of the Flying Physicians Association; and

Whereas, Dr. Enrique Aguilar was instrumental in the transactions that relocated the state's primary correctional facility from Moundsville to the Bull Push area in Cannelton Hollow where the Mount Olive State Correctional Facility is now located; and

Whereas, Dr. Enrique Aguilar was a member of the board at Montgomery National Bank (now United Bank), 1978-1989 and the Upper Kanawha Valley Chamber of Commerce and served on the Board of Directors; and he was a Paul Harris Fellow at the Montgomery Rotary Club; and

Whereas, Dr. Enrique Aguilar was awarded membership to "The 500 Century Club" at the Devereux Foundation for handicapped children; and

Whereas, Dr. Enrique Aguilar received a State of West Virginia "Legislative Citation," for which citation former Circuit Judge Charles L. Garvin stated:

"Dr. Aguilar was believed to hold the first 'Pilot of the Year' award and was presented this award for his dedication and help to many pilots. Dr. Aguilar's efforts on behalf of his profession have far surpassed those required. To Judge Garvin's knowledge, there is no one in this state who has given so much of his time and talent to his fellow man as Dr. Aguilar. His compassion and love for his fellow man are unmatched, but he does not seek attention. You know that you have met a man of dedication, dignity, and character, and all of this you'll know before you know his name;" and

Whereas, Dr. Enrique Aguilar received the "Distinguished West Virginian Award" from Governor Gaston Caperton in 1994; and

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

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name a bridge bearing the number 10-060/00-000.32 (10A140), (38.18106, -81.30672) locally known as "Smithers Creek Bridge," carrying US Route 60 over Smithers Creek & CR 21/15 in Fayette County as the "The Doctor Enrique Aguilar Memorial Bridge;" and, be it

*Further Resolved*, That the Commissioner of the Division of Highways is requested to erect signs at both ends of the bridge containing bold and prominent letters proclaiming the bridge as the "The Doctor Enrique Aguilar 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.

### **Special Calendar**

#### **Third Reading**

**Com. Sub. for S. B. 517**, Relating to sunset provisions of legislative rules; 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. 259**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 517) passed.

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

**Com. Sub. for S. B. 517** – "A Bill to amend and reenact §29A-3-19 of the Code of West Virginia, 1931, as amended, relating to sunset provisions of legislative rules; requiring new legislative rules to contain an sunset provision terminating the legislative rule on August 1 of the fifth year following promulgation; removing the five-year sunset requirement for new legislative rules after initial five-year sunset provision; requiring all legislative rules to sunset on August 1 of the applicable year; authorizing an agency to file a technical amendment with the Secretary of State to correct sunset dates in accordance with this requirement; and requiring the Secretary of State to file a notice of sunset in the State Register upon the expiration of a legislative rule."

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

On this question, the yeas and nays were taken (**Roll No. 260**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Skaff and Steele.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 517) takes effect from its passage.

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

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 261**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Hardy.

Absent and Not Voting: Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2028) 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. 2029**, Relating to teacher preparation clinical experience programs; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 262**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2029) passed.

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

**Com. Sub. for H. B. 2427**, Authorizing the Department of Health and Human Resources to promulgate legislative rules; 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. 263**), and there were—yeas 95, nays 2, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Paynter and Young.

Absent and Not Voting: Fleischauer, Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2427) passed.

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

On this question, the yeas and nays were taken (**Roll No. 264**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Paynter.

Absent and Not Voting: Skaff and Steele.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2427) takes effect from its passage.

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

**H. B. 2874**, Extend the current veteran's business fee waivers to active duty military members and spouses; on third reading, coming up in regular order, was reported by the Clerk.

Delegate Householder asked and obtained unanimous consent to amend the bill on third reading, and the rule was suspended to permit the offering and consideration of such.

On motion of Delegate Householder, the bill was amended on page 1, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

**“ARTICLE 1. FEES AND ALLOWANCES.**

**§59-1-2. Fees to be charged by Secretary of State.**

(a) Except as may be otherwise provided in this code, the Secretary of State shall charge for services rendered in his or her office the following fees to be paid by the person to whom the service is rendered at the time it is done:

(1) For filing, recording, indexing, preserving a record of, and issuing a certificate relating to, the formation, amendment, change of name, registration of trade name, merger, consolidation, conversion, renewal, dissolution, termination, cancellation, withdrawal, revocation, and reinstatement of business entities organized within the state, as follows:

(A) Articles of incorporation of for-profit corporation, \$100;

(B) Articles of incorporation of nonprofit corporation, \$25;

(C) Articles of organization of limited liability company, \$100;

(D) Agreement of a general partnership, \$50;

(E) Certificate of a limited partnership, \$100;

(F) Agreement of a voluntary association, \$50;

(G) Articles of organization of a business trust, \$50;

(H) Amendment or correction of articles of incorporation, including change of name or increase of capital stock, in addition to any applicable license tax, \$25;

(I) Amendment or correction, including change of name, of articles of organization of business trust, limited liability partnership, limited liability company, or professional limited liability company; or of certificate of limited partnership; or of agreement of voluntary association, \$25;

