

West Virginia Legislature

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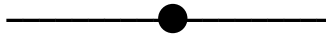
Eighty-Fifth Legislature  
First Regular Session

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April 1, 2021  
FIFTY-FIRST DAY





Thursday, April 1, 2021

### FIFTY-FIRST 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 Wednesday, March 31, 2021, being the first order of business, when the further reading thereof was dispensed with and the same approved.

### Committee Reports

On motion for leave, a resolution was introduced (Originating in the Committee on Veterans' Affairs and Homeland Security and reported with the recommendation that it be adopted, but that it first be referred to the Committee on Rules), which was read by its title, as follows:

#### **By Delegates Cooper and Fleischauer:**

**H. C. R. 84** – “Requesting That the Joint Committee on Government and Finance study the declining population of military service veterans in West Virginia, and the policies, programs and other factors present in states with increasing populations of military service members and veterans that could potentially be emulated in West Virginia.”

Whereas, the Legislature finds that the military service veterans of West Virginia are an asset to the body politic and have repeatedly shown themselves to be civic, business and governmental leaders of exemplary value to their communities; and

Whereas, the Legislature finds that the military service members and veterans of West Virginia exemplify the virtues of duty, honor, and self-sacrifice in the furtherance and preservation of the Constitution of the United States and the Constitution of the State of West Virginia and all the fundamental rights and inviolable freedoms preserved to the people therein; and

Whereas, the Legislature finds that veterans not only bring hard skills from their military occupation; they also bring soft skills that most employers are unwilling to or can't train, often have in demand security clearances, are flexible, adaptable, and highly trainable, are entrepreneurs and approximately 13,000 veteran owned businesses in WV; and

Whereas, the Legislature finds that America's veteran population has declined 33% since 2000 and projected to decline another 33% by 2040; and

Whereas, Legislature finds that The U.S. Veterans Administration (hereafter “VA”) projects West Virginia's veteran population to decline from its 2019 estimate of 141,341 veterans to 114,000 in 2030, and 92,000 in 2040; and

Whereas, the Legislature finds that VA's estimated West Virginia rate of decline is higher than the national rate of decline at 35% over the next 20 years; and

Whereas, the Legislature finds that the Bureau of Labor and Statics (hereafter "BLS") estimated veteran population numbers are not as optimistic as those of the VA; and

Whereas, the Legislature finds that VA and BLS both indicate that approximately 50% of WV veterans are over 65 years old; and

Whereas, the Legislature finds that VA and BLS both indicate West Virginia's 18-34 year old veteran population is significantly less than the national average; and

Whereas, the Legislature finds that VA estimates do not consider loss of West Virginia youth to military service that do not return to West Virginia after completing their service obligation; and

Whereas, the Legislature finds that In 2019, 339 active duty Army Soldiers separated from service that entered the Army from West Virginia but Only 75 of the 339 (22%) indicated they were returning to West Virginia; and

Whereas, the Legislature finds that 113 separating non-West Virginia natives indicated West Virginia as their destination state, totaling 188; and

Whereas, the Legislature finds that West Virginia's 188 separating soldiers represented just.3% of the 56,263 separating active duty soldiers in 2019; and

Whereas, the Legislature finds that In 2017, West Virginia ranked 43d in the nation for all separating service members with less than 1% choosing West Virginia as the state of separation; and

Whereas, the Legislature finds that other states in the United States have vibrant and growing military service member and veteran populations, whose policies, programs and other factors West Virginia should seek to emulate wherever possible; and

Whereas, the Legislature finds that it is important in any effort to improve the lives of veterans in our state, we should endeavor to consider how active service members and their families might be affected; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Joint Committee on Government and Finance study the declining population of military service veterans in West Virginia, and the policies, programs and other factors present in states with increasing populations of military service members and veterans that could potentially be emulated in West Virginia; and, be it

*Further Resolved*, That the study include reporting on all findings concerning the declining population of military service members and veterans in West Virginia, and the policies, programs and other factors present in states with increasing populations of military service members and veterans that could potentially be emulated in West Virginia; and be it

*Further Resolved*, That all measures considered by the committee include evaluation of how any legislative action taken might improve the lives of not just veterans, but also active military members and their families; and, be it

*Further Resolved*, That the study include all necessary information on the policies, programs and other factors present in states with increasing populations of military service members and veterans that could potentially be emulated in West Virginia by act of the West Virginia Legislature; and, be it

*Further Resolved*, That the Joint Committee on Government and Finance contract with the Center for Veteran, Military and Family Programs at West Virginia University or other appropriate entity, at a cost not to exceed \$25,000, to prepare a report to the Legislature; and, be it

*Further Resolved*, That the Joint Committee on Government and Finance report to the Legislature, not later than sixty days prior to the first day of the regular session, 2022, on its findings, conclusions and recommendations together with drafts of any legislation to effectuate its recommendations; and, be it

*Further Resolved*, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

The Speaker referred the resolution to the Committee on Rules.

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. 263**, Permitting online raffles to benefit charitable and public service organizations,

**Com. Sub. for S. B. 361**, Extending supervision for conviction of soliciting minor and using obscene matter with intent to seduce minor,

**Com. Sub. for S. B. 483**, Allowing oaths be taken before any person authorized to administer oaths,

And,

**Com. Sub. for S. B. 673**, Relating to venue for bringing civil action or arbitration proceedings under construction contracts,

And reports the same back with the recommendation that they each 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:

**Com. Sub. for S. B. 294**, Relating generally to savings and investment programs offered by state,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

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

Your Committee on Finance has had under consideration:

**S. B. 494**, Authorizing transfer of moneys from Insurance Commission Fund to Workers' Compensation Old Fund,

And,

**S. B. 693**, Updating certain definitions and terms used in WV Personal Income Tax Act,

And reports the same back with the recommendation that they each 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:

**Com. Sub. for S. B. 297**, Relating generally to modernizing Board of Treasury Investments,

And reports the same back, with a title amendment, with the recommendation that it do pass, as amended.

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

Your Committee on Finance has had under consideration:

**Com. Sub. for S. B. 460**, Relating to Deputy Sheriff Retirement System Act,

And reports the same back, with a title amendment, with the recommendation that it do pass, as amended.

**Note:** The Speaker subsequently announced that there was an amendment from the Committee. This is in addition to the title amendment but was omitted from the wording of the report.

Delegate Linville, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

**H. C. R. 4**, Private First Class Herman Harold Lucas Memorial Bridge,

**H. C. R. 10**, James "Big Jim" Shaffer Memorial Bridge,

**H. C. R. 11**, Thomas Brothers Memorial Bridge,

**H. C. R. 18**, Daniel Okey Cunningham Memorial Bridge,

**H. C. R. 28**, Paul J. Hofe Memorial Bridge,

**H. C. R. 40**, Guy Maywood Edwards Memorial Bridge,  
**H. C. R. 41**, Halstead Brothers WWII Veterans Memorial Bridge,  
**H. C. R. 44**, Timothy Wayne Farley Memorial Bridge,  
**H. C. R. 45**, Guy Maywood Edwards Memorial Bridge,  
**H. C. R. 46**, U. S. Navy BM1 Farris Burton Memorial Bridge,  
**H. C. R. 47**, SP5 Terry Lee McClanahan Memorial Bridge,  
**H. C. R. 51**, U.S. Army Private Elmo Davis Memorial Road,  
**H. C. R. 53**, President Donald J. Trump Highway,  
**H. C. R. 58**, Kohlton Red Haney Memorial Bridge,  
**H. C. R. 60**, Cpl. Billy F. Mann Memorial Bridge,  
**H. C. R. 66**, Officer Cassie Johnson - Fallen Heroes Memorial Bridge,  
**H. C. R. 67**, Roy E. Givens Memorial Road,  
**H. C. R. 71**, Doctor Enrique and Mrs. Sallie H. Aguilar Memorial Bridge,  
**H. C. R. 75**, U.S. Army Corporal Charles William "Bill" Knight Memorial Bridge,  
**H. C. R. 76**, U.S. Navy Seaman 1st Class Byrne Lee Singleton Memorial Bridge,  
**H. C. R. 77**, Elmer Galford Memorial Road,

And,

**S. C. R. 16**, USMC Corporal Roger Lee Boothe Memorial Road,

And reports the same back with the recommendation that they each be adopted, but that they first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolutions (H. C. R. 4, H. C. R. 10, H. C. R. 11, H. C. R. 18, H. C. R. 28, H. C. R. 40, H. C. R. 41, H. C. R. 44, H. C. R. 45, H. C. R. 46, H. C. R. 47, H. C. R. 51, H. C. R. 53, H. C. R. 58, H. C. R. 60, H. C. R. 66, H. C. R. 67, H. C. R. 71, H. C. R. 75, H. C. R. 76, H. C. R. 77 and S. C. R. 16) were each referred to the Committee on Rules.

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:

**S. J. R. 4**, Incorporation of Churches or Religious Denominations Amendment,

And reports the same back, with amendment, with the recommendation that it be adopted, as amended.

### **Messages from the Executive**

Delegate Hanshaw (Mr. Speaker) presented a communication from His Excellency, the Governor, advising that on March 31, 2021, he approved **Com. Sub. for S. B. 156, Com. Sub. for S. B. 160 and Com. Sub. for S. B. 162.**

### **Messages from the Senate**

A message from the Senate, by  
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

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

On motion of Delegate Summers, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

#### **“CHAPTER 49. CHILD WELFARE.**

#### **ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.**

#### **§49-1-206. Definitions related, but not limited to, child advocacy, care, residential, and treatment programs.**

When used in this chapter, the following terms have the following meanings, unless the context clearly indicates otherwise:

‘Child Advocacy Center (CAC)’ means a community-based organization that is a member, in good standing, of the West Virginia Child Advocacy Network, Inc., as set forth in §49-3-101 of this code.

‘Child care’ means responsibilities assumed and services performed in relation to a child’s physical, emotional, psychological, social, and personal needs and the consideration of the child’s rights and entitlements, but does not include secure detention or incarceration under the jurisdiction of the Division of Corrections and Rehabilitation pursuant to §49-2-901 *et seq.* of this code. It includes the provision of child care services or residential services.

‘Child care center’ means a facility maintained by the state or any county or municipality thereof, or any agency or facility maintained by an individual, firm, corporation, association, or organization, public or private, for the care of 13 or more children for child care services in any setting, if the facility is open for more than 30 days per year per child.

‘Child care services’ means direct care and protection of children during a portion of a 24-hour day outside of the child’s own home which provides experiences to children that foster their healthy development and education.



'Child placing agency' means a child welfare agency organized for the purpose of placing children in private family homes for foster care or for adoption. The function of a child placing agency may include the investigation and certification of foster family homes and foster family group homes as provided in this chapter. The function of a child placing agency may also include the supervision of children who are 16 or 17 years of age and living in unlicensed residences.

'Child welfare agency' means any agency or facility maintained by the state or any county or municipality thereof, or any agency or facility maintained by an individual, firm, corporation, association, or organization, public or private, to receive children for care and maintenance or for placement in residential care facilities, including, without limitation, private homes or any facility that provides care for unmarried mothers and their children. A child welfare agency does not include juvenile detention facilities or juvenile correctional facilities operated by or under contract with the Division of Corrections and Rehabilitation, pursuant to §49-2-901 *et seq.* of this code, nor any other facility operated by that division for the secure housing or holding of juveniles committed to its custody.

'Community based' means a facility, program, or service located near the child's home or family and involving community participation in planning, operation, and evaluation and which may include, but is not limited to, medical, educational, vocational, social, and psychological guidance, training, special education, counseling, substance abuse, and any other treatment or rehabilitation services.

'Community-based juvenile probation sanctions' means any of a continuum of nonresidential accountability measures, programs, and sanctions in response to a technical violation of probation, as part of a system of community-based juvenile probation sanctions and incentives, that may include, but are not limited to:

(A) Electronic monitoring;

(B) Drug and alcohol screening, testing, or monitoring;

(C) Youth reporting centers;

(D) Reporting and supervision requirements;

(E) Community service; and

(F) Rehabilitative interventions such as family counseling, substance abuse treatment, restorative justice programs, and behavioral or mental health treatment.

'Community services' means nonresidential prevention or intervention services or programs that are intended to reduce delinquency and future court involvement.

'Evidence-based practices' means policies, procedures, programs, and practices demonstrated by research to reliably produce reductions in the likelihood of reoffending.

