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JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Fifth Legislature  
Second Regular Session

Held at Charleston  
Published by the Clerk of the House



January 17, 2022

SIXTH DAY



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Monday, January 17, 2022

**SIXTH DAY**

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

The House of Delegates met at 1:00 p.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 Friday, January 14, 2022, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Committee Reports**

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

Your Committee on Education has had under consideration:

**H. B. 4058**, Require all schools to update restrooms for privacy,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4058** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-9c, relating to installation of individual stalls in the bathrooms of public schools,"

With the recommendation that the committee substitute do pass.

Pursuant to House Rule 80, the Speaker referred the bill (Com. Sub. for H. B. 4058) to the Committee on Finance.

**Messages from the Senate**

A message from the Senate, by

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

**S. B. 9** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9-11-1 and §9-11-2, all relating to providing continued eligibility for developmental disability services to dependents of military service members; defining terms; establishing dependents retention of rights for developmental disability services provided conditions are met; providing dependents be placed on waiting list for services; establishing a process to reestablish services for dependent upon return to state; prohibiting payment for services rendered outside state; and providing for rulemaking"; which was referred to the Committee on Veterans' Affairs and Homeland Security then Health and Human Resources.

A message from the Senate, by

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

**S. B. 10** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-33c, relating to West Virginia University Rifle Team electronic application donation program; including solicitation for voluntary donation to West Virginia University Rifle Team on electronic application for hunting or fishing license; providing opportunity to designate donation in any amount; creating special account; establishing funding sources; specifying terms for expenditures; authorizing disbursements and administrative fee; and requiring annual reports"; which was referred to the Committee on Agriculture and Natural Resources then Finance.

A message from the Senate, by

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

**S. B. 22** - "A Bill to amend and reenact §11-3-9 of the Code of West Virginia, 1931, as amended, relating to exempt property from taxation used exclusively for divine worship and the operation of a pre-K school, primary school, middle school, secondary school, daycare center, or church camp for children, which school, daycare center, or church camp is operated by the church which owns the property or is operated by another not-for-profit organization or entity; and providing that motor vehicles subject to a lease for at least one year by the United States, the state, any county, municipality, political subdivision, college or university of this state and used for public purposes is deemed public property and exempt from ad valorem taxation"; which was referred to the Committee on Education then Finance.

A message from the Senate, by

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

**S. B. 40** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-8b; to amend said code by adding thereto a new section, designated §33-15-4x; to amend said code by adding thereto a new section, designated §33-16-3ii; to amend said code by adding thereto a new section, designated §33-24-7x; to amend said code by adding thereto a new section, designated §33-25-8u; and to amend said code by adding thereto a new section, designated §33-25A-8x, all relating to prohibiting insurance coverage from requiring prior authorization for physician-prescribed tests to stage cancer"; which was referred to the Committee on Health and Human Resources then Finance.

A message from the Senate, by

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

**S. B. 77** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-3-15a, relating to disabled veterans and veterans who received the Purple Heart may park free at metered parking spaces in any municipality in the state"; which was referred to the Committee on Veterans' Affairs and Homeland Security then Government Organization.

A message from the Senate, by

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

**S. B. 91** - "A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to providing a special license plate to support adoption; and establishing fees"; which was referred to the Committee on Technology and Infrastructure then Government Organization.

A message from the Senate, by

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

**S. B. 98** - "A Bill to amend and reenact §20-2-42i of the Code of West Virginia, 1931, as amended, relating to the Class LL nonresident fishing license; and providing it be valid for three consecutive days"; which was referred to the Committee on Agriculture and Natural Resources then Government Organization.

A message from the Senate, by

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

**S. B. 99** - "A Bill to amend and reenact §20-2-42 of the Code of West Virginia, 1931, as amended, relating to indexing of license and stamp fees; and continuing the authority to index license and stamp fees"; which was referred to the Committee on Agriculture and Natural Resources then Government Organization.

A message from the Senate, by

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

**S. B. 121** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-6-22b, relating to barring a person who has been charged with willfully and intentionally causing the death of another by a criminal complaint, indictment, or a child abuse petition from participating in or planning the funeral or burial of the deceased"; 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

**S. B. 129** - "A Bill to amend and reenact §24-3-2 of the Code of West Virginia, 1931, as amended, relating to preventing public water and sewer utilities from prohibiting a customer from constructing, installing, or maintaining a connection or other infrastructure necessary for the customer to connect to the public utility to receive service if certain requirements are met; and specifying requirements and involvement of the Public Service Commission"; which was referred to the Committee on Technology and Infrastructure then Government Organization.