(J) Amendment and restatement of articles of incorporation, certificate of limited partnership, agreement of voluntary association or articles of organization of limited liability partnership, limited liability company or professional limited liability company or business trust, \$25;

(K) Registration of trade name, otherwise designated as a true name, fictitious name or D. B. A. (doing business as) name for any domestic business entity as permitted by law, \$25;

(L) Articles of merger of two corporations, limited partnerships, limited liability partnerships, limited liability companies or professional limited liability companies, voluntary associations or business trusts, \$25;

(M) Plus for each additional party to the merger in excess of two, \$15;

(N) Statement of conversion, when permitted, from one business entity into another business entity, in addition to the cost of filing the appropriate documents to organize the surviving entity, \$25;

(O) Articles of dissolution of a corporation, voluntary association or business trust, or statement of dissolution of a general partnership, \$25;

(P) Revocation of voluntary dissolution of a corporation, voluntary association or business trust, \$15;

(Q) Articles of termination of a limited liability company, cancellation of a limited partnership or statement of withdrawal of limited liability partnership, \$25;

(R) Reinstatement of a limited liability company or professional limited liability company after administrative dissolution, \$25.

(2) For filing, recording, indexing, preserving a record of and issuing a certificate relating to the registration, amendment, change of name, merger, consolidation, conversion, renewal, withdrawal or termination within this state of business entities organized in other states or countries, as follows:

(A) Certificate of authority of for-profit corporation, \$100;

(B) Certificate of authority of nonprofit corporation, \$50;

(C) Certificate of authority of foreign limited liability companies, \$150;

(D) Certificate of exemption from certificate of authority, \$25;

(E) Registration of a general partnership, \$50;

(F) Registration of a limited partnership, \$150;

(G) Registration of a limited liability partnership for two-year term, \$500;

(H) Registration of a voluntary association, \$50;

(I) Registration of a trust or business trust, \$50;

(J) Amendment or correction of certificate of authority of a foreign corporation, including change of name or increase of capital stock, in addition to any applicable license tax, \$25;

(K) Amendment or correction of certificate of limited partnership, limited liability partnership, limited liability company or professional limited liability company, voluntary association or business trust, \$25;

(L) Registration of trade name, otherwise designated as a true name, fictitious name or D. B. A. (doing business as) name for any foreign business entity as permitted by law, \$25;

(M) Amendment and restatement of certificate of authority or of registration of a corporation, limited partnership, limited liability partnership, limited liability company or professional limited liability company, voluntary association or business trust, \$25;

(N) Articles of merger of two corporations, limited partnerships, limited liability partnerships, limited liability companies or professional limited liability companies, voluntary associations or business trusts, \$25;

(O) Plus, for each additional party to the merger in excess of two, \$5;

(P) Statement of conversion, when permitted, from one business entity into another business entity, in addition to the cost of filing the appropriate articles or certificate to organize the surviving entity, \$25;

(Q) Certificate of withdrawal or cancellation of a corporation, limited partnership, limited liability partnership, limited liability company, voluntary association or business, trust \$25;

Notwithstanding any other provision of this section to the contrary, after June 30, 2008, the fees described in this subdivision that are collected for the issuance of a certificate relating to the initial registration of a corporation, limited partnership, domestic limited liability company or foreign limited liability company shall be deposited in the general administrative fees account established by this section.

(3) For receiving, filing and recording a change of the principal or designated office, change of the agent of process and/or change of officers, directors, partners, members or managers, as the case may be, of a corporation, limited partnership, limited liability partnership, limited liability company or other business entity as provided by law, \$15.

(4) For receiving, filing and preserving a reservation of a name for each 120 days or for any other period in excess of seven days prescribed by law for a corporation, limited partnership, limited liability partnership or limited liability company, \$15;

(5) For issuing a certificate relating to a corporation or other business entity, as follows:

(A) Certificate of good standing of a domestic or foreign corporation, \$10;

(B) Certificate of existence of a domestic limited liability company and certificate of authorization foreign limited liability company, \$10;

(C) Certificate of existence of any business entity, trademark or service mark registered with the Secretary of State, \$10;

(D) Certified copy of corporate charter or comparable organizing documents for other business entities, \$15;

(E) Plus, for each additional amendment, restatement or other additional document, \$5;

(F) Certificate of registration of the name of a foreign corporation, limited liability company, limited partnership or limited liability partnership, \$25;

(G) And for the annual renewal of the name registration, \$10;

(H) Any other certificate not specified in this subdivision, \$10.