'Facility' means a place or residence, including personnel, structures, grounds, and equipment used for the care of a child or children on a residential or other basis for any number of hours a day in any shelter or structure maintained for that purpose. Facility does not include any juvenile detention facility or juvenile correctional facility operated by or under contract with the Division of

Corrections and Rehabilitation for the secure housing or holding of juveniles committed to its custody.

'Family child care facility' means any facility which is used to provide nonresidential child care services for compensation for seven to 12 children, including children who are living in the household, who are under six years of age. A facility may be in a provider's residence or a separate building.

'Family child care home' means a facility which is used to provide nonresidential child care services for compensation in a provider's residence. The provider may care for four to six children at one time, including children who are living in the household, who are under six years of age.

'Family resource network' means:

(A) A local community organization charged with service coordination, needs and resource assessment, planning, community mobilization, and evaluation, and which has met the following criteria:

(i) Has agreed to a single governing entity;

(ii) Has agreed to engage in activities to improve service systems for children and families within the community;

(iii) Addresses a geographic area of a county or two or more contiguous counties;

(iv) Has, as the majority of the members of the governing body, nonproviders, which includes family representatives and other members who are not employees of publicly funded agencies, with family representatives as the majority of those members who are nonproviders;

(v) Has members of the governing body who are representatives of local service agencies, including, but not limited to, the public health department, the behavioral health center, the local health and human resources agency, and the county school district; and

(vi) Adheres to principles consistent with the cabinet's mission as part of its philosophy.

(B) A family resource network may not provide direct services, which means to provide programs or services directly to children and families.

'Family support', for the purposes of §49-2-601 *et seq.* of this code, means goods and services needed by families to care for their family members with developmental disabilities and to enjoy a quality of life comparable to other community members.

'Family support program' means a coordinated system of family support services administered by the Department of Health and Human Resources through contracts with behavioral health agencies throughout the state.

'Fictive kin' means an adult of at least 21 years of age, who is not a relative of the child, as defined herein, but who has an established, substantial relationship with the child, including but not limited to, teachers, coaches, ministers, and parents, or family members of the child's friends.

'Foster family home' means a private residence which is used for the care on a residential basis of no more than six children who are unrelated, by blood, marriage, or adoption, to any adult member of the household.

'Foster parent' means a person with whom the department has placed a child and who has been certified by the department, a child placing agency, or another agent of the department to provide foster care.

'Health care and treatment' means:

(A) Developmental screening;

(B) Mental health screening;

(C) Mental health treatment;

(D) Ordinary and necessary medical and dental examination and treatment;

(E) Preventive care including ordinary immunizations, tuberculin testing, and well-child care; and

(F) Nonemergency diagnosis and treatment. However, nonemergency diagnosis and treatment does not include an abortion.

'Home-based family preservation services' means services dispensed by the Department of Health and Human Resources or by another person, association, or group who has contracted with that division to dispense services when those services are intended to stabilize and maintain the natural or surrogate family in order to prevent the placement of children in substitute care. There are two types of home-based family preservation services and they are as follows:

(A) Intensive, short-term intervention of four to six weeks; and

(B) Home-based, longer-term after care following intensive intervention.

'Informal family child care' means a home that is used to provide nonresidential child care services for compensation for three or fewer children, including children who are living in the household who are under six years of age. Care is given in the provider's own home to at least one child who is not related to the caregiver.

'Kinship parent' means a person with whom the department has placed a child to provide a kinship placement.

'Kinship placement' means the placement of the child with a relative of the child, as defined herein, or a placement of a child with a fictive kin, as defined herein.

'Needs Assessment' means an evidence-informed assessment which identifies the needs a child or family has, which, if left unaddressed, will likely increase the chance of reoccurring.

'Nonsecure facility' means any public or private residential facility not characterized by construction fixtures designed to physically restrict the movements and activities of individuals held in lawful custody in that facility and which provides its residents access to the surrounding community with supervision.

'Nonviolent misdemeanor offense' means a misdemeanor offense that does not include any of the following:

(A) An act resulting in bodily injury or death;

(B) The use of firearm or other deadly weapon in the commission of the offense;

(C) A domestic abuse offense involving a significant or likely risk of harm to a family member or household member;

(D) A criminal sexual conduct offense; or

(E) Any offense for driving under the influence of alcohol or drugs.

'Out-of-home placement' means a post-adjudication placement in a foster family home, kinship parent home, group home, nonsecure facility, emergency shelter, hospital, psychiatric residential treatment facility, staff secure facility, hardware secure facility, detention facility, or other residential placement other than placement in the home of a parent, custodian, or guardian.

'Out-of-school time' means a child care service which offers activities to children before and after school, on school holidays, when school is closed due to emergencies, and on school calendar days set aside for teacher activities.

'Placement' means any temporary or permanent placement of a child who is in the custody of the state in any foster home, kinship parent home, group home, or other facility or residence.

'Pre-adjudicatory community supervision' means supervision provided to a youth prior to adjudication, for a period of supervision up to one year for an alleged status or delinquency offense.

'Regional family support council' means the council established by the regional family support agency to carry out the responsibilities specified in §49-2-601 *et seq.* of this code.

'Relative family child care' means a home that provides nonresidential child care services only to children related to the caregiver. The caregiver is a grandparent, great-grandparent, aunt, uncle, great-aunt, great-uncle, or adult sibling of the child or children receiving care. Care is given in the provider's home.

'Relative of the child' means an adult of at least 21 years of age who is related to the child, by blood or marriage, within at least three degrees.

'Residential services' means child care which includes the provision of nighttime shelter and the personal discipline and supervision of a child by guardians, custodians, or other persons or entities on a continuing or temporary basis. It may include care or treatment, or both, for transitioning adults. Residential services does not include or apply to any juvenile detention facility or juvenile correctional facility operated by the Division of Corrections and Rehabilitation, created pursuant to this chapter, for the secure housing or holding of juveniles committed to its custody.

'Restorative justice program' means a voluntary, community based program which utilizes evidence-based practices that provide an opportunity for a juvenile to accept responsibility for and participate in setting consequences to repair harm caused by the juvenile against the victim and

the community by means of facilitated communication including, but not limited to, mediation, dialogues, or family group conferencing, attended voluntarily by the victim, the juvenile, a facilitator, a victim advocate, community members, or supporters of the victim or the juvenile.

'Risk and needs assessment' means a validated, standardized actuarial tool which identifies specific risk factors that increase the likelihood of reoffending and the factors that, when properly addressed, can reduce the likelihood of reoffending.

'Scattered-site living arrangement' means a living arrangement where youth, 17 to 26 years of age, live in a setting that allows staff to be available as needed, depending on the youth's level of autonomy. Sites for such living arrangements shall be in community environments to allow the youth full access to services and resources in order to fully develop independent living skills.

'Secure facility' means any public or private residential facility which includes construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody in such facility.

'Staff secure facility' means any public or private residential facility characterized by staff restrictions of the movements and activities of individuals held in lawful custody in such facility, and which limits its residents' access to the surrounding community, but is not characterized by construction fixtures designed to physically restrict the movements and activities of residents.

'Standardized screener' means a brief, validated nondiagnostic inventory or questionnaire designed to identify juveniles in need of further assessment for medical, substance abuse, emotional, psychological, behavioral, or educational issues, or other conditions.

'State family support council' means the council established by the Department of Health and Human Resources pursuant to §49-2-601 *et seq.* of this code to carry out the responsibilities specified in §49-2-101 *et seq.* of this code.

'Supervised group setting' means a setting where youth, 16 to 21 years of age, live with staff onsite or are available 24 hours per day and seven days per week. In this setting, staff provide face to face daily contact with youth.

'Time-limited reunification services' means individual, group, and family counseling, inpatient, residential, or outpatient substance abuse treatment services, mental health services, assistance to address domestic violence, services designed to provide temporary child care, and therapeutic services for families, including crisis nurseries and transportation to or from those services, provided during 15 of the most recent 22 months a child or juvenile has been in foster or in a kinship placement, as determined by the earlier date of the first judicial finding that the child is subjected to abuse or neglect, or the date which is 60 days after the child or juvenile is removed from home.

'Technical violation' means an act that violates the terms or conditions of probation or a court order that does not constitute a new delinquent offense.

'Truancy diversion specialist' means a school-based probation officer or truancy social worker within a school or schools who, among other responsibilities, identifies truants and the causes of the truant behavior, and assists in developing a plan to reduce the truant behavior prior to court involvement.

**ARTICLE 4. COURT ACTIONS.****§49-4-725. Restorative justice programs.**

(a) ~~The court or prosecuting attorney may divert offer a juvenile, referred to the court for a status offense or for a nonviolent misdemeanor offense, to~~ against whom a petition has been filed alleging that the juvenile has committed any of the offenses set forth in subsection (b) of this section, the opportunity to participate in a voluntary restorative justice program, where available, at any time prior to adjudication disposition of the case.

(b) A juvenile is eligible to participate in a restorative justice program if the offense that the juvenile is alleged to have committed is:

(1) A status offense;

(2) An offense that would constitute a nonviolent offense if committed by an adult;

(3) An offense that would constitute misdemeanor assault pursuant to §61-2-9(b) of this code if committed by an adult; or

(4) An offense that would constitute misdemeanor battery pursuant to §61-2-9(c) of this code if committed by an adult.

(c) The juvenile or the victim or both may decline and shall not be required to participate in a restorative justice program: *Provided*, That any declination by the juvenile or the victim or both shall not preclude future participation in a restorative justice program during the current proceeding or any subsequent proceeding under this article.

(d) A restorative justice program shall:

~~(1) Emphasize repairing the harm against the victim and the community caused by the juvenile;~~

~~(2) Include victim-offender dialogues or family group conferencing, attended voluntarily by the victim, the juvenile offender, a facilitator, a victim advocate, community members, or supporters of the victim or the juvenile offender that provide an opportunity for the offender to accept responsibility for the harm caused to those affected by the crime and to participate in setting consequences to repair the harm; and~~

~~(3) Implement sanctions for the juvenile~~ implement measures agreed to by the victim and the juvenile which are designed to provide redress to the victim and community, including, but not limited to, restitution to the victim, restitution to the community, services for the victim or, services for the community, or any other sanction reasonable measure intended to provide restitution or services to the victim or the community.

~~(e) (e) If a juvenile is referred to, and successfully completes, a restorative justice program, including all agreed-to measures pursuant to subsection (d) of this section, the petition against the juvenile shall be dismissed.~~

(d) (f) No self-incriminating information obtained from the juvenile as the result of a restorative justice program is admissible as evidence against him or her in a subsequent proceeding under this article.”

And,

By amending the title of the bill to read as follows:

**Com. Sub. for H. B. 2094** – “A Bill to amend and reenact §49-1-206 of the Code of West Virginia, 1931, as amended; and to amend and reenact §49-4-725 of said code, all relating to the juvenile restorative justice programs; defining the term ‘restorative justice program’; authorizing a court or prosecuting attorney to offer a juvenile, against whom a petition has been filed alleging that the juvenile has committed certain offenses, the opportunity to participate in a voluntary restorative justice program, where available, at any time prior to disposition of the case; listing offenses alleged to have been committed by a juvenile eligible for participation in a restorative justice program; authorizing the juvenile or victim or both to decline participation in a restorative justice program; providing for future participation in a restorative justice program after any declination by a juvenile or victim or both; requiring certain measures agreed to by the victim and juvenile to be included in a restorative justice program to provide redress to the victim and community; requiring dismissal of a petition against a juvenile upon successful completion of a restorative justice program including all agreed-to measures; clarifying information which is inadmissible against a juvenile in a subsequent proceeding.”

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 390**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Worrell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2094) passed.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

**Com. Sub. for H. B. 2400**, Authorizing the Department of Transportation to promulgate legislative rules.

On motion of Delegate Summers, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

**“ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF TRANSPORTATION TO PROMULGATE LEGISLATIVE RULES.**

**§64-8-1. Division of Highways.**

The legislative rule filed in the State Register on August 28, 2020, authorized under the authority of §17-2A-8 of this code, relating to the Division of Highways (traffic and safety rules, 157 CSR 05), is authorized.

**§64-8-2. Division of Motor Vehicles.**

(a) The legislative rule filed in the State Register on August 11, 2020, authorized under the authority of §17B-2-15 of this code, modified by the Division of Motor Vehicles to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 29, 2020, relating to the Division of Motor Vehicles (examination and issuance of driver’s license, 91 CSR 04), is authorized with the following amendment:

On page 4, after subdivision 3.11.e., by adding a new subdivision 3.11.f. to read as follows:

3.11.f. In the Commissioner’s discretion, the Division may accept a social security number provided by any applicant for a driver’s license or identification card without a document presented as proof of social security number when the United States Social Security Administration verifies the social security number electronically, except for license types where a social security card or document submission is mandated by federal law or regulation.