A message from the Senate, by

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

**S. B. 135** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-18-30, relating to the acquisition and disposition of certain real property by an urban development authority; establishing methods of acquisition; requiring on-going maintenance of acquired properties; providing limits on acquisitions; providing for right of first refusal of tax-delinquent properties; and setting a sunset date"; 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

**S. B. 136** - "A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to updating language regarding special license plates for Fairmont State University"; which was referred to the Committee on Technology and Infrastructure then Government Organization.

A message from the Senate, by

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

**S. B. 141** - "A Bill to amend and reenact §29-22A-10b of the Code of West Virginia, 1931, as amended, relating to modifying the requirement that a racetrack must have participated in the West Virginia Thoroughbred Development Fund since January 1, 1999, or before in order for counties to receive two percent of the net terminal income where the video lottery terminals are located"; 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

**S. B. 170** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-5-23, relating to the development of an incentive plan for West Virginia veterans which includes reductions and discounts in fees and charges at state parks"; which was referred to the Committee on Agriculture and Natural Resources then Finance.

A message from the Senate, by

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

**S. B. 172** - "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 Finance.

A message from the Senate, by

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

**S. B. 191** - "A Bill to amend and reenact §3-1-30 and §3-1-44 of the Code of West Virginia, 1931, as amended, all relating to authorizing poll clerks to work and be compensated for both full and half days worked during an election"; 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

**S. B. 228** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18B-10-7d, relating to providing tuition and fee waivers for terms of service completed in West Virginia as AmeriCorps volunteer; specifying programs, conditions, required minimum hours of service, and limitation of semesters applicable; defining nominal value; providing that tuition and fee waivers are in addition to others permitted; authorizing governing boards to establish limits; and authorizing legislative rulemaking for certain purposes"; which was referred to the Committee on Education then Finance.

### **Resolutions Introduced**

Delegates Westfall, Pinson, Wamsley and Booth offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 15** - "Requesting the Division of Highways name bridge number 18-331/00-003.99 (18A126), locally known as Cottageville Arch (SCDA), carrying WV 331 over Mill Creek in Jackson county the 'Thomas Brothers Memorial Bridge'."

Whereas, Mr. and Mrs. A.H. Thomas lived in Mt. Alto, West Virginia. The Thomas's had 3 sons: Marion, born on May 24, 1927, James, born on September 27, 1931, and Alvin, born on November 19, 1933.

Whereas, Following the start of the Korean War, each of the three brothers enlisted in the United States armed forces. By 1950, all three brothers were enlisted at ages 23, 19, and 17, respectively. Marion Thomas, who had served 31 months in the Navy during World War II, began serving in the Army at Fort Sill, Oklahoma. Marion was subsequently deployed to Korea and served on the front lines. James served with the Army Air Force and was stationed at Kelly Field in Texas prior to being deployed to Korea. The youngest brother, Alvin, was stationed at Fort Knox, Kentucky; and

Whereas, The three brothers were believed to be the first family in the county in the Korean War to have three brothers in uniform; and

Whereas, The Thomas brothers returned from service after the war; and

Whereas, Marion Thomas died on January 22, 1985, James Thomas died on November 24, 2012, and Alvin died on November 18, 2017; and

Whereas, It is fitting that an enduring memorial be established to commemorate the Thomas 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 18-331/00-003.99 (18A126), locally known as Cottageville Arch (SCDA), carrying WV 331 over Mill Creek in Jackson county the "Thomas 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 “Thomas 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 G. Ward, Kimble, Mallow and Garcia offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 16** - “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.



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

**H. C. R. 17** - "Requesting the Division of Highways name bridge number 18-021/22-000.49 (18A245), locally known as Sycamore Creek Bridge #1, carrying County Route 21/22 over Sycamore Creek in Jackson County, the 'U.S. Army CWO3 Daniel Okey Cunningham Memorial Bridge'."