(6) For issuing a certificate other than those relating to business entities, as provided in this subsection, as follows:

(A) Certificate or apostille relating to the authority of certain public officers, including the membership of boards and commissions, \$10;

(B) Plus, for each additional certificate pertaining to the same transaction, \$5;

(C) Any other certificate not specified in this subdivision, \$10;

(D) For acceptance, indexing and recordation of service of process for any corporation, limited partnership, limited liability partnership, limited liability company, voluntary association, business trust, insurance company, person or other entity as permitted by law, \$15;

(E) For shipping and handling expenses for execution of service of process by certified mail upon any defendant within the United States, which fee is to be deposited to the special revenue account established in this section for the operation of the office of the Secretary of State, \$5;

(F) For shipping and handling expenses for execution of service of process upon any defendant outside the United States by registered mail, which fee is to be deposited to the special revenue account established in this section for the operation of the office of the Secretary of State, \$15;

(7) For a search of records of the office conducted by employees of or at the expense of the Secretary of State upon request, as follows:

(A) For any search of archival records maintained at sites other than the office of the Secretary of State no less than, \$10;

(B) For searches of archival records maintained at sites other than the office of the Secretary of State which require more than one hour, for each hour or fraction of an hour consumed in making a search, \$10;

(C) For any search of records maintained on site for the purpose of obtaining copies of documents or printouts of data, \$5;

(D) For any search of records maintained in electronic format which requires special programming to be performed by the state information services agency or other vendor any actual cost, but not less than, \$25;

(E) The cost of the search is in addition to the cost of any copies or printouts prepared or any certificate issued pursuant to or based on the search.

(F) For recording any paper for which no specific fee is prescribed, \$5.

(8) For producing and providing photocopies or printouts of electronic data of specific records upon request, as follows:

(A) For a copy of any paper or printout of electronic data, if one sheet, \$1;

(B) For each sheet after the first, 50 cents;

(C) For sending the copies or lists by fax transmission, \$5;

(D) For producing and providing photocopies of lists, reports, guidelines and other documents produced in multiple copies for general public use, a publication price to be established by the Secretary of State at a rate approximating \$2 plus 10 cents per page and rounded to the nearest dollar;

(E) For electronic copies of records obtained in data format on disk, the cost of the record in the least expensive available printed format, plus, for each required disk, which shall be provided by the Secretary of State, \$5.

(b) The Secretary of State may propose rules for legislative approval, in accordance with the provisions of §29A-3-1 *et seq.* of this code, for charges for online electronic access to database information or other information maintained by the Secretary of State.

(c) For any other work or service not enumerated in this section, the fee prescribed elsewhere in this code or a rule promulgated under the authority of this code.

(d) The records maintained by the Secretary of State are prepared and indexed at the expense of the state and those records shall not be obtained for commercial resale without the written agreement of the state to a contract including reimbursement to the state for each instance of resale.

(e) The Secretary of State may provide printed or electronic information free of charge as he or she considers necessary and efficient for the purpose of informing the general public or the news media.

(f) There is hereby continued in the State Treasury a special revenue account to be known as the Service Fees and Collections Account. Expenditures from the account shall be used for the operation of the office of the Secretary of State and are not authorized from collections, but are to be made only in accordance with appropriation by the Legislature and in accordance with the provisions of §12-3-1 *et seq.* of this code and upon the fulfillment of the provisions set forth in

§5A-2-1 *et seq.* of this code. Notwithstanding any other provision of this code to the contrary, except as provided in subsection (h) of this section and §59-1-2a of this code, one half of all the fees and service charges established in the following sections and for the following purposes shall be deposited by the Secretary of State or other collecting agency to that special revenue account and used for the operation of the office of the Secretary of State:

(1) The annual attorney-in-fact fee for corporations and limited partnerships established in §11-12C-5 of this code;

(2) The fees received for the sale of the State Register, Code of State Rules and other copies established by rule and authorized by §29A-2-7 of this code;

(3) The registration fees, late fees and legal settlements charged for registration and enforcement of the charitable organizations and professional solicitations established in §29-19-5, §29-19-9, and §29-19-15b this code;

(4) The annual attorney-in-fact fee for limited liability companies as designated in §31B-1-108 of this code and the annual report fee established in §31B-2-211 of this code: *Provided*, That after June 30, 2008, the annual report fees designated in §31B-1-108 of this code shall upon collection, be deposited in the General Administrative Fees Account described in subsection (h) of this section;

(5) The filing fees and search and copying fees for uniform commercial code transactions established by §46-9-525 of this code;

(6) The annual attorney-in-fact fee for licensed insurers established in §33-4-12 of this code;

(7) The fees for the application and record maintenance of all notaries public established by §39-4-20 of this code;

(8) The fees for registering credit service organizations as established by ~~§46-6C-5~~ §46A-6c-5 of this code;

(9) The fees for registering and renewing a West Virginia limited liability partnership as established by §47B-10-1 of this code;

(10) The filing fees for the registration and renewal of trademarks and service marks established in §47-2-17 of this code;

(11) All fees for services, the sale of photocopies and data maintained at the expense of the Secretary of State as provided in this section; and

(12) All registration, license and other fees collected by the Secretary of State not specified in this section.