(b) The legislative rule filed in the State Register on August 19, 2020, authorized under the authority of §17A-2-9 of this code, relating to the Division of Motor Vehicles (denial, suspension, revocation, disqualification, restriction, non-renewal, cancellation, administrative appeals and reinstatement of driving privileges, 91 CSR 05), is authorized.

(c) The legislative rule filed in the State Register on August 28, 2020, authorized under the authority of §17A-2-9 of this code, modified by the Division of Motor Vehicles to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 29, 2020, relating to the Division of Motor Vehicles (compulsory motor vehicle liability insurance, 91 CSR 13), is authorized.

(d) The legislative rule filed in the State Register on August 7, 2020, authorized under the authority of §17A-13-1(m) of this code, modified by the Division of Motor Vehicles to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 17, 2020, relating to the Division of Motor Vehicles (special purpose vehicles, 91 CSR 25), is authorized.”

And,

By amending the title of the bill to read as follows:

**Com. Sub. for H. B. 2400** – “A Bill to amend and reenact §64-8-1 *et seq.* of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Transportation to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee and as amended by the Legislature; authorizing the Division of Highways to promulgate a legislative rule relating to traffic and safety



rules; relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to examination and issuance of driver's license; relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to denial, suspension, revocation, disqualification, restriction, non-renewal, cancellation, administrative appeals and reinstatement of driving privileges; relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to compulsory motor vehicle liability insurance, and relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to special purpose vehicles.”

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 391**), and there were—yeas 98, nays 1, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: Paynter.

Absent and Not Voting: Worrell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2400) passed.

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

On this question, the yeas and nays were taken (**Roll No. 392**), and there were—yeas 98, nays 1, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: Paynter.

Absent and Not Voting: Worrell.

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. 2400) takes effect from its passage.

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

A message from the Senate, by

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

**Com. Sub. for H. B. 2495**, Relating to the filing of asbestos and silica claims.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

**Com. Sub. for H. B. 2499**, Tax reduction for arms and ammo manufacturing.

On motion of Delegate Summers, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page twelve, section two, line six, after the word “meaning”, by inserting the word “of”;

And,

On page twelve, section two, line eight, after the words 'section 1504 of' by inserting the word 'the'.

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 393**), and there were—yeas 96, nays 3, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: Doyle, Fleischauer and Walker.

Absent and Not Voting: Worrell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2499) passed.

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

A message from the Senate, by

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

**H. B. 2808**, Remove salt from list and definition of 'mineral' for severance tax purposes.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

**H. B. 2852**, Relating to distribution of the allowance for increased enrollment.

On motion of Delegate Summers, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page two, section fifteen, lines twenty-nine through thirty-five, by striking out the words "Nothing in this subsection prohibits, however, the state superintendent, at the request of a school district, before the actual increase in net enrollment is available, from advancing a partial distribution to the school district of up to 60 percent of its estimated share based on its projected increased enrollment: *Provided*, That if the amount of the advanced partial distribution to a school district is greater than the total amount to which a district is entitled to receive for the year, the district shall refund the difference to the Department of Education prior to June 30 of the fiscal year in which the excess distribution is made."

And,

Inserting in lieu thereof the following:

"Nothing in this subsection prohibits, however, the state superintendent, at the request of a school district, before the actual increase in net enrollment is available, from advancing a partial

distribution to the school district of up to 60 percent of its estimated share based on its projected increased enrollment, subject to the following:

(A) If the amount of the advanced partial distribution to a school district is greater than the total amount to which a district is entitled to receive for the year, the district shall refund the difference to the Department of Education prior to June 30 of the fiscal year in which the excess distribution is made; and

(B) The Department of Education shall notify the Joint Committee on Government and Finance and the Legislative Oversight Commission on Education Accountability whenever an advanced partial distribution is made.”

And,

By amending the title of the bill to read as follows:

**H. B. 2852** – “A Bill to amend and reenact §18-9A-15 of the Code of West Virginia, 1931, as amended, relating to distribution of the allowance for increased enrollment; removing mandated distribution of 60 percent of allowance based on projected increased enrollment prior to September 1; authorizing advance at district request prior to availability of actual increased enrollment of partial distribution of up to 60 percent of school districts estimated share; providing for refund of excess distribution; and requiring notification of the Joint Committee on Government and Finance and the Legislative Oversight Commission on Education Accountability whenever an advanced partial distribution is made.”

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 394**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Worrell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2852) passed.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

**H. B. 2898**, Making a supplementary appropriation to WorkForce West Virginia – Workforce Investment Act.

On motion of Delegate Summers, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“That the total appropriation for the fiscal year ending June 30, 2021, to fund 8749, fiscal year 2021, organization 0323, be supplemented and amended by increasing an existing item of appropriation as follows:

**TITLE II – APPROPRIATIONS.**

**Sec. 7. Appropriations from federal block grants.**

*376 – WorkForce West Virginia–*

*Workforce Investment Act*

Fund 8749 FY 2021 Org 0323

	<b>Appro-</b>		<b>Federal</b>
	<b>priation</b>		<b>Funds</b>
3 Current Expenses .....	13000	\$	6,800,000”

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 395**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Worrell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2898) passed.

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

On this question, the yeas and nays were taken (**Roll No. 396**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Worrell.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2898) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

**H. B. 2941**, Supplementary appropriation decreasing an existing item and adding a new item of appropriation to the Department of Revenue, Insurance Commissioner.

On motion of Delegate Summers, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“That the total appropriation for the fiscal year ending June 30, 2021, to fund 8883, fiscal year 2021, organization 0704, be supplemented and amended by decreasing an existing item of appropriation as follows:

**TITLE II – APPROPRIATIONS.**

**Sec. 6. Appropriations of federal funds.**

**DEPARTMENT OF REVENUE**

*362 – Insurance Commissioner*

(WV Code Chapter 33)

Fund 8883 FY 2021 Org 0704

	<b>Appro-</b>		<b>Federal</b>
	<b>priation</b>		<b>Funds</b>
2 Current Expenses .....	13000	\$	83,000

And, that the total appropriation for the fiscal year ending June 30, 2021, to fund 8883, fiscal year 2021, organization 0704, be supplemented and amended by adding a new item of appropriation as follows:

**TITLE II – APPROPRIATIONS.**

**Sec. 6. Appropriations of federal funds.**

**DEPARTMENT OF REVENUE**

*362 – Insurance Commissioner*

(WV Code Chapter 33)

Fund 8883 FY 2021 Org 0704

	<b>Appro-</b>		<b>Federal</b>
	<b>priation</b>		<b>Funds</b>
1a Personal Services and Employee Benefits .....	00100	\$	83,000”

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 397**), and there were—yeas 97, nays 2, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: McGeehan and Paynter.

Absent and Not Voting: Worrell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2941) passed.

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

On this question, the yeas and nays were taken (**Roll No. 398**), and there were—yeas 97, nays 2, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: McGeehan and Paynter.

Absent and Not Voting: Worrell.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 2941) takes effect from its passage.

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

A message from the Senate, by

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

**H. B. 3010**, To extend the special valuation method for cellular towers to towers owned by persons not subject to regulation by the Board of Public Works.

A message from the Senate, by

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

**H. C. R. 13**, TEC 5 U. S. Army Donald “Tiny” Lucas Memorial Bridge.

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. 231** – “A Bill to repeal §16A-4-2 of the Code of West Virginia, 1931, as amended; to repeal §16A-6-4 of said code; to repeal §16A-13-1 of said code; to amend and reenact §16A-2-1 of said code; to amend and reenact §16A-3-1, §16A-3-2, §16A-3-3, and §16A-3-5 of said code; to amend and reenact §16A-4-3 and §16A-4-5 of said code; to amend said code by adding thereto a new section, designated §16A-4-6; to amend and reenact §16A-5-1 of said code; to amend and reenact §16A-6-2, §16A-6-3, §16A-6-6, §16A-6-12, and §16A-6-13 of said code; to amend said code by adding thereto a new section, designated §16A-6-14; to amend and

reenact §16A-7-5 of said code; to amend and reenact §16A-8-2 of said code; to amend and reenact §16A-9-1 of said code; to amend and reenact §16A-12-2, §16A-12-7, and §16A-12-8 of said code; to amend and reenact §16A-13-2, §16A-13-3, §16A-13-4, §16A-13-5, §16A-13-6, and §16A-13-8 of said code; to amend and reenact §16A-14-1, §16A-14-2, and §16A-14-3 of said code; and to amend and reenact §16A-15-2 and §16A-15-4 of said code, all relating to medical cannabis generally; defining terms; increasing medical conditions which constitute a serious medical condition; modifying and expanding allowable forms of medical cannabis; authorizing the Commissioner of the Bureau for Public Health to approve additions to the forms of lawful medical cannabis which may be used and the conditions for which medical cannabis use is authorized pursuant to recommendations of the Medical Cannabis Advisory Board; clarifying the duties of practitioners; declaring practitioners immune from civil and criminal liability if acting in compliance with chapter; requiring employees of medical cannabis organizations and establishing a registration fee; authorizing the commissioner to enter into reciprocity agreements with other jurisdictions for terminally ill cancer patients; authorizing the commissioner to promulgate rules relating to 30-day supplies of medical cannabis; removing the residency requirement for medical cannabis organization owners, operators, shareholders, partners, and members; adding certain convictions which preclude participation as or in a medical cannabis organization; clarifying that the Tax Division of the Department of Revenue is charged with monitoring medical cannabis pricing; modifying and clarifying the distance a medical cannabis dispensary must be from certain educational facilities; modifying and clarifying entities engaged in medical cannabis research subject to nondisclosure provisions; removing requirement that certain federal agencies must preapprove medical cannabis research projects; authorizing accredited colleges and medical schools to be eligible to engage in approved medical cannabis research; increasing the number of clinical registrants; clarifying that the governing body of an academic clinical research center must approve the institution's participation in a medical cannabis research project; clarifying that only those public officials directly involved in the administrations of the medical cannabis program are prohibited from having a monetary interest in a medical cannabis organization; and adding accredited educational institutions engaged in research to the list of persons, entities, and organizations exempt from licensure, discipline for lawful use, possession, or manufacture of medical cannabis"; which was referred to the Committee on Health and Human Resources then the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2021, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 335** – “A Bill to amend and reenact §18C-9-4 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Invests Grant Program; modifying the eligible costs for which the grants may be used; providing that program fees must be approved by Council for Community and Technical College Education; and providing that mandatory drug tests may be given at the beginning of the academic year or initial academic period”; which was referred to the Committee on Education.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect January 1, 2022, and requested the concurrence of the House of Delegates in the passage, of

**S. B. 424** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13KK-1, §11-13KK-2, §11-13KK-3, and §11-13KK-4, all relating to creating a fixed income credit for low-income senior citizens; establishing procedures for claiming credit; and defining terms”; 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. 464** – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22-15-24, relating to composting; clarifying that the composting of all organic materials, including food waste, is permissible; and requiring compost products sold to comply with the West Virginia Fertilizer Law”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**Com. Sub. for S. B. 485** – “A Bill to amend and reenact §61-7-15a of the Code of West Virginia, 1931, as amended, relating to use or presentation of a firearm during the commission of a felony; creating the offense of possessing a firearm on one’s person during the commission of certain qualifying felony offenses; and defining ‘qualifying felony’”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**Com. Sub. for S. B. 542** – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-1-1c; and to amend said code by adding thereto two new sections, designated §24-2-1q and §24-2-21, all relating to the Public Service Commission; making legislative findings; requiring that all public electric utilities maintain a contract for a 30-day aggregate fuel supply for the remainder of the life of existing coal-fired plants; and requiring that public electric utilities provide advance notice of retirement, shutdown, or sale of electricity-generating units”; which was referred to the Committee on Energy and Manufacturing.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2021, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 550** – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-28-1 and §7-28-2; and to amend and reenact §11-10-11c of said code, all relating generally to the authorization and administration of county sales and use taxes; setting forth legislative intent; providing counties with authority to impose a county sales and use tax of one percent under certain circumstances; clarifying that a county sales and use tax does not apply to incorporated areas of the county; requiring counties imposing a county sales tax to use the services of the Tax Commissioner to administer the tax; and setting forth administrative procedures for the collection and administration of such taxes”; 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 July 1, 2021, and requested the concurrence of the House of Delegates in the passage, of