Whereas, Daniel Okey Cunningham was born on September 22, 1941, to Okey and Mildred Cunningham at their homestead near Ripley, West Virginia; and

Whereas, Daniel Okey Cunningham, known to most people as "Danny," enlisted in the United States Army immediately after high school and was deployed to Korea; and

Whereas, Following his service in Korea, he joined the U.S. Army Reserves and eventually attained the rank of Chief Warrant Officer Three; and

Whereas, Danny Cunningham continued to be active in veterans' affairs long after he concluded his service in the Reserves, becoming a life member of Veterans of Foreign Wars Post 3488, and a member of American Legion Post 107 and the Military Officers Association of America; and

Whereas, On October 4, 1963, following his return from his overseas deployment, Danny Cunningham married Dorothy Easter, whom he had known since he was nine years old. The two of them saved until they were able to purchase property along Sycamore Road where they built their own home by themselves. Through their industry and enterprise, they were able to pay off their mortgage on the property within one and a half years. Danny and Dorothy raised four children and were married for 51 years until his passing; and

Whereas, Danny Cunningham was employed with the Kaiser Aluminum Company at their plant in Ravenswood and worked there diligently until his retirement; and

Whereas, He continued to stay active after his retirement, caring for the cattle, chickens, doves, and sheep at his farm, tending to his bees, and growing vegetables. He also was a skilled woodworker who created many beautiful masterpieces in wood during his lifetime; and

Whereas, Soon after his retirement, Daniel Okey Cunningham developed Chronic Obstructive Pulmonary Disorder as a result of exposure to asbestos while he was employed, yet he continued to stay active and to push himself in activities at his home and in his community. Eventually, he succumbed to the ravages of the disease after saying, "I love my family. I love my family so much" before his passing; and

Whereas, Daniel Okey Cunningham was known as a man who was devoted to his country and who greatly enjoyed sharing his time and knowledge with the people of his community; and

Whereas, It is fitting that an enduring memorial be established to commemorate Chief Warrant Officer Daniel Okey Cunningham 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 18-021/22-000.49 (18A245), locally known as Sycamore Creek Bridge #1, carrying County Route 21/22 over Sycamore Creek in Jackson County, the "U.S. Army CWO3 Daniel Okey Cunningham 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 CWO3 Daniel Okey Cunningham 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.

### **Bills Introduced**

Bills were introduced, pursuant to House Rule 92, and severally referred as follows:

**By Delegates Toney, Rowan, Paynter, Dean, Ferrell and Cooper:**

**H. B. 4094** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10-37; and to amend said code by adding thereto a new section, designated §18-7A-26x, all relating to providing a cost-of-living provision for certain persons retired under the Public Employees Retirement System and the Teachers Retirement System"; to the Committee on Pensions and Retirement then Finance.

**By Delegates Holstein, Burkhammer, Keaton and Sypolt:**

**H. B. 4095** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-44, relating to providing legislative findings; requiring a moment of silence at the beginning of each school day; forbidding teachers from making suggestions as to the nature of the reflection that students may engage in during the moment of silence; and encouraging parents to discuss with their children what they should consider during the moment of silence"; to the Committee on Education then the Judiciary.

**By Delegates Holstein, Keaton and Sypolt:**

**H. B. 4096** - "A Bill to amend and reenact §17-16A-13 of the Code of West Virginia, 1931, as amended, relating to exempting school buses currently in operation from having to pay tolls otherwise charged to vehicles on West Virginia roadways"; to the Committee on Technology and Infrastructure then Finance.

**By Delegates Holstein, Steele, Summers, Maynard, Barnhart, Wamsley and Keaton:**

**H. B. 4097** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-1A-9, relating to prohibiting nonpublic funding sources for election administration and related expenses without prior written approval by the State Election Commission"; to the Committee on the Judiciary.

**By Delegates Anderson, J. Kelly, Steele, Boggs, Pethtel, Burkhammer, Riley, Statler, Westfall, Wamsley and Reynolds:**

**H. B. 4098** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §22-33-1, §22-33-2, §22-33-3, §22-33-4, §22-33-5, §22-33-6, §22-33-7, §22-33-8, and §22-33-9, all relating to geothermal energy development; defining terms; applying this article to geothermal resources at temperatures above the minimum temperature and the minimum volumetric rate as set forth by the department pursuant to §22-33-5 of this code; defining ownership rights; stating findings and separateness of the resource; delegating and

defining powers of the department; providing for cancellation or rejection of permits; providing for civil penalties and injunctions; and delegating judicial review”; to the Committee on Energy and Manufacturing then the Judiciary.