(g) Any balance in the service fees and collections account established by this section which exceeds \$500,000 as of June 30, 2003, and each year thereafter, shall be expired to the state fund, General Revenue Fund

(h)(1) Effective July 1, 2008, there is hereby created in the State Treasury a special revenue account to be known as the General Administrative Fees Account. Expenditures from the account shall be used for the operation of the office of the Secretary of State and are not authorized from

collections, but are to be made only in accordance with appropriation by the Legislature and in accordance with the provisions of §12-3-1 *et seq.* of this code and upon the fulfillment of the provisions set forth in §11B-2-1 *et seq.* of this code: *Provided*, That for the fiscal year ending June 30, 2009, expenditures are authorized from collections rather than pursuant to an appropriation by the Legislature. Any balance in the account at the end of each fiscal year shall not revert to the General Revenue Fund, but shall remain in the fund and be expended as provided by this subsection.

(2) After June 30, 2008, all the fees and service charges established in §59-1-2a of this code for the following purposes shall be collected and deposited by the Secretary of State or other collecting agency in the general administrative fees account and used for the operation of the office of the Secretary of State:

(A) The annual report fees paid to the Secretary of State by corporations, limited partnerships, domestic limited liability companies and foreign limited liability companies;

(B) The fees for the issuance of a certificate relating to the initial registration of a corporation, limited partnership, domestic limited liability company or foreign limited liability company described in subdivision (a)(2) of this section; and

(C) The fees for the purchase of ~~data~~ data and updates related to the state's Business Organizations Database described in §59-1-2a of this code.

(i) There is continued in the office of the Secretary of State a noninterest-bearing, escrow account to be known as the Prepaid Fees and Services Account. This account shall be for the purpose of allowing customers of the Secretary of State to prepay for services, with payment to be held in escrow until services are rendered. Payments deposited in the account shall remain in the account until services are rendered by the Secretary of State and at that time the fees will be reallocated to the appropriate general or special revenue accounts. There shall be no fee charged by the Secretary of State to the customer for the use of this account and the customer may request the return of any moneys maintained in the account at any time without penalty. The assets of the prepaid fees and services account do not constitute public funds of the state and are available solely for carrying out the purposes of this section.

(j) A veteran-owned business, as defined in ~~paragraph thirteen, subsection (a), section two-a of this article §59-1-2a(a)(13)~~, commenced on or after July 1, 2015, or an active-duty member business, as defined in §59-1-2a(a)(13), commenced on or after July 1, 2021, is exempt from paying the fees prescribed in paragraphs (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), (a)(1)(F), and (a)(1)(G) of this section.

(k) Notwithstanding any other provisions of this article, after July 1, 2017, the Secretary of State may offer a fee for expedited services which shall not exceed, \$500.

(l) The fees provided for in this section shall remain in effect until such time as the Legislature has approved rules promulgated by the Secretary of State, in accordance with the provisions of §29A-3-1 *et seq.* of this code, establishing a schedule of fees for services.

**§59-1-2a. Annual business fees to be paid to the Secretary of State; filing of annual reports; purchase of data.**

(a) *Definitions.* — As used in this section:

(1) 'Annual report fee' means the fee described in ~~§59-1-2a(c) of this code~~ subsection (c) of this section that is to be paid to the Secretary of State each year by corporations, limited partnerships, domestic limited liability companies, and foreign limited liability companies. After June 30, 2008, any reference in this code to a fee paid to the Secretary of State for services as a statutory attorney in fact shall mean the annual report fee described in this section.

(2) 'Business activity' means all activities engaged in or caused to be engaged in with the object of gain or economic benefit, direct or indirect, but does not mean any of the activities of foreign corporations enumerated in §31D-15-1501(b) of this code, except for the activity of conducting affairs in interstate commerce when activity occurs in this state, nor does it mean any of the activities of foreign limited liability companies enumerated in §31B-10-1003(a) of this code, except for the activity of conducting affairs in interstate commerce when activity occurs in this state.

(3) 'Corporation' means a 'domestic corporation', a 'foreign corporation', or a 'nonprofit corporation'.

(4) 'Deliver or delivery' means any method of delivery used in conventional commercial practice, including, but not limited to, delivery by hand, mail, commercial delivery, and electronic transmission.

(5) 'Domestic corporation' means a corporation for profit, which is not a foreign corporation, incorporated under or subject to Chapter 31D of this code.

(6) 'Domestic limited liability company' means a limited liability company, which is not a foreign limited liability company, under or subject to chapter 31B of this code.

(7) 'Foreign corporation' means a for-profit corporation incorporated under a law other than the laws of this state.

(8) 'Foreign limited liability company' means a limited liability company organized under a law other than the laws of this state.

(9) 'Limited partnership' means a partnership as defined by §47-9-1 of this code.

(10) 'Nonprofit corporation' means a nonprofit corporation as defined by §31E-1-150 of this code.

(11) 'Registration fee' means the fee for the issuance of a certificate relating to the initial registration of a corporation, limited partnership, domestic limited liability company or foreign limited liability company described in §59-1-2(a)(2) of this code. The term 'initial registration' also means the date upon which the registration fee is paid.

(12) 'Veteran' means any person who has served as an active member of the armed forces of the United States, the National Guard, or a reserve component as described in 38 U. S. C. §101. Notwithstanding any provision in this code to the contrary, a veteran must be honorably discharged or under honorable conditions as described in 38 U. S. C. §101.