**Com. Sub. for S. B. 613** – “A Bill to amend and reenact §15-2-5 and §15-2-7 of the Code of West Virginia, 1931, as amended, all relating to adding the classification and base salaries of certain civilian employees of the West Virginia State Police Forensic Laboratory as Evidence Custodians I-IV, Forensic Technicians I-III, Forensic Scientists I-VI, and Forensic Scientist Supervisors I-IV; and authorizing the inclusion of certain exempt civilian employees in supplemental pay option”; 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 July 1, 2021, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 622** – “A Bill to amend and reenact §7-7-4 of the Code of West Virginia, 1931, as amended, relating to increasing the compensation of elected county officials”; 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. 635** – “A Bill to amend and reenact §15A-11-5 of the Code of West Virginia, 1931, as amended, relating to requiring the State Fire Commission to propose rules regarding specifically to sprinkler protection and fire protection requirements; requiring sprinkler systems and compliance with fire protection requirements for basements exceeding 2,500 square feet in buildings constructed after certain date; requiring sprinkler systems throughout buildings constructed after certain date housing emergency fire, rescue, or ambulance services; and exempting emergency services buildings that house only equipment and do not have sleeping areas or quarters within them”; 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. 642** – “A Bill to amend and reenact §59-3-2 of the Code of West Virginia, 1931, as amended, relating to publication of legal notices of the state and its agencies; requiring State Auditor to establish public notice database on website centralizing access to all state and state agency postings of legal advertisements required by law; mandating state and its agencies publish all required legal advertisements on database in addition to newspaper publication after certain date; requiring State Auditor propose rules and emergency rules relating to database; and mandating State Auditor annually report to Joint Committee on Government and Finance”; 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 July 1, 2021, and requested the concurrence of the House of Delegates in the passage, of

**S. B. 661** – “A Bill to repeal §11-9-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-3, §11-15-4, §11-15-4a, §11-15-4b, and §11-15-13 of said code; and to amend and reenact §11-15A-5, §11-15A-6, and §11-15A-8 of said code, all relating to permitting retailers to assume or absorb any sales or use tax assessed on tangible personal property”; 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. 663** – “A Bill to amend and reenact §50-3-2 of the Code of West Virginia, 1931, as amended, relating to providing for a fee for the processing of criminal bonds and the bail piece; and requiring all collected fees to be deposited in the Courthouse Facilities Improvement Fund”; which was referred to the Committee on the Judiciary then Finance.

A message from the Senate, by

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

**Com. Sub. for S. B. 677** – “A Bill to amend and reenact §22A-1-2 and §22A-1-12 of the Code of West Virginia, 1931, as amended; to amend and reenact §22A-2-33, §22A-2-40, §22A-2-46, and §22A-2-70 of said code; and to amend and reenact §22A-9-1 of said code, all relating to miners’ safety, health, and training standards; updating language regarding capacitors used for power correction, electrical work performed on low, medium, or high voltage circuits or equipment, and the use of gas-detecting devices; making technical corrections; authorizing the director to terminate tenured mine inspectors; providing for a hearing process related to a mine inspector’s termination; and clarifying the hearing process related to a mine inspector’s suspension”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**Com. Sub. for S. B. 695** – “A Bill to amend and reenact §8-6-4a and §8-6-5 of the Code of West Virginia, 1931, as amended; and to amend and reenact §8-7-2 of said code, all relating to counties and municipalities; and providing procedures for decreasing corporate limits or increasing corporate limits by annexation and annexation by minor boundary adjustments”; 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. 702** – “A Bill to repeal §27-6A-12 of the Code of West Virginia, 1931, as amended; to amend and reenact §27-6A-1, §27-6A-2, §27-6A-3, §27-6A-4, §27-6A-5, §27-6A-6, §27-6A-8, and §27-6A-10 of said code; and to amend said code by adding thereto a new section, designated §27-6A-13, all relating generally to criminal competency and criminal responsibility of persons charged with, or found not guilty of, a crime by reason of mental illness; defining terms; allowing initial forensic evaluation of a defendant at a state mental health facility or state hospital under certain circumstances; adding criteria for evaluation or report by a qualified forensic evaluator; use of outpatient competency restoration services or inpatient management to attain competency; providing for records to be made available to chief medical officer; modifying the time for the completion of proceedings; updating outdated language in the code; creating criteria for competency restoration treatment; establishing maximum time periods for competency restoration treatment of persons charged with crimes involving nonviolent misdemeanors, nonviolent felonies, and violent misdemeanors and violent felonies; providing procedure for a court to review commitment status of persons committed to an inpatient mental health facility or

state hospital prior to effective date of current amendments; providing for evaluation and disposition of a person found not guilty by reason of mental illness; providing for conditional release; providing procedures relating to an acquittee who violates terms of conditional release; repealing section requiring study and reporting; requiring Department of Health and Human Resources to pay for competency restoration in certain circumstances; establishing the Dangerousness Assessment Review Board; specifying membership and duties of board; establishing internal effective dates; and authorizing the West Virginia Department of Health and Human Resources to propose legislative rules and emergency rules”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**Com. Sub. for S. B. 711** – “A Bill to amend and reenact §18-9A-2 of the Code of West Virginia, 1931, as amended, relating to the school aid formula; and changing the minimum enrollment to 1,200 students in each county”; 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. 717** – “A Bill supplementing and amending appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing an existing item of appropriation and increasing an existing item of appropriation to West Virginia Council for Community and Technical College Education, West Virginia Council for Community and Technical College Education - Control Account, fund 0596, fiscal year 2021, organization 0420, by supplementing and amending appropriations for the fiscal year ending June 30, 2021”; 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. 718** – “A Bill to amend and reenact §11-13EE-2, §11-13EE-3, §11-13EE-5, and §11-13EE-16 the Code of West Virginia, 1931, as amended, all relating generally to the Coal Severance Tax Rebate; defining terms; providing for rebate of severance tax when capital investment made in new machinery and equipment directly used in severance of coal, or in coal preparation and processing plants; providing rules and procedures for claiming rebate and transfer to successors; and providing that changes clarifying application of rebate are to be applied retroactive to capital investments placed into service after the original effective date of this article”; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules:

**S. C. R. 30** - “Requesting the Division of Highways name bridge number 11492, marker 19.01, locally known as Twin Bridges on U.S. Rt. 35 near Buffalo, Putnam County, the ‘William Gregory ‘Greg’ White, P.E., Memorial Bridge’.”

Whereas, William Gregory “Greg” White, P.E., was born February 21, 1959, in Charleston, the son of Maralu White Craven and William Clifford White; and

Whereas, William Gregory “Greg” White, P.E., was a 1977 graduate of Parkersburg South High School and continued his education at West Virginia Tech, where he received a bachelor’s degree in civil engineering; and

Whereas, William Gregory “Greg” White, P.E., loved his work as a licensed professional civil engineer and owned his own business, White Brothers Consulting, a partnership he shared with his brother Tim; and

Whereas, Some of the projects William Gregory “Greg” White, P.E., was involved in as a structural engineer for the design and detail of various bridges include, but are not limited to: The Wolfe Valley Girder Bridge in Mason County; the East Fork Beam Span Bridge in Mingo County; the Buzzard Creek Bridge in Putnam County; the Capehart Bridge in Mason County; the Central Station Bridge in Doddridge County; the Monongahela River Bridge and Approaches in Marion County; the I-40 Widening Project in North Little Rock, Arkansas; the Sam Houston Tollway Widening in Houston, Texas; the Witcher Creek Bridge in Kanawha County; the Virginia Hybrid Energy Center in Virginia City, Virginia; two of the West Virginia Turnpike bridges over U.S. Rt. 60 in Kanawha County; the Upper Sleith Fork Bridge in Braxton County; the South Branch Potomac Bridge in Hardy County; and the Gypsy Bridge in Harrison County; and

Whereas, William Gregory “Greg” White, P.E., was an avid supporter of local youth soccer leagues and the Ripley High School marching band; and

Whereas, William Gregory “Greg” White, P.E., was also an ordained deacon at Witcher Baptist Church in Belle, West Virginia, and a member of the West Ripley Baptist Church; and

Whereas, Sadly, William Gregory “Greg” White, P.E., passed away on Sunday, December 16, 2018; and

Whereas, The bridge being named in honor of William Gregory “Greg” White, P.E., was the last one that he designed and stamped with his license before he passed away; and

Whereas, It is fitting that an enduring memorial be established to commemorate William Gregory “Greg” White, P.E., and his contributions to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 11492, marker 19.01, locally known as Twin Bridges on U.S. Rt. 35 near Buffalo, Putnam County, the “William Gregory ‘Greg’ White, P.E., Memorial Bridge;” and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the “William Gregory “Greg” White, P.E, Memorial Bridge;” and, be it

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules:

**S. C. R. 42** - "Requesting the Division of Highways name Bridge Number 35-43-0.01 (35A054), 40.04402, -80.55134, locally known as Middle Creek School Bridge, carrying CR 43 over Middle Wheeling Creek in Ohio County, the 'Firefighter Marvin Layton Hughes Memorial Bridge'."

Whereas, Marvin Layton Hughes was born on October 12, 1924, in Dallas, Marshall County, West Virginia; and

Whereas, Marvin Layton Hughes took a job at the railroad during World War II to do his part getting coal to the steel mills for the war effort. He later worked for years as a security guard at the Division of Highways in Triadelphia, West Virginia; and

Whereas, Mr. Hughes was known in Dallas, West Virginia as the "unofficial mayor" and served as a member of the Dallas Volunteer Fire Department for 44 years prior to his death on July 27, 1998; and

Whereas, Mr. Hughes loved serving his community and walked the roads picking up trash in no official capacity just to better serve his community; and

Whereas, He raised two daughters who followed his example of community service and are part of the Dallas Volunteer Fire Department; and

Whereas, It is fitting that an enduring memorial be established to commemorate Marvin Layton Hughes and his contributions to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 35-43-0.01 (35A054), locally known as Middle Creek School Bridge, carrying CR 43 over Middle Wheeling Creek in Ohio County, the "Firefighter Marvin Layton Hughes Memorial Bridge"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "Firefighter Marvin Layton Hughes Memorial Bridge"; and, be it

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules:

**Com. Sub. for S. C. R. 43** - "Requesting the Division of Highways name the bridge at coordinates 37.501667, -81.336111, carrying WV 10 over Noseman Branch in Wyoming County, the 'U.S. Army PFC Joseph Stanley McKinney Memorial Bridge'."

Whereas, Joseph Stanley McKinney was born July 20, 1947, in Herndon, Wyoming County, West Virginia; and

Whereas, Joseph Stanley McKinney graduated from Herndon High School in 1966; and

Whereas, Joseph Stanley McKinney entered the U.S. Army during the Vietnam War as a member of the 4th Infantry Division, 3rd Battalion, 12th Infantry, C Company; and

Whereas, PFC Joseph Stanley McKinney began his tour on November 8, 1967, with a Light Weapons Infantry specialty; and

Whereas, PFC Joseph Stanley McKinney was killed due to hostile action on January 23, 1968, in the Kontum Province of Vietnam during the Tet Offensive; and

Whereas, It is fitting that an enduring memorial be established to commemorate U.S. Army PFC Joseph Stanley McKinney and his ultimate sacrifice to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name the bridge at coordinates 37.501667, -81.336111, carrying WV 10 over Noseman Branch in Wyoming County, the "U.S. Army PFC Joseph Stanley McKinney Memorial Bridge"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S. Army PFC Joseph Stanley McKinney Memorial Bridge"; and, be it

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules:

**S. C. R. 46** - "Requesting the Division of Highways name bridge number 16-020/01-000.18 (16A044), locally known as Stanley See Bridge, carrying CR 20/1 over Lost River in Hardy County, the 'Stanley W. and Evelyn C. See Memorial Bridge'."