**By Delegates Hansen and Doyle:**

**H. B. 4099** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §1-2-2a, relating to increasing transparency in the apportionment process for congressional and legislative districts; defining procedures to enhance public access to and participation in the development of such districts; and establishing a period for public comment on district maps to be voted on by the Legislature prior to their adoption”; to the Committee on Political Subdivisions then Government Organization then the Judiciary.

**By Delegates Holstein, Keaton and Sypolt:**

**H. B. 4100** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-3-60, relating to establish the crime of damaging property by graffiti; creating misdemeanor and felony criminal penalties for those who place graffiti on or otherwise defaces the public or private property, real or personal; defining terms; imposing liability on parent or legal guardian of a person under eighteen for violations; requiring driver’s license restrictions upon conviction; authorizing a court to require restitution; and authorizing property owners to recover damages up to three times the amount of any loss in value to the property or up to three times the cost of restoring the property plus attorney’s fees and costs, or both costs and fees”; to the Committee on the Judiciary.

**By Delegates Statler, Bridges, Jennings, Kimes, Lovejoy, Paynter, Pethtel, Toney and B. Ward:**

**H. B. 4101** - “A Bill to amend and reenact §8-15-8b of the Code of West Virginia, 1931, as amended, relating to authorized expenditures of revenues from certain state funds for fire departments; clarifying and expanding categories of allowable expenditures; permitting state grant funds to be deposited into a state account and be transferred from the account for unrestricted use; and setting forth a 60-day time frame for fire departments receiving grant funds to transfer unrestricted funds from a restricted account”; to the Committee on Pensions and Retirement then Finance.

**By Delegates Toney, Rowan, Paynter, Dean, Ferrell and Cooper:**

**H. B. 4102** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-10b, relating to providing an optional lump sum payment of accrued personal leave to full-time employees of a county school board upon termination of full-time employment”; to the Committee on Education then Finance.

**By Delegates Toney, Rowan, Paynter, Booth, Dean, Ferrell, B. Ward and Cooper:**

**H. B. 4103** - “A Bill to amend and reenact §18-7A-28 of the Code of West Virginia, 1931, as amended, relating to the State Teachers Retirement System; options to beneficiaries; and authorizing a change of options because of death of beneficiary with a joint life annuity, within the first five years of retirement”; to the Committee on Pensions and Retirement then Finance.

**By Delegates Toney, Rowan, Paynter, Dean, Ferrell and Cooper:**

**H. B. 4104** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10-55, relating to a one-time cost-of-living supplement to retirement benefits under \$60,000 a year”; to the Committee on Pensions and Retirement then Finance.

**By Delegates Toney, Rowan, Paynter, Booth, Dean, Ferrell, Cooper and Ellington:**

**H. B. 4105** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-23, relating to candidates for professional employee positions involving supervision of a county transportation department; making any service employee who is certified as a Director or Supervisor of Pupil Transportation by the National Association for Pupil Transportation Certification an eligible candidate and requiring county boards to consider such candidates"; to the Committee on Education.

**By Delegates Toney, Rowan, Paynter, Booth, Dean, Ferrell, Statler, Cooper and Ellington:**

**H. B. 4106** - "A Bill to amend and reenact §17-16A-6 of the Code of West Virginia, 1931, as amended, relating to exempting school buses with students on board from paying turnpike tolls"; to the Committee on Technology and Infrastructure then Finance.

**By Delegates Toney, Rowan, Paynter, Booth, Dean, Ferrell, Conley and Cooper:**

**H. B. 4107** - "A Bill to amend and reenact §17-5-1 of the Code of West Virginia, 1931, as amended, relating to making all inmates regardless of sex eligible to work on a state convict road force"; to the Committee on Select Committee on Jails and Prisons then the Judiciary.

**By Delegates Toney, Rowan, Paynter, Dean, Ferrell, Conley, Cooper and Ellington:**

**H. B. 4108** - "A Bill to amend and reenact §15A-4-20 of the Code of West Virginia, 1931, relating to allowing inmates to perform the community service of providing upkeep to cemeteries"; to the Committee on Select Committee on Jails and Prisons then the Judiciary.

**By Delegates Toney, Paynter, Booth, Dean, Ferrell and Ellington:**

**H. B. 4109** - "A Bill to amend and reenact §17-16A-6 of the Code of West Virginia, 1931, as amended, relating to exempting emergency medical service vehicles from paying turnpike tolls"; to the Committee on Technology and Infrastructure then Finance.