(13) 'Veteran-owned business' or 'Active-duty member-owned business' mean a business that meets the following criteria:

(A) Is at least 51 percent unconditionally owned by one or more veterans, active-duty members of any branch of the United States military or their respective spouses; or

(B) In the case of a publicly owned business, at least 51 percent of the stock is unconditionally owned by one or more veterans, active-duty members of any branch of the United States military or their respective spouses.

(b) *Required payment of annual report fee and filing of annual report.* — After June 30, 2008, no corporation, limited partnership, domestic limited liability company, or foreign limited liability company may engage in any business activity in this state without paying the annual report fee and filing the annual report as required by this section.

(c) *Annual report fee.* — After June 30, 2008, each corporation, limited partnership, domestic limited liability company, and foreign limited liability company engaged in or authorized to do business in this state shall pay an annual report fee of \$25 for the services of the Secretary of State as attorney-in-fact for the corporation, limited partnership, domestic limited liability company, or foreign limited liability company and for such other administrative services as may be imposed by law upon the Secretary of State. The fee is due and payable each year after the initial registration of the corporation, limited partnership, domestic limited liability company, or foreign limited liability company with the annual report described in ~~§59-1-2a(d) of this code~~ subsection (d) of this section on or before the dates specified in ~~§59-1-2a(e) of this code~~ subsection (e) of this section. The fee is due and payable each year with the annual report from corporations, limited partnerships, domestic limited liability companies, and foreign limited liability companies that paid the registration fee prior to July 1, 2008, on or before the dates specified in ~~§59-1-2a(e) of this code~~ subsection (e) of this section. The annual report fees received by the Secretary of State pursuant to this subsection shall be deposited by the Secretary of State in the general administrative fees account established by §59-1-2 of this code.

(d) *Annual report.* —

(1) After June 30, 2008, each corporation, limited partnership, domestic limited liability company, and foreign limited liability company engaged in or authorized to do business in this state shall file an annual report. The report is due each year after the initial registration of the corporation, limited partnership, domestic limited liability company, or foreign limited liability company with the annual report fee described in ~~§59-1-2a(e) of this code~~ subsection (c) of this section on or before the dates specified in ~~§59-1-2a(e) of this code~~ subsection (e) of this section. The report is due each year from corporations, limited partnerships, domestic limited liability companies, and foreign limited liability companies that paid the registration fee prior to July 1, 2008, on or before the dates specified in ~~§59-1-2a(e) of this code~~ subsection (e) of this section.

(2)(A) The annual report shall be filed with the Secretary of State on forms provided by the Secretary of State for that purpose. The annual report shall, in the case of corporations, contain: (i) The address of the corporation's principal office; (ii) the names and mailing addresses of its officers and directors; (iii) the name and mailing address of the person on whom notice of process may be served; (iv) the name and address of the corporation's parent corporation and of each subsidiary of the corporation licensed to do business in this state; (v) in the case of limited partnerships, domestic limited liability companies, and foreign limited liability companies, similar information with respect to their principal or controlling interests as determined by the Secretary of State or otherwise required by law to be reported to the Secretary of State; (vi) the county or county code in which the principal office address or mailing address of the company is located;

(vii) business class code; and (viii) any other information the Secretary of State considers appropriate.

(B) Notwithstanding any other provision of law to the contrary, the Secretary of State shall, upon request of any person, disclose, with respect to corporations: (i) The address of the corporation's principal office; (ii) the names and addresses of its officers and directors; (iii) the name and mailing address of the person on whom notice of process may be served; (iv) the name and address of each subsidiary of the corporation and the corporation's parent corporation; (v) the county or county code in which the principal office address or mailing address of the company is located; and (vi) the business class code. The Secretary of State shall provide similar information with respect to information in its possession relating to limited partnerships, domestic limited liability companies, and foreign limited liability companies, similar information with respect to their principal or controlling interests.

(e) *Annual reports and fees due July 1.* — Each domestic and foreign corporation, limited partnership, limited liability company, and foreign limited liability company shall file with the Secretary of State the annual report and pay the annual report fee by July 1 of each year.

(f) *Deposit of fees.* — The annual report fees received by the Secretary of State pursuant to this section shall be deposited by the Secretary of State in the general administrative fees account established by §59-1-2 of this code.

(g)(1) *Duty to pay.* — It shall be the duty of each corporation, limited partnership, limited liability company, and foreign limited liability company required to pay the annual report fees imposed under this article to remit them with a properly completed annual report to the Secretary of State, and if it fails to do so it shall be subject to the late fees prescribed in ~~§59-1-2a(h) of this code~~ subsection (h) of this section and dissolution or revocation, pursuant to this code: *Provided*, That before dissolution or revocation for failure to pay fees may occur, the Secretary of State shall notify the entity by certified mail, return receipt requested, of its failure to pay, all late fees or bad check fees associated with the failure to pay, and the date upon which dissolution or revocation will occur if all fees are not paid in full. The certified mail required by this subdivision shall be postmarked at least 30 days before the dissolution or revocation date listed in the notice.