Whereas, Stanley W. See, a native of Hardy County, West Virginia, was born on April 18, 1919, and died on June 24, 1986; and

Whereas, Evelyn C. See, his wife, was born on June 8, 1920, and died February 15, 2014; and

Whereas, In 1953, Mr. Stanley W. See and Mrs. Evelyn C. See, honorably served the Hardy County community in the development of a telephone service known as the Hardy County Phone Company, now known as Hardy Communications; and

Whereas, Mr. Stanley W. See and Mrs. Evelyn C. See were compassionate people, devoted to the development and operation of an Exxon Service Station in the Mathias area, and were

instrumental in the promotion of automobile travel between Baker, West Virginia, and Harrisonburg, Virginia; and

Whereas, Stanley W. See was a highly respected role model in the community, which included being an active member of the Mathias Volunteer Fire Company; and

Whereas, Evelyn C. See was also a well-known and highly respectable member of the community, and her contributions to the community included teaching life skills to young girls; and

Whereas, It is fitting that an enduring memorial be established to commemorate Mr. Stanley W. See and Mrs. Evelyn C. See and their contributions to our state; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 16-020/01-000.18 (16A044), locally known as Stanley See Bridge, carrying CR 20/1 over Lost River in Hardy County, the "Stanley W. and Evelyn C. See Memorial Bridge"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "Stanley W. and Evelyn C. See Memorial Bridge"; and, be it

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules:

**Com. Sub. for S. C. R. 50** - "Requesting the Division of Highways name bridge number 49-033/00-015.38 (EB-WB) (49A122-49A123), locally known as MIDDLE FK CON I BM, carrying APD 33 over Middle Fk Rv. & CR 10/10 in Upshur County, the 'U.S.M.C. SGT MAJ Herman H. Brawner Memorial Bridge'."

Whereas, Herman H. Brawner was enlisted in the United States Marine Corps at the age of 17 during WWII, fighting in the Pacific Theater for the duration of the war; and

Whereas, He went on to have a 30-year military career. SGT MAJ Herman H. Brawner fought in combat in three wars: WWII, Korea, and Vietnam, serving two tours in Vietnam; and

Whereas, During the Korean War, SGT MAJ Herman H. Brawner and his fellow Marines dug in for an extremely bloody battle on the shore of the Chosin Reservoir with Red Chinese soldiers, in temperatures that dropped as low as 35 degrees below zero, using sandbags and frozen bodies for protection because it was too cold to dig foxholes, for which he and his fellow troops were dubbed the "Frozen Chosin"; and

Whereas, One of SGT MAJ Herman H. Brawner's tours in Vietnam included an urban battle in the City of Hue, where he led out-numbered Marines into the besieged city, but still managed to kill nearly three times as many Communist North Vietnamese, and helped raise an American flag on Hue's provincial headquarters. Brawner's notebook showed that the Marine battalion,

which he led, suffered some 250 casualties in battle with many more wounded in what is considered by many the bloodiest battle of the Vietnam War; and

Whereas, During his career, SGT MAJ Herman H. Brawner was wounded multiple times, earning numerous service awards including a Purple Heart with two gold stars, an Asiatic-Pacific Campaign Medal with two stars, an American Campaign Medal, a Combat Action Ribbon with a Bronze Star and "V" for Valor, a Republic of Korea Presidential Unit Citation with two stars, a United Nations Service Medal, two Republic of Vietnam Gallantry Cross Medals, one with a Silver Star and one with a Palm Ribbon, a Vietnam Campaign Medal with 1960 Device, plus a good conduct medal with many other citations and awards; and

Whereas, SGT MAJ Herman H. Brawner also received recognition with a special Navy Commendation Medal including a combat "V" for Valor during WWII; and

Whereas, SGT MAJ Herman H. Brawner retired as the head Noncom Military Police Marine in South East Asia overseeing U.S. Embassy security in five countries and, upon his retirement, finished his work career with Louisiana Pacific Lumber; and

Whereas, SGT MAJ Herman H. Brawner and his wife, Fayma, chose West Virginia following his retirement, where he spent the remainder of his life on his farm in Upshur County, providing counsel and help to all who knew him; and

Whereas, It is fitting that an enduring memorial be established to commemorate U.S.M.C SGT MAJ Herman H. Brawner for his service to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 49-033/00-015.38 (EB-WB) (49A122-49A123), locally known as MIDDLE FK CON I BM, carrying APD 33 over Middle Fk Rv. & CR 10/10 in Upshur County, the "U.S.M.C. SGT MAJ Herman H. Brawner Memorial Bridge"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S.M.C. SGT MAJ Herman H. Brawner Memorial Bridge"; and, be it

*Further Resolved*, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways and to SGT MAJ Herman H. Brawner's widow, Fayma Brawner.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following joint resolution, which was read by its title and referred to the Committee on the Judiciary as follows:

**Com. Sub. for S. J. R. 1** - "Proposing an amendment to the Constitution of the State of West Virginia, amending section 22, article III thereof, relating to the right to keep and bear arms; prohibiting county or municipal governments from enacting ordinances, acts, resolutions, or rules that are contrary to, or more restrictive than, state law governing the sale, transfer, possession, use, storage, taxation, registration, licensing, or carrying of firearms, ammunition, or firearm



accessories; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.”

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following joint resolution, which was read by its title and referred to the Committee on the Judiciary as follows:

**Com. Sub. for S. J. R. 9** - “Proposing an amendment to the Constitution of the State of West Virginia, amending section one-b, article X thereof, relating to authorizing the Legislature by general law to exempt veterans who are awarded 100 percent service-connected disability from paying all or part of the ad valorem real property taxes on the property comprising their residences; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.”

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following joint resolution, which was read by its title and referred to the Committee on the Judiciary as follows:

**Com. Sub. for S. J. R. 10** - “Proposing an amendment to the Constitution of the State of West Virginia, amending section three, article VI thereof, relating generally to limiting the number of terms delegates and senators may serve; limiting delegates to six consecutive terms; limiting senators to three consecutive terms; establishing beginning date of limitation; declaring partial terms count as full terms; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.”

### Resolutions Introduced

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

**H. C. R. 85** – “Requesting the Division of Highways name bridge number 25-001/00-010.40 (25A004), (39.53091, -80.34410) locally known as Mannington Arch, carrying CR 1 over Pyles Fork in Marion County, the ‘WW II Veterans Toothman Brothers Memorial Bridge’.”

Whereas, The Toothman family of Mannington, West Virginia, had five brothers who served in the military during World War II; and

Whereas, Osborne Dale Toothman, age 95, died on October 14, 2016, at his home in Charlottesville, Virginia. Born on March 5, 1921, he was one of nine sons born to Charles and Mae Toothman in Mannington, West Virginia. He served in World War II as a Marine from 1938 to 1946; and

Whereas, Rupert Clyde Toothman served in the U. S. Army. He was seriously injured in Germany and discharged in 1945. He died in Page, Arizona in 1986; and

Whereas, Harold Herman Toothman served in the U. S. Army, discharged in 1945. He died in Mesa, Arizona in 1987; and

Whereas, Lawrence Reid Toothman was a U. S. Army Air Force B-24 pilot. He was shot down over Linz, Austria during his eighth mission, parachuted from the plane and captured by the Germans. He was freed from a POW hospital by Russians. He was discharged in 1946. He died in Orlando, Florida in 1984; and

Whereas, Hubert Earl Toothman Served in the U. S. Army, was wounded in France near the Germany border. He was discharged in 1945 and died in Waycross, Georgia in 1972; and

Whereas, It is fitting that an enduring memorial be established to commemorate the Toothman brothers and their contributions to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number: 25-001/00-010.40 (25A004), (39.53091, -80.34410) locally known as Mannington Arch, carrying CR 1 over Pyles Fork in Marion County, the 'WW II Veterans Toothman Brothers Memorial Bridge'; and, be it

*Further Resolved,* That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the 'WW II Veterans Toothman Brothers Memorial Bridge'; and, be it

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

Delegates D. Jeffries, L. Pack, Pinson, Tully, Reynolds and Howell offered the following resolution, which was read by its title and referred to the Committee on Rules:

**H. C. R. 86** – “Requesting the Joint Committee on Government and Finance study recruitment and retention of health care workers and the causes of shortages of certain health care workers in West Virginia.”

Whereas, Access to competent and adequate health care is an important component of the quality of life in a community; and

Whereas, In the past ten years West Virginia has seen a decrease in employment in health care professions and trades in the majority of the state's counties; and

Whereas, Skilled healthcare workers are increasingly migrating toward the state's population centers and to other states; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Committee on Government and Finance is hereby requested to study recruitment and retention of health care workers and the causes of shortages of certain health care workers in West Virginia; and be it

*Further Resolved,* That this study may include an examination of staff/patient ratios for various categories of health care personnel; a comparison of pay rates for those categories in this state and neighboring states; a comparison of the adequacy of staffing in relation to various types of health care facilities; an investigation of the adequacy of opportunities for training in health care

fields; an examination of workplace environment issues; and an analysis of worker retention, turnover, and recruiting; and, be it

*Further Resolved*, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2022, on its findings, conclusions and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

*Further Resolved*, That the expenses necessary to conduct this study, to prepare a report and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

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

**H. C. R. 87** – “Requesting the Joint Committee on Government and Finance study empowering the West Virginia Courtesy Patrol to submit billing reimbursement for the cost of their services to automobile insurance carriers who provide roadside assistance.”

Whereas, The West Virginia Courtesy Patrol provides 24/7 patrol and assistance to motorists on the West Virginia parkways where they provide assistance to stranded motorists with flat tires, jump starts, low oil, low water, contacting wrecker services, minor engine problems, and maintaining traffic control during motorist assists and accidents; and

Whereas, The Courtesy Patrol receives approximately 120,000 calls for assistance in an average year; and

Whereas, Many auto insurance carriers provide insureds with roadside assistance as an optional coverage where they facilitate assistance to insureds with similar concerns, such as flat tires, jump starts, and contacting wrecker services, at no additional out-of-pocket costs; and

Whereas, West Virginia’s Courtesy Patrol would financially benefit from reimbursement from auto insurance carriers providing coverage for roadside assistance for services rendered within the State of West Virginia where applicable coverage is available; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Joint Committee on Government and Finance undertake a study of the legality and logistics of obtaining pertinent motorist information for subrogation from insurers providing applicable roadside assistance coverage for services rendered by the West Virginia Courtesy Patrol; and, be it

*Further Resolved*, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2022, on its findings, conclusions, and recommendations, together with drafts of any legislation or resolutions necessary to effectuate its recommendations; and, be it

*Further Resolved*, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from the legislative appropriations to the Joint Committee on Government and Finance.

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

**Com. Sub. for S. B. 439**, Allowing use or nonuse of safety belt as admissible evidence in civil actions; on third reading, coming up in regular order, with the amendment pending and right to amend, was reported by the Clerk.

An amended offered by Delegate Steele, was reported by the Clerk, on page 6, section 49a, line 69, by striking out the period and replacing it with a comma and inserting "or if the at fault driver is found to be liable under §55-7-9 of this code."

Whereupon,

Delegate Steele obtained unanimous consent that the amendment be withdrawn.

Delegate Steele then moved to amend the bill on page 6, section 49a, line 69, by striking out the period and replacing it with a comma and inserting "or if the driver is found to have concurrently violated any statute in Chapter 61 of this code."

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

The yeas and nays having been ordered, they were taken (**Roll No. 399**), and there were—yeas 53, nays 46, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: Anderson, Barnhart, Burkhammer, Capito, Clark, Conley, Criss, Espinosa, Ferrell, Forsht, Graves, Hamrick, Hanna, Hardy, Haynes, Higginbotham, Holstein, Horst, Hott, Householder, Howell, D. Jeffries, Keaton, D. Kelly, J. Kelly, Kessinger, Kimble, Linville, Longanacre, Mallow, Martin, Maynard, Miller, J. Pack, L. Pack, Pinson, Queen, Reed, Rohrbach, Rowan, Storch, Summers, B. Ward, Westfall, Zatezalo and Hanshaw (Mr. Speaker).

Absent and Not Voting: Worrell.

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

There being no further amendments, the bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 400**), and there were—yeas 60, nays 40, absent and not voting none, with the nays being as follows:

Nays: Barach, Barrett, Bates, Boggs, Bridges, Brown, Bruce, Dean, Diserio, Doyle, Evans, Fast, Fleischauer, Fluharty, Garcia, Gearheart, Griffith, Hansen, Hornbuckle, Horst, Howell, J. Kelly, Lovejoy, McGeehan, Miller, Nestor, Paynter, Pethel, Phillips, Pushkin, Rowe, Skaff, Sypolt, Thompson, Toney, Walker, G. Ward, Williams, Young and Zukoff.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 439) 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 S. B. 80**, Allowing for administration of certain small estates by affidavit and without appointment of personal representative; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 81**, Relating generally to WV Uniform Trust Code; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 346**, Authorizing DMV use electronic means when providing notice for licensees and vehicle owners; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**S. B. 374**, Increasing threshold for bid requirement to \$10,000 to be consistent with other state agencies; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 375**, Relating to county boards of education policies for open enrollment; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on Education, was reported by the Clerk and adopted, amending the bill on page two, section §18-5-16, following line 34, by inserting a new paragraph (F) to read as follows:

“(F) The county board to which the student wishes to be transferred may not refuse a transfer by virtue of the student transferring from a private, parochial, church or religious school holding an exemption approved pursuant to §18-8-1(k) of this code.”