**By Delegates Toney, Hanshaw (Mr. Speaker), Paynter, Dean, Ferrell, Statler, Cooper and Ellington:**

**H. B. 4110** - "A Bill to amend and reenact §18-9A-4 of the Code of West Virginia, 1931, as amended, relating to public school support, foundation allowance for professional educators; and providing that a county board of education serving as the fiscal agent for a multi-county vocational center may not be penalized if the county's failure to meet the applicable minimum ratio is due to the staffing levels at the multi-county vocational center"; to the Committee on Education.

**By Delegates Rohrbach, D. Jeffries, Summers, Reed, G. Ward, Bates, Rowan, Forsht, Mallow and Worrell:**

**H. B. 4111** - "A Bill to amend and reenact §30-3E-3 of the Code of West Virginia, 1931, as amended; and to amend and reenact §30-7-15a of said code, all relating to clarifying prescriptive authority of physicians assistants and registered professional nurses"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Rohrbach, D. Jeffries, Tully, Pack, G. Ward, Bates, Worrell, Rowan, Forsht, Mallow and Jennings:**

**H. B. 4112** - "A Bill to amend and reenact §33-51-3, §33-51-8, §33-51-9, and §33-51-11 of the Code of West Virginia, 1931, as amended, relating to the regulation of pharmacy benefit managers; defining terms; prohibiting a pharmacy benefit manager from unnecessarily limiting a consumer's access to prescription drugs through the designation of specialty drugs; requiring pharmacy benefit managers to disclose any sub-networks for specialty drugs to the Insurance

Commissioner; prohibiting a pharmacy benefit manager from limiting network access; and requiring notice of contract changes”; to the Committee on Health and Human Resources.

**By Delegates Rohrbach, Summers, D. Jeffries, Tully, G. Ward, Bates, Reed, Worrell, Rowan and Mallow:**

**H. B. 4113** - “A Bill to repeal §16-1-8, §16-1-13 and §16-1-21 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-1-2, §16-1-3 §16-1-4, §16-1-5 §16-1-6, §16-1-7 §16-1-10, §16-1-11 §16-1-12 and §16-1-14 of said code; and to amend and reenact §16-2-2, §16-2-10 §16-2-11, §16-2-12, §16-2-13 §16-2-14 and §16-2-17 of said code; all relating to public health; permitting the secretary to appoint advisory councils; allowing the secretary of the Department of Public Health to propose legislative rules; empowering the commissioner of the Bureau of Public Health to establish a Center for Local Public Health; creating powers for the center; permitting local boards of health to provide immunizations and threat preparedness; and repealing obsolete areas of code”; to the Committee on Health and Human Resources.

### **Special Calendar**

#### **First Reading**

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

**Com. Sub. for H. B. 4059**, Clarifying that new Department of Health and Human Resources Deputy Commissioners are exempt from civil service,

And,

**H. B. 4060**, Repealing outdated sections of code relating to health.

### **Miscellaneous Business**

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

- Delegate Walker regarding the Reverend Dr. Martin Luther King Jr.
- Prayer and comments by Delegate Honaker

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

- H. B. 2041**: Delegate Martin;
- H. B. 2048**: Delegate Zukoff;
- H. B. 2973**: Delegate Zukoff;
- H. B. 3174**: Delegate Fleischauer;
- H. B. 4073**: Delegate Mandt;
- H. B. 4076**: Delegates Barrett and Mandt;

**H. B. 4084:** Delegates Keaton and Mandt;

**H. B. 4087:** Delegate Mandt;

And,

**H. B. 4091:** Delegate Mandt.

At 1:16 p.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, January 18, 2022.

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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**

**Tuesday, January 18, 2022**

**7<sup>th</sup> Day**

**11:00 A. M.**

**SECOND READING**

- Com. Sub. for H. B. 4059 - Clarifying that new Department of Health and Human Resources' Deputy Commissioners are exempt from civil service (ROHRBACH) (EFFECTIVE FROM PASSAGE)
- H. B. 4060 - Repealing outdated sections of code relating to health (ROHRBACH) (REGULAR)

**HOUSE CALENDAR**

**Tuesday, January 18, 2022**

**7<sup>th</sup> Day**

**11:00 A. M.**

**(NO BILLS)**



**WEST VIRGINIA  
HOUSE OF DELEGATES**

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**TUESDAY, JANUARY 18, 2022**

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

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**COMMITTEE ON THE JUDICIARY  
9:00 A.M. – ROOM 418 M**

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





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