(2) *Bad check fee.* — If any corporation, limited partnership, limited liability company, or foreign limited liability company submits payment by check or money order for the annual report fee imposed under this article and the check or money order is rejected because there are insufficient funds in the account or the account is closed, the Secretary of State shall assess a bad check fee to the corporation, limited partnership, limited liability company, or foreign limited liability company that is equivalent to the service charge paid by the Secretary of State due to the rejected check or money order. The bad check fee assessed under this subdivision shall be deposited into the account or accounts from which the Secretary of State paid the service charge.

(h) *Late fees.* —

(1) The following late fees shall be in addition to any other penalties and remedies available elsewhere in this code:

(A) *Administrative late fee.* — The Secretary of State shall assess upon each corporation, limited partnership, limited liability company, and foreign limited liability company delinquent in the payment of an annual report fee or the filing of an annual report an administrative late fee in the amount of \$50.

(B) *Administrative late fees for nonprofit corporations.* — The Secretary of State shall assess each nonprofit corporation delinquent in the payment of an annual report fee or the filing of an annual report an administrative late fee in the amount of \$25.

(2) The Secretary of State shall deposit the first \$25,000 of fees collected under this subsection into the General Administrative Fees Account established in §59-1-2(h) of this code and shall deposit any additional fees collected under this section into the General Revenue Fund of the state.

(i) *Reports to Tax Commissioner; suspension, cancellation or withholding of business registration certificate.* —

(1) The Secretary of State shall, within 20 days after the close of each month, make a report to the Tax Commissioner for the preceding month, in which he or she shall set out the name of every business entity to which he or she issued a certificate to conduct business in the State of West Virginia during that month. The report shall set out the names and addresses of all corporations, limited partnerships, limited liability companies, and foreign limited liability companies to which he or she issued certificates of change of name or of change of location of principal office, dissolution, withdrawal, or merger. If the Secretary of State fails to make the report, it shall be the duty of the Tax Commissioner to report such failure to the Governor. A writ of mandamus shall lie for correction of such failure.

(2) Notwithstanding any other provisions of this code to the contrary, upon receipt of notice from the Secretary of State that a corporation, limited partnership, limited liability company, and foreign limited liability company is more than 30 days delinquent in the payment of annual report fees or in the filing of an annual report required by this section, the Tax Commissioner may suspend, cancel or withhold a business registration certificate issued to or applied for by the delinquent corporation, limited partnership, limited liability company, or foreign limited liability company until the same is paid and filed in the manner provided for the suspension, cancellation or withholding of business registration certificates for other reasons under §11-12-1 *et seq.* of this code.

(j) *Purchase of data.* — The Secretary of State will provide electronically, for purchase, any data maintained in the Secretary of State's Business Organizations Database. For the electronic purchase of the entire Business Organizations Database, the cost is \$12,000. For the purchase of the monthly updates of the Business Organizations Database, the cost is \$1,000 per month. The fees received by the Secretary of State pursuant to this subsection shall be deposited by the Secretary of State in the general administrative fees account established by §59-1-2 of this code.

(k) The Secretary of State is authorized to collect the service fee per transaction, if any, charged for an online service from any customer who purchases data or conducts transactions through an online service.

(l) *Rules.* — The Secretary of State may propose rules for legislative approval, in accordance with the provisions of §29A-3-1 *et seq.* of this code, to implement this article.

(m) A veteran-owned business, as defined in subdivision (a)(13) of this section, commenced on or after July 1, 2015, or an active-duty member-owned business, as defined in subdivision (a)(13) of this section, commenced on or after July 1, 2021, is exempt from paying the annual report fee, required by this section, for the first four years after its initial registration: *Provided,*

That a veteran-owned business or an active-duty member-owned business is not exempt from any filing deadlines or other fees required by this section.”

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 265**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2874) passed.

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

**H. B. 2874** - “A Bill to amend and reenact §59-1-2 and §59-1-2a of the Code of West Virginia, 1931, as amended, relating to providing waiver of initial business registration fees and certain annual business fees to businesses owned by active-duty military members and the spouses of active-duty military members or veterans.”

*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. 2982**, Relating to the Second Chances at Life Act of 2021; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 266**), and there were—yeas 83, nays 15, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Barach, Diserio, Doyle, Fleischauer, Fluharty, Garcia, Hansen, Hornbuckle, Pethtel, Pushkin, Rowe, Thompson, Walker, Williams and Young.

Absent and Not Voting: Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2982) 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. 3045**, Relating to firefighter disability claims; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 267**), and there were—yeas 97, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Kimes.

Absent and Not Voting: Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3045) 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. 3164**, Relating generally to kidnapping; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 268**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3164) 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. 3177**, Removing expired, outdated, inoperative and antiquated provisions and report requirements in education; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 269**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3177) passed.

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

**Com. Sub. for H. B. 3215**, Amending the requirements to become an elected prosecutor; 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. 270**), and there were—yeas 96, nays 2, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Hanna and Kimes.