The bill was then ordered to third reading.

**Com. Sub. for S. B. 389**, Relating to State Resiliency Office responsibility to plan for emergency and disaster response, recovery, and resiliency; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 421**, Authorizing Workforce West Virginia to hire at-will employees; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 429**, Exempting Division of Emergency Management from Purchasing Division requirements for certain contracts; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**S. B. 463**, Consolidating position of Inspector General of former Workers' Compensation Fraud and Abuse Unit and position of Director of Insurance Fraud Unit; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 472**, Updating criteria for regulating certain occupations and professions; on second reading, coming up in regular order, was read a second time.

On motion of Delegates Bates and Steele, the bill was amended on page 9, section 3, line 66, by striking out the period, inserting a comma and “a professional who works in the profession, a board member who regulates the profession, and any other interested party.”

And,

On page 11, section 4, line 4 after the word “regulation”, by inserting “a professional who works in the field, a board member who regulates the profession,”.

Delegate Young moved to amend the bill on page 3, section 1, line 25, by striking out subdivision (2) in its entirety and renumbering the subsequent subdivisions accordingly.

The question being on the adoption of the amendment offered by Delegate Young, the same was put and rejected.

The bill was then ordered to third reading.

**Com. Sub. for S. B. 587**, Making contract consummation with state more efficient; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for H. B. 2022**, Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution; on second reading, coming up in regular order, was read a second time.

At the request of Delegate Summers, and by unanimous consent, the bill was advanced to third reading with amendments pending, and the rule was suspended to permit the consideration of amendments on that 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. 78**, Relating to rehabilitative spousal support,

**S. B. 359**, Informing landowners when fencing that may contain livestock is damaged due to accident,

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

**S. B. 437**, Extending contingent increase of tax rate on certain eligible acute care hospitals,

**Com. Sub. for S. B. 514**, Providing criteria for Natural Resource Commission appointment and compensation,

**Com. Sub. for S. B. 518**, Relating to grounds for administrative dissolution of certain companies, corporations, and partnerships,

And,

**S. B. 644**, Exempting certain persons pursuing degree in speech pathology and audiology from license requirements.

At 12:30 p.m., on motion of Delegate Summers, the House of Delegates recessed until 6:00 p.m.

\* \* \* \* \*

### **Evening Session**

\* \* \* \* \*

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

### **Messages from the Executive**

Delegate Hanshaw (Mr. Speaker) presented a communication from His Excellency, the Governor, as follows:

STATE OF WEST VIRGINIA

Jim Justice

Governor of West Virginia

March 29, 2021

The Honorable Craig Blair  
President of the Senate  
State Capitol, Building 1, Room 229-M  
Charleston, West Virginia 25305

The Honorable Roger Hanshaw  
Speaker of the House of Delegates  
State Capitol, Building 1, Room 228-M  
Charleston, West Virginia 25305

Dear President Blair and Speaker Hanshaw:

After submission of my recommended FY 2022 Executive Budget on February 10, 2021, there are areas that require adjustment.

Therefore, pursuant to Section 51, Article VI of the Constitution of the State of West Virginia, I submit revisions to the FY 2022 Budget Bill for the following sections:

## TITLE I - GENERAL PROVISIONS

**Section 3. Classification of Appropriations.**

In the language describing terms of agency transfer authority beginning on line 65, page 4 that reads "... no funds from other appropriations shall be transferred to the "personal services and employee benefits" or the "unclassified" appropriation... "add the following:

*"... except that during Fiscal Year 2022, and upon approval from the State Budget Office, agencies with the appropriation "Salary and Benefits of Cabinet Secretary and Agency Heads" may transfer between this appropriation and the appropriation " Personal Services and Employee Benefits" an amount to cover annualized salaries and employee benefits for the fiscal year ending June 30, 2022, as provided by W.V. Code §6-7-2a"*

## TITLE II-APPROPRIATIONS

Amend the ORDER OF SECTIONS after "SECTION 8. Awards for claims against the state." as follows:

SECTION 9. Appropriations from state excess lottery revenue surplus accrued.

SECTION 10. Special revenue appropriations.

SECTION 11. State improvement fund appropriations.

SECTION 12. Specific funds and collection accounts.

SECTION 13: Appropriations for refunding erroneous payment.

SECTION 14. Sinking fund deficiencies.

SECTION 15. Appropriations for local governments.

SECTION 16. Total appropriations.

SECTION 17. General school fund.

**Section 1. Appropriations from general revenue.****Executive**

*Governor's Office, Fund 0101, Fiscal Year 2022, Org 0100*

(To adjust funding to reflect anticipated expenditures.)

- Add "Equipment" Appropriation 07000 for \$100.
- Add "Unclassified" Appropriation 09900 for \$63,129.
- Decrease "Current Expenses" Appropriation 13000 by \$63,229.

(To add reappropriation language.)

- Add an "(R)" to indicate reappropriation on the line item "Office of Resiliency".
- Insert into the reappropriation language after Current Expenses (fund 0101, appropriation 13000), "... , and Office of Resiliency (fund 0101, appropriation 18 600),..."



*Governor's Office - Civil Contingent Fund, Fund 0105, Fiscal Year 2022, Org 0100**(To add reappropriation language.)*

- Add an "(R)" to indicate reappropriation on the line item "Public Health Emergency Response Fund".
- Insert into the reappropriation language after 2012 Natural Disasters - Surplus (fund 0105, appropriation 13500), "... Public Health Emergency Response Fund (fund 0105, appropriation 21201),..."

*(To add reappropriation language.)*

- Insert into the reappropriation language after Milton Flood Wall (fund 0105, appropriation 75701), "... Milton Flood Wall - Surplus (fund 0105, appropriation 75799),..."

**Department of Commerce***Department of Commerce - Office of the Secretary, Fund 0606, Fiscal Year 2022, Org 0327**(To realign funding to reflect departmental reorganization.)*

- Increase "Personal Services and Employee Benefits" Appropriation 00100 by \$685,792.
- Increase "Current Expenses" Appropriation 13000 by \$121,300.

**Department of Economic Development***Department of Economic Development - Office of the Secretary, Fund 0256, Fiscal Year 2022, Org 0307**(To realign funding to reflect departmental reorganization.)*

- Decrease "Personal Services and Employee Benefits" Appropriation 00100 by \$685,792.
- Decrease "Current Expenses" Appropriation 13000 by \$121,300.

*(To remove onetime funding and directive language from Current Expenses lines 22 and 24.)*

- Decrease "Current Expenses" Appropriation 13000 by \$1,800,000.
- Remove the language "\$1,800,000 shall be used for the Eastern West Virginia Regional Airport;"
- Remove the language ", and \$100,000 shall be used for Advantage Valley".
- *(To add funding and directive language for the High Technology Foundation.)*
- Increase "Current Expenses" Appropriation 13000 by \$250,000.
- Insert into directive language after " .. \$100,00 shall be used for Techconnect West Virginia," and \$250,000 shall be used for the High Technology Foundation."

**Department of Education***State Board of Education - State Department of Education, Fund 0313, Fiscal Year 2022, Org 0402**(To add reappropriation language.)*

- Add an "(R)" to indicate reappropriation on the line item "Attendance Incentive Bonus".
- Insert into the reappropriation language after Center for Professional Development (fund 0313, appropriation 11500), "... Attendance Incentive Bonus (fund 0313, appropriation 15001),..."

*State Board of Education - State Aid to Schools, Fund 0317, Fiscal Year 2022, Org 0402*  
(To adjust School Aid Formula based on final state aid to schools calculations.)

- Decrease "Other Current Expenses" Appropriation 02200 by \$1,575.
- Decrease "Professional Educators" Appropriation 15100 by \$63,000.
- Decrease "Fixed Charges" Appropriation 15300 by \$5,248.
- Decrease "Transportation" Appropriation 15400 by \$155,514.
- Decrease "Improved Instructional Programs" Appropriation 15600 by \$673,026.
- Decrease "21st Century Strategic Technology Learning Growth" Appropriation 93600 by \$1,346,052.
- Decrease "Teacher and Leader Induction" Appropriation 93601 by \$1,346,052.
- Increase "Less Local Share" line by \$6,730,258 from (\$482,991,001) to (\$476,260,743).
- Decrease "Adjustments" line by \$510,365 from (\$2,744,479) to (\$3,254,844).

### **Department of Arts, Culture, and History**

*Educational Broadcasting Authority, Fund 0300, Fiscal Year 2022, Org 0439*

(To comply with W.V. Code §6-7-2a.)

- Decrease "Personal Services and Employee Benefits" Appropriation 00100 by \$120,106.
- Add "Salary and Benefits of Cabinet Secretary and Agency Heads" Appropriation 00201 for \$120,106.

### **Department of Health and Human Resources**

*Division of Health - Central Office, Fund 0407, Fiscal Year 2022, Org 0506*

(To remove directive language for Current Expenses line 51.)

- Remove the language, "\$50,000 is for Hospital Hospitality House of Huntington;"

*Division of Human Services, Fund 0403, Fiscal Year 2022, Org 0511*

(To realign funding for the Medicaid program.)

- Increase "Medical Services" Appropriation 18900 by \$278,574.

### **Department of Homeland Security**

*Department of Homeland Security- Office of the Secretary, Fund 0430, Fiscal Year 2022, Org 0601*

(To comply with W.V. Code §6-7-2a.)

- Decrease "Personal Services and Employee Benefits" Appropriation 00100 by \$168,000.
- Add "Salary and Benefits of Cabinet Secretary and Agency Heads" Appropriation 00201 for \$168,000.

*Division of Corrections and Rehabilitation - West Virginia Parole Board, Fund 0440, Fiscal Year 2022, Org 0608*

(To add language to allow for transfers between Personal Services and Employee Benefits and Salaries of Members of West Virginia Parole Board.)

- Add the following language after line 9, "The Director of the State Budget Office shall have the authority to approve transfers between Personal Services and Employee Benefits (fund 0440, appropriation 00100) and Salaries of Members of West Virginia Parole Board (fund 0440, appropriation 22700) as provided by W.V. Code §6-7-2a."

*Division of Corrections and Rehabilitation - Central Office, Fund 0446, Fiscal Year 2022, Org 0608*

(To transfer positions to Division of Administrative Services under correct organization.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$200,000.

*Division of Corrections and Rehabilitation - Correctional Units, Fund 0450, Fiscal Year 2022, Org 0608*

(To transfer positions to Division of Administrative Services under correct organization.)

- Decrease “Huttonsville Correctional Center” Appropriation 51400 by \$222,972.
- Decrease “Northern Correctional Center” Appropriation 53400 by \$118,720.
- Decrease “Pruntytown Correctional Center” Appropriation 54300 by \$35,206.
- Decrease “Parole Services” Appropriation 68600 by \$75,000.
- Decrease “Special Services” Appropriation 68700 by \$783,009.
- Decrease “Salem Correctional Center” Appropriation 77400 by \$150,000.
- Decrease “Mt. Olive Correctional Complex” Appropriation 88800 by \$60,206.

(To revise language to allow for transfers.)

- Strike language on lines 41 through 44 on page 57 and replace with the following: “The Commissioner of Corrections and Rehabilitation shall have the authority to transfer between appropriations.”

*Division of Corrections and Rehabilitation - Bureau of Juvenile Services, Fund 0570, Fiscal Year 2022, Org 0608*

(To transfer positions to Division of Administrative Services under correct organization.)

- Decrease “Statewide Reporting Centers” Appropriation 26200 by \$600,000.
- Decrease “Central Office” Appropriation 70100 by \$454,029.
- Decrease “Gene Spadaro Juvenile Center” Appropriation 79300 by \$33,515.
- Decrease “Kenneth Honey Rubenstein Juvenile Center” Appropriation 98000 by \$90,811.

*West Virginia State Police, Fund 0453, Fiscal Year 2022, Org 0612*

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$139,300.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$139,300.

(To adjust the Trooper Retirement Fund appropriation based on the actuarial requirement from the West Virginia Consolidated Public Retirement Board.)

- Decrease “Retirement Systems - Unfunded Liability” Appropriation 77500 by \$1,358,000.

*Division of Justice and Community Services, Fund 0546, Fiscal Year 2022, Org 0623*

(To add reappropriation language.)

- Add an “(R)” to indicate reappropriation on the line item “Justice Reinvestment Initiative”

- Insert into the reappropriation language after “Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200), “... Justice Reinvestment Initiative (fund 0546, appropriation 89501)...”  
(To remove reappropriation language.)
- Remove reappropriation language after Justice Reinvestment Initiative (fund 0546, appropriation 89501), “... Law Enforcement Training - Surplus (fund 0546, appropriation 83899)...”

*Division of Administrative Services, Fund 0619, Fiscal Year 2022, Org 0623*

(To transfer positions to Division of Administrative Services under correct organization.)

- Increase “Personal Services and Employee Benefits” Appropriation 00100 by \$2,523,468.
- Increase “Current Expenses” Appropriation 13000 by \$300,000.

**Department of Revenue**

*Office of the Secretary, Fund 0465, Fiscal Year 2022, Org 0701*

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$168,000.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$168,000.

**Section 2. Appropriations from state road fund.**

**Department of Transportation**

*Division of Motor Vehicles, Fund 9007, Fiscal Year 2022, Org 0802*

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$129,500.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$129,500.

(To add a new DMV Regional Office in the Eastern Panhandle.)

- Increase “Personal Services and Employee Benefits” Appropriation 00100 by \$1,000,000.
  - Increase “Current Expenses” Appropriation 13000 by \$400,000.
- (To add spending authority for new E-Title system.)
- Increase “Other Assets” Appropriation 69000 by \$5,554,000.

*Division of Highways, Fund 9017, Fiscal Year 2022, Org 0803*

(To comply with W.V. Code §6-7-2a.)

- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$200,000.
  - Decrease “General Operations” Appropriation 27700 by \$200,000.
- (Realign state road spending authority.)
- Increase “Debt Service” Appropriation 04000 by \$35,000,000.
  - Decrease “Maintenance” Appropriation 23700 by \$25,567,146.
  - Decrease “Equipment Revolving” Appropriation 27600 by \$2,000,000.
  - Decrease “General Operations” Appropriation 27700 by \$4,500,000.
  - Decrease “Interstate Construction” Appropriation 27800 by \$25,000,000.

- Increase “Other Federal Aid Programs” Appropriation 27900 by \$25,000,000. (To add language to allow for transfers between “Salary and Benefits of Cabinet Secretary and Agency Heads” and “General Operations”.)
- Add the following language after line 27, “The Director of the State Budget Office shall have the authority to approve transfers between Salary and Benefits of Cabinet Secretary and Agency Heads (fund 9017, appropriation 00201) and General Operations (fund 9017, appropriation 27700) as provided by W.V. Code §6-7-2a.”

**Section 3. Appropriations from other funds.**

**Department of Administration**

*Department of Administration - Office of the Secretary - Employee Pension and Health Care Benefit Fund, Fund 2044, Fiscal Year 2022, Org 0201*

(To adjust spending authority to match the appropriation on Teachers’ Retirement Realized Savings.)

- Increase “Current Expenses” Appropriation 13000 by \$1,719,000.

**Department of Commerce**

*Department of Commerce - Office of Secretary - Marketing and Communications Operating Fund, Fund 3002, Fiscal Year 2022, Org 0327*

(To reflect departmental reorganization by moving Marketing and Communications Operating Fund 3002 from the Department of Economic Development, Office of the Secretary and adding to the Department of Commerce, Office of the Secretary.)

*xxx - Department of Commerce -*

*Office of the Secretary -*

*Marketing and Communications Operating Fund*

*(WV Code Chapter 5B)*

*Fund 3002 FY 2022 Org 0327*

1 Personal Services and Employee Benefits.....	00100	\$	2,069,353
2 Unclassified .....	09900		30,000
3 Current Expenses .....	13000		1,315,078
4 Equipment.....	07000		<u>36 000</u>
5 Total.....		\$	3,450,431

**Department of Economic Development**

*Department of Economic Development - Office of Secretary - Marketing and Communications Operating Fund, Fund 3002, Fiscal Year 2022, Org 0307*

(To reflect departmental reorganization by moving Marketing and Communications Operating Fund 3002 from the Department of Economic Development, Office of the Secretary and adding to the Department of Commerce, Office of the Secretary.)

- Delete fund 3002 in its entirety under the Department of Economic Development.

### **Department of Revenue**

*Division of Financial Institutions, Fund 3041, Fiscal Year 2022, Org 0303*

(To comply with W.V. Code §6-7-2a.)

- Decrease "Personal Services and Employee Benefits" Appropriation 00100 by \$119,000.
- Add "Salary and Benefits of Cabinet Secretary and Agency Heads" Appropriation 00201 for \$119,000.

*Insurance Commissioner - Insurance Commission Fund, Fund 7152, Fiscal Year 2022, Org 0704*

(To comply with W.V. Code §6-7-2a.)

- Decrease "Personal Services and Employee Benefits" Appropriation 00100 by \$136,500.
- Add "Salary and Benefits of Cabinet Secretary and Agency Heads" Appropriation 00201 for \$136,500.

### **Bureau of Senior Services**

*Bureau of Senior Services - Community Based Service Fund, Fund 5409, Fiscal Year 2022, Org 0508*

(To comply with W.V. Code §6-7-2a.)

- Decrease "Personal Services and Employee Benefits" Appropriation 00100 by \$11,900.
- Add "Salary and Benefits of Cabinet Secretary and Agency Heads" Appropriation 00201 for \$11,900.

### **Section 4. Appropriations from lottery net profits.**

*Division of Culture and History- Lottery Education Fund, Fund 3534, Fiscal Year 2022, Org 0432*

Beginning on page 150, line 21 to page 157, line 213.

- Remove all language in its entirety.

### **Bureau of Senior Services ..**

*Bureau of Senior Services -Lottery Senior Citizens Fund, Fund 5405, Fiscal Year 2022, Org 0508*

(To comply with W.V. Code §6-7-2a.)

- Decrease "Personal Services and Employee Benefits" Appropriation 00100 by \$65,450.
- Add "Salary and Benefits of Cabinet Secretary and Agency Heads" Appropriation 00201 for \$65,450.

### **Section 6. Appropriations of federal funds.**

#### **Department of Revenue**

*Insurance Commissioner, Fund 8883, Fiscal Year 2022, Org 0704*

(To adjust funding to accommodate the Federal Flood Program.)

- Add "Personal Services and Employee Benefits" Appropriation 00100 for \$145,000.
- Add "Equipment " Appropriation 07000 for \$30,000.
- Decrease "Current Expenses" Appropriation 13000 by \$175,000.

**Bureau of Senior Services**

*Bureau of Senior Services, Fund 8724, Fiscal Year 2022, Org 0508*

(To comply with W.V. Code §6-7-2a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$5,950.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$5,950.

**Section 7. Appropriations from federal block grants.**

*WorkForce West Virginia - WorkForce Investment Act, Fund 8749, Fiscal Year 2022, Org 0323*

(To comply with W.V. Code §6-7- a.)

- Decrease “Personal Services and Employee Benefits” Appropriation 00100 by \$124,018.
- Add “Salary and Benefits of Cabinet Secretary and Agency Heads” Appropriation 00201 for \$124,018.

**Section 9. Appropriations from general revenue fund surplus accrued.**

Delete Section 9 in its entirety.

**Section 10. Appropriations from lottery net profits surplus accrued.**

Delete Section 10 in its entirety.

**Section 11. Appropriations from state excess lottery revenue surplus accrued.**

Amend Section 11 to be Section 9 and rename each subsequent section thereafter.

*Division of Human Services, Fund 5365, Fiscal Year 2022, Org 0511*

(To correct an error and remove line item of appropriation for Medical Services - Lottery Surplus.)

- Delete fund 5365 in its entirety under Appropriations from state excess lottery revenue surplus accrued.

**Section 12. Special revenue appropriations.**

Beginning on page 193, line 11 to page 194, line 8.

- Delete all lines in their entirety.

Thank you for your prompt attention of this matter. Your cooperation is always appreciated. Should you have any questions or require additional information, please call me at any time.

Sincerely,

Jim Justice,  
Governor

At the request of Delegate Summers, and by unanimous consent, the House of Delegates returned to the Third Order of Business for the purpose of receiving committee reports.

### Committee Reports

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

Your Committee on the Judiciary has had under consideration:

**Com. Sub. for S. B. 392**, Creating penalty for impersonating law-enforcement officer or official,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

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. 562**, Relating to juvenile competency proceedings,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

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. 401**, Relating to WV Consumer Credit and Protection Act,

**Com. Sub. for S. B. 434**, Requiring training for law-enforcement officers responsible for investigating crimes of sexual assault,

**S. B. 496**, Relating to punishment for second or third degree felony,

**Com. Sub. for S. B. 634**, Requiring training of certain officers for persons with autism spectrum disorder,

And,

**S. B. 713**, Relating generally to inmate good time,

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

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 1<sup>st</sup> day of April, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:



**Com. Sub. for H. B. 2382**, Authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards,

**Com. Sub. for H. B. 2896**, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services,

**H. B. 2901**, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services,

**H. B. 2903**, Making a supplementary appropriation to the Department of Homeland Security, West Virginia State Police,

And,

**H. B. 2940**, Making a supplementary appropriation to the Department of Education, State Board of Education – State Department of Education.

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 1<sup>st</sup> day of April, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

**Com. Sub. for H. B. 2290**, Initiating a State Employment First Policy to facilitate integrated employment of disabled persons,

**H. B. 2897**, Expiring funds to the balance of the Department of Commerce,

**H. B. 2899**, Making a supplementary appropriation to the Department of Commerce,

And,

**H. B. 2920**, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Health – Laboratory Services Fund.

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 1<sup>st</sup> day of April, 2021, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

**Com. Sub. for H. B. 2014**, Relating to role of the Legislature in appropriating federal funds.

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 1<sup>st</sup> day of April, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

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

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

And,

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

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 1<sup>st</sup> day of April, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

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

And,

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

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:

**Com. Sub. for S. B. 479**, Relating to WV veterans service decoration and WV Service Cross,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

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:

**Com. Sub. for S. B. 343**, Authorizing DMV to process online driver's license or identification card change of address,

**S. B. 376**, Removing obsolete provisions regarding DOH standards for studded tires and chains,

**Com. Sub. for S. B. 466**, Relating generally to appraisal management companies,

And,

**S. B. 577**, Exempting certain fire departments from licensure requirements for providing rapid response services,

And reports the same back with the recommendation that they each 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:

**Com. Sub. for S. B. 626**, Updating regulation for purchase of automobile catalytic converters,

And reports the same back, with a title amendment, with the recommendation that it do pass, as amended, and with the recommendation that second reference to the Committee on the Judiciary be dispensed with.

In the absence of objection, reference of the bill (Com. Sub. for S. B. 626) to the Committee on the Judiciary was abrogated.

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:

**Com. Sub. for S. B. 368**, Authorizing DEP to develop Reclamation of Abandoned and Dilapidated Properties Program,

And reports the same back, with a title amendment, with the recommendation that it do pass, as amended, and with the recommendation that second reference to the Committee on Finance be dispensed with.

In accordance with the former direction of the Speaker the bill (Com. Sub. for S. B. 368) was referred to the Committee on Finance.

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:

**Com. Sub. for S. B. 318**, Relating generally to public notice of unclaimed property held by State Treasurer,

And reports the same back, with a title amendment, with the recommendation that it do pass, as amended, and with the recommendation that the second reference to the Committee on Finance be dispensed with.

In the absence of objection, reference of the bill (Com. Sub. for S. B. 318) to the Committee on Finance was abrogated.

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

Your Committee on Education has had under consideration:

**H. C. R. 24**, Urging Congress to extend federal tax incentives to participants in Jumpstart Savings programs that are similar to those that are currently provided to participants in College Savings plans, pursuant to 26 U.S.C. §529,

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

In accordance with the former direction of the Speaker, the resolution (H. C. R. 24) was referred to the Committee on Rules.