Absent and Not Voting: Skaff and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 3215) 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

**Com. Sub. for H. B. 2702**, To require all public high school students to complete and submit a free application for federal student aid (FAFSA) prior to graduation; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for H. B. 2726**, Allowing for the lease of air space above public roads for the safe operation of unmanned aircraft; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for H. B. 2792**, Relating to the expansion of direct access to natural gas service for new customers; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Capito, the bill was amended on page 3, section 20, line 39, immediately following the word "Code", by inserting the following:

*": Provided, however, That the Public Service Commission has no jurisdiction of a Federal Energy Regulatory Commission regulated gas company."*

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 2953**, To clarify that counties can hire fire fighters as paid staff and to modify the existing procedures to include a procedure of public hearing to commission a vote; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3107**, Declaring that Post Traumatic Stress Disorder diagnosed by a licensed psychiatrist is a compensable occupational disease for first responders; having been read a second time on yesterday, and subsequently postponed one day, was reported by the Clerk.

On motion of Delegate Capito, the bill was amended on page 3, section 1f, line 44, by striking out subdivision (5) in its entirety, and, renumbering the remaining subdivisions accordingly.

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 3137**, To accelerate the conversion of the transfer tax on the privilege of transferring real property from a state excise tax to a county excise tax; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3191**, Requiring employers to send certain notifications when retirants are hired as temporary, part-time employees; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for H. B. 3231**, Public Utilities not required to pay interest on security deposits; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for H. B. 3293**, Relating to single-sex participation in interscholastic athletic events; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3294**, Relating to unemployment insurance; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Capito, the bill was amended on page 2, section 1, line 13, by striking out subdivision (5) in its entirety and renumbering the remaining subdivisions of the section accordingly.

And, by further amending the bill on page 3, section 2, line 7, by striking out subdivision (c) and inserting in lieu thereof the following:

“(c) Check the unemployment insurance rolls against a commercially available database that provides cross-matching functions to verify eligibility for unemployment benefits.”

The bill was then ordered to engrossment and third reading.

### **First Reading**

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

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

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

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

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

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

**Com. Sub. for H. B. 2145**, Relating to student aide class titles,

**Com. Sub. for H. B. 2573**, Relating generally to the transparency and accountability of state grants to reduce waste, fraud, and abuse,

**Com. Sub. for H. B. 2694**, Create the 2nd Amendment Preservation Act,

**Com. Sub. for H. B. 2842**, Preventing cities from banning utility companies in city limits,

**Com. Sub. for H. B. 2981**, Providing veterans with suicide prevention assistance,

**Com. Sub. for H. B. 3254**, Authorizing members of development authorities to accept federally authorized reimbursement for services which the members rendered on a voluntary basis,

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

**H. B. 3299**, Authorizing Higher Education Rules,

**H. B. 3300**, Relating to reducing personal income tax rates generally,

And,

**H. B. 3301**, Relating generally to property tax increment financing districts.

#### **Leaves of Absence**

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

#### **Miscellaneous Business**

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

- Delegate Walker regarding Com. Sub. for H. B. 2982

At 12:29 p.m., the House of Delegates adjourned until 11:00 a.m., Thursday, March 25, 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**

**Thursday, March 25, 2021**

**44<sup>th</sup> Day**

**11:00 A.M.**

**UNFINISHED BUSINESS**

- H. C. R. 12 - Charles E. Jarvis Memorial Bridge
- H. C. R. 25 - William Edward Friese Memorial Bridge
- H. C. R. 26 - Victor Yoak Memorial Bridge
- H. C. R. 33 - Norman A. and Carrie G. Silver Memorial Bridge
- H. C. R. 48 - To balance the judicial workload and realign the current court systems based on their caseloads
- H. C. R. 56 - Create a resolution urging the FDA not to pass certain rules.

**THIRD READING**

- H. B. 2493 - Providing valuation limitations for coal property taxation and clarifying the penalties for non-filers (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2702 - To require all public high school students to complete and submit a free application for federal student aid (FAFSA) prior to graduation (ELLINGTON) (REGULAR)

- Com. Sub. for H. B. 2726 - Allowing for the lease of air space above public roads for the safe operation of unmanned aircraft (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2792 - Relating to the expansion of direct access to natural gas service for new customers (ANDERSON) (REGULAR)
- Com. Sub. for H. B. 2953 - To clarify that counties can hire fire fighters as paid staff and to modify the existing procedures to include a procedure of public hearing to commission a vote (CAPITO) (REGULAR)
- H. B. 3107 - Declaring that Post Traumatic Stress Disorder diagnosed by a licensed psychiatrist is a compensable occupational disease for first responders (CAPITO) (REGULAR)
- Com. Sub. for H. B. 3137 - To accelerate the conversion of the transfer tax on the privilege of transferring real property from a state excise tax to a county excise tax (HOUSEHOLDER) (REGULAR)
- H. B. 3191 - Requiring employers to send certain notifications when retirants are hired as temporary, part-time employees (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 3231 - Public Utilities not required to pay interest on security deposits (CAPITO) (REGULAR)
- Com. Sub. for H. B. 3293 - Relating to single-sex participation in interscholastic athletic events (CAPITO) (REGULAR)
- H. B. 3294 - Relating to unemployment insurance (CAPITO) (REGULAR)