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

Your Committee on Education has had under consideration:

**S. B. 307**, Relating generally to in-state tuition rates for certain persons,

**Com. Sub. for S. B. 585**, Requiring BOE create and provide course in family and consumer sciences in secondary schools,

And,

**S. B. 680**, Allowing State Superintendent of Schools define classroom teachers certified in special education,

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

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

Your Committee on Education has had under consideration:

**Com. Sub. for S. B. 636**, Requiring certain history and civics courses be taught in schools,

**S. B. 651**, Allowing county boards of education to publish financial statements on website,

And,

**S. B. 710**, Requiring impact statement in certain instances of school closing or consolidation,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

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

**By Delegates Espinosa, Hornbuckle, Rowan, Maynard, Boggs, Toney, Statler, Ellington, Rohrbach, J. Pack and Hardy:**

**H. B. 3316** - "A Bill making a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2021, to the Department of Education, State Board of Education – State Department of Education,

Fund 8712, fiscal year 2021, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.”

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

Your Committee on Finance has had under consideration:

**S. B. 397**, Relating to health care provider tax,

And reports the same back, with a title amendment, with the recommendation that it do pass, as amended.

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. 2895**, Supplementing and amending the appropriations of public moneys to the Department of Veterans' Assistance,

**H. B. 2900**, Expiring funds to the balance of the Department of Education – State Board of Education – School Building Authority – School Construction Fund,

**H. B. 3313**, Making supplemental appropriation to the Division of Motor Vehicles,

**H. B. 3314**, Making supplemental appropriation to West Virginia State Police,

And,

**H. B. 3315**, Making supplemental appropriation to Division of Environmental Protection - Oil and Gas Reclamation Fund,

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

### **Messages from the Senate**

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to recede from its amendment and requested the House of Delegates to agree to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses as to

**Com. Sub. for H. B. 2003**, Relating to the authority and obligations of the Governor and Legislature when in declared states of preparedness and emergency.

On motion of Delegate Summers, the House of Delegates agreed 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 Summers, J. Pack and Brown.

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

A message from the Senate, by

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

**H. C. R. 15**, Rare Disease Day.

A message from the Senate, by

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

**Com. Sub. for S. B. 275**, Relating generally to WV Appellate Reorganization Act of 2021.

### **Miscellaneous Business**

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

**H. C. R. 53**: Delegate Riley

At 7:02 p.m., the House of Delegates adjourned until 9:00 a.m., Friday, April 2, 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**

**Friday, April 2, 2021**

**52<sup>nd</sup> Day**

**9:00 A. M.**

**THIRD READING**

- Com. Sub. for S. B. 80 - Allowing for administration of certain small estates by affidavit and without appointment of personal representative (CAPITO) (REGULAR)
- Com. Sub. for S. B. 81 - Relating generally to WV Uniform Trust Code (CAPITO) (REGULAR)
- Com. Sub. for S. B. 346 - Authorizing DMV use electronic means when providing notice for licensees and vehicle owners (LINVILLE) (REGULAR)
- S. B. 374 - Increasing threshold for bid requirement to \$10,000 to be consistent with other state agencies (STEELE) (REGULAR)
- Com. Sub. for S. B. 375 - Relating to county boards of education policies for open enrollment (ELLINGTON) (REGULAR)
- Com. Sub. for S. B. 389 - Relating to State Resiliency Office responsibility to plan for emergency and disaster response, recovery, and resiliency (STEELE) (REGULAR)
- Com. Sub. for S. B. 421 - Authorizing Workforce West Virginia to hire at-will employees (STEELE) (REGULAR)

- Com. Sub. for S. B. 429 - Exempting Division of Emergency Management from Purchasing Division requirements for certain contracts (STEELE) (REGULAR)
- S. B. 463 - Consolidating position of Inspector General of former Workers' Compensation Fraud and Abuse Unit and position of Director of Insurance Fraud Unit (STEELE) (REGULAR)
- Com. Sub. for S. B. 472 - Updating criteria for regulating certain occupations and professions (STEELE) (REGULAR)
- Com. Sub. for S. B. 587 - Making contract consummation with state more efficient (STEELE) (REGULAR)
- Com. Sub. for H. B. 2022 - Budget Bill, making appropriations of public money out of the treasury in accordance with section fifty-one, article six of the Constitution (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [AMENDMENTS PENDING]

## **SECOND READING**

- S. B. 78 - Relating to rehabilitative spousal support (CAPITO) (REGULAR)
- S. B. 359 - Informing landowners when fencing that may contain livestock is damaged due to accident (CAPITO) (REGULAR)
- Com. Sub. for S. B. 377 - Relating to extension for boil water advisories by water utility or public service district (CAPITO) (REGULAR)
- S. B. 437 - Extending contingent increase of tax rate on certain eligible acute care hospitals (J. PACK) (EFFECTIVE FROM PASSAGE)



Com. Sub. for S. B. 514 - Providing criteria for Natural Resource Commission appointment and compensation (CAPITO) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 518 - Relating to grounds for administrative dissolution of certain companies, corporations, and partnerships (CAPITO) (REGULAR)

S. B. 644 - Exempting certain persons pursuing degree in speech pathology and audiology from license requirements (J. PACK) (REGULAR) [HEALTH AND HUMAN RESOURCES COMMITTEE AMENDMENT PENDING]

#### **FIRST READING**

S. J. R. 4 - Incorporation of Churches or Religious Denominations Amendment (CAPITO) [JUDICIARY COMMITTEE AMENDMENT PENDING]

Com. Sub. for S. B. 263 - Permitting online raffles to benefit charitable and public service organizations (CAPITO) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 294 - Relating generally to savings and investment programs offered by state (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]

Com. Sub. for S. B. 297 - Relating generally to modernizing Board of Treasury Investments (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE TITLE AMENDMENT PENDING]

S. B. 307 - Relating generally to in-state tuition rates for certain persons (ELLINGTON) (REGULAR)

- Com. Sub. for S. B. 318 - Relating generally to public notice of unclaimed property held by State Treasurer (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE TITLE AMENDMENT PENDING]
- Com. Sub. for S. B. 343 - Authorizing DMV to process online driver's license or identification card change of address (STEELE) (REGULAR)
- Com. Sub. for S. B. 361 - Extending supervision for conviction of soliciting minor and using obscene matter with intent to seduce minor (CAPITO) (REGULAR)
- S. B. 376 - Removing obsolete provisions regarding DOH standards for studded tires and chains (STEELE) (REGULAR)
- Com. Sub. for S. B. 392 - Creating penalty for impersonating law-enforcement officer or official (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- S. B. 397 - Relating to health care provider tax (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE) [FINANCE COMMITTEE TITLE AMENDMENT PENDING]
- Com. Sub. for S. B. 401 - Relating to WV Consumer Credit and Protection Act (CAPITO) (REGULAR)
- Com. Sub. for S. B. 434 - Requiring training for law-enforcement officers responsible for investigating crimes of sexual assault (CAPITO) (REGULAR)
- Com. Sub. for S. B. 460 - Relating to Deputy Sheriff Retirement System Act (HOUSEHOLDER) (REGULAR) [FINANCE COMMITTEE AMENDMENT PENDING]

- Com. Sub. for S. B. 466 - Relating generally to appraisal management companies (STEELE) (REGULAR)
- Com. Sub. for S. B. 479 - Relating to WV veterans service decoration and WV Service Cross (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 483 - Allowing oaths be taken before any person authorized to administer oaths (CAPITO) (REGULAR)
- S. B. 494 - Authorizing transfer of moneys from Insurance Commission Fund to Workers' Compensation Old Fund (HOUSEHOLDER) (REGULAR)
- S. B. 496 - Relating to punishment for second or third degree felony (CAPITO) (REGULAR)
- Com. Sub. for S. B. 562 - Relating to juvenile competency proceedings (CAPITO) (REGULAR) [JUDICIARY COMMITTEE AMENDMENT PENDING]
- S. B. 577 - Exempting certain fire departments from licensure requirements for providing rapid response services (STEELE) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for S. B. 585 - Requiring BOE create and provide course in family and consumer sciences in secondary schools (ELLINGTON) (REGULAR)
- Com. Sub. for S. B. 626 - Updating regulation for purchase of automobile catalytic converters (STEELE) (REGULAR) [GOVERNMENT ORGANIZATION COMMITTEE TITLE AMENDMENT PENDING]

- Com. Sub. for S. B. 634 - Requiring training of certain officers for persons with autism spectrum disorder (CAPITO) (REGULAR)
- Com. Sub. for S. B. 636 - Requiring certain history and civics courses be taught in schools (ELLINGTON) (REGULAR) [EDUCATION COMMITTEE AMENDMENT PENDING]
- S. B. 651 - Allowing county boards of education to publish financial statements on website (ELLINGTON) (REGULAR) [EDUCATION COMMITTEE AMENDMENT PENDING]
- Com. Sub. for S. B. 673 - Relating to venue for bringing civil action or arbitration proceedings under construction contracts (CAPITO) (JULY 1, 2021)
- S. B. 680 - Allowing State Superintendent of Schools define classroom teachers certified in special education (ELLINGTON) (REGULAR)
- S. B. 693 - Updating certain definitions and terms used in WV Personal Income Tax Act (HOUSEHOLDER) (REGULAR)
- S. B. 710 - Requiring impact statement in certain instances of school closing or consolidation (ELLINGTON) (REGULAR) [EDUCATION COMMITTEE AMENDMENT PENDING]
- S. B. 713 - Relating generally to inmate good time (CAPITO) (REGULAR)
- H. B. 2895 - Supplementing and amending the appropriations of public moneys to the Department of Veterans' Assistance (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

- H. B. 2900 - Expiring funds to the balance of the Department of Education – State Board of Education – School Building Authority – School Construction Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 3313 - Making supplemental appropriation to the Division of Motor Vehicles (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 3314 - Making supplemental appropriation to West Virginia State Police (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 3315 - Making supplemental appropriation to Division of Environmental Protection - Oil and Gas Reclamation Fund (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 3316 - Supplemental appropriation to the Department of Education, State Board of Education (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

## HOUSE CALENDAR

Friday, April 2, 2021

52<sup>nd</sup> Day

9:00 A. M.

### THIRD READING

- Com. Sub. for H. B. 2224 - Relating to complaints against public agencies to obtain records through the Freedom of Information Act (CAPITO) (REGULAR) [RIGHT TO AMEND]
- H. B. 2741 - Relating to expansion of the alcohol test and lock program to offenders with a drug related offense (CAPITO) (REGULAR)
- H. B. 3306 - Relating to virtual instruction (ELLINGTON) (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)
- Com. Sub. for H. B. 2177 - Permitting the issuance of a state issued identification card without a photo on the card under certain conditions (STEELE) (REGULAR)
- 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)
- 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) (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)
- H. B. 3305 - Relating to required course of study (ELLINGTON) (REGULAR)
- H. B. 3309 - Creating and funding a Video Lottery Terminals Modernization Fund (HOUSEHOLDER) (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)
- H. B. 2719 - Relating to the Division of Motor Vehicles use of electronic means and other alternate means to provide notice (STEELE) (REGULAR)
- H. B. 3059 - Making contract consummation with state more efficient (STEELE) (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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**FRIDAY, APRIL 2, 2021**

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**HOUSE CONVENES AT 9:00 A.M.**

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**PUBLIC HEARING  
COMMITTEE ON THE JUDICIARY  
8:00 A.M. – VIRTUAL**

**COM. SUB. FOR S. B. 569, RELATING TO DAMAGES FOR MEDICAL MONITORING.**

**COMMITTEE ON RULES  
8:45 A.M. – ROOM 434 M**

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**MONDAY, APRIL 5, 2021**

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**PUBLIC HEARING  
COMMITTEE ON THE JUDICIARY  
8:00 A.M. – VIRTUAL**

**COM. SUB. FOR S. B. 565, RELATING GENERALLY TO ELECTIONS.**

**PUBLIC HEARING  
COMMITTEE ON THE JUDICIARY  
9:00 A.M. – VIRTUAL**

**H. C. R. 5, TO PROVIDE AN ARTICLE 5 CONVENTION IN ORDER TO PROPOSE AN AMENDMENT TO THE US CONSTITUTION WHERE 3/5 OF THE STATES COULD OVERTURN A FEDERAL LAW.**

**H. C. R. 29, APPLYING TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION OF STATES.**

**COM. SUB. FOR S. B. 332, PROVIDING PROCEDURE FOR WV TO SELECT DELEGATES TO ARTICLE V CONVENTION.**





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