## SECOND READING

- S. B. 67 - Relating to authority of Emergency Medical Services Advisory Council (J. PACK) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 356 - Allowing for written part of drivers' exam given in high school drivers' education course (ELLINGTON) (REGULAR)
- S. B. 390 - Reorganizing Health Care Authority under DHHR and clarifying responsibilities for all-payer claims database (J. PACK) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 431 - Relating to school attendance notification requirements to DMV (ELLINGTON) (REGULAR)
- Com. Sub. for S. B. 435 - Requiring county superintendents to authorize certain school principals or administrators at nonpublic schools to issue work permits for enrolled students (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2145 - Relating to student aide class titles (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2573 - Relating generally to the transparency and accountability of state grants to reduce waste, fraud, and abuse (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2694 - Create the 2nd Amendment Preservation Act (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2842 - Preventing cities from banning utility companies in city limits (CAPITO) (REGULAR)

Com. Sub. for H. B. 2981 - Providing veterans with suicide prevention assistance (J. PACK)  
(REGULAR)

Com. Sub. for H. B. 3254 - Authorizing members of development authorities to accept  
federally authorized reimbursement for services which the  
members rendered on a voluntary basis (CAPITO) (REGULAR)

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

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

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

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

### **FIRST READING**

Com. Sub. for S. B. 439 - Allowing use or nonuse of safety belt as admissible evidence in  
civil actions (CAPITO) (REGULAR)

H. B. 2719 - Relating to the Division of Motor Vehicles use of electronic means  
and other alternate means to provide notice (STEELE)

H. B. 2721 - Providing electronic notice of school attendance and satisfactory  
progress to the Division of Motor Vehicles in lieu of requiring each  
student to provide a paper notice (STEELE)

- Com. Sub. for H. B. 2747 - Transferring the Parole Board to the Office of Administrative Hearings (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2773 - Permitting DNR to issue up to 100 permits for boats greater than 10 horsepower on Upper Mud River Lake (STEELE)
- Com. Sub. for H. B. 2793 - Permit out of state residents to obtain West Virginia concealed carry permits (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2890 - To clarify the regulatory authority of the Public Service Commission of West Virginia over luxury limousine services (STEELE) (REGULAR)
- Com. Sub. for H. B. 2962 - Relating generally to dental practice (STEELE) (REGULAR)
- Com. Sub. for H. B. 3002 - Update road abandonment process (STEELE) (REGULAR)
- H. B. 3059 - Making contract consummation with state more efficient (STEELE) (REGULAR)
- H. B. 3303 - Relating to clarifying the process of filling vacancies on ballots (CAPITO) (REGULAR)
- H. B. 3305 - Relating to required course of study (ELLINGTON) (REGULAR)
- H. B. 3306 - Relating to virtual instruction (ELLINGTON) (REGULAR)

## HOUSE CALENDAR

Thursday, March 25, 2021

44<sup>th</sup> Day

11:00 A.M.

### THIRD READING

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

### SECOND READING

- Com. Sub. for H. B. 2004 - Permit a licensed health care professional from another state to practice in this state through telehealth when registered with the appropriate West Virginia board (J. PACK) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2015 - Requiring rules of local boards of health to be approved by the county commission except in cases of a public health emergency (J. PACK) (EFFECTIVE FROM PASSAGE)
- H. B. 2536 - Relating to expressions of legislative intent regarding equivalent instruction time (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2628 - Relating to the removal of the prohibition on having ATMs in the area where racetrack video lottery machines are located (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2959 - Relating to the financing of environmental pollution control equipment for coal-fired power plants (ANDERSON) (REGULAR)
- Com. Sub. for H. B. 3009 - Relating to the publication of county board financial statements (ELLINGTON) (REGULAR)
- H. B. 3079 - Relating to exempting recovery residences from certain standards (J. PACK) (REGULAR)
- H. B. 3131 - Relating to correcting internal code references and citations (CAPITO) (REGULAR)

### **FIRST READING**

- H. B. 2582 - Relating to creating a third set of conditions for the professional teaching certificate (ELLINGTON) (REGULAR)
- H. B. 2590 - Relating to the West Virginia Employment Law Worker Classification Act (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2620 - Relating to a departmental study of the child protective services and foster care workforce (J. PACK) (REGULAR)
- Com. Sub. for H. B. 3102 - Requiring Director of transportation to have experience in transportation department (ELLINGTON) (REGULAR)

# WEST VIRGINIA HOUSE OF DELEGATES

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**THURSDAY, MARCH 25, 2021**

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

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**COMMITTEE ON THE JUDICIARY  
8:00 A.M. – ROOM 418 M**

**COMMITTEE ON FINANCE  
9:00 A.M. – ROOM 462 M**

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

**COMMITTEE ON EDUCATION  
1:00 P.M. – ROOM 434 M**

**COMMITTEE ON GOVERNMENT ORGANIZATION  
2:00 P.M. – ROOM 215 E**

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

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





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