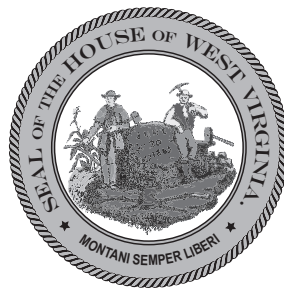


West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Fifth Legislature
Second Regular Session

Held at Charleston
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January 19, 2022

EIGHTH DAY

Wednesday, January 19, 2022

EIGHTH DAY

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

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

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

The Clerk proceeded to read the Journal of Tuesday, January 18, 2022, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Dean, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. B. 2631, Provide for WVDNR officers to be able to work "off duty",

And,

H. B. 4048, WV Keep, Bear and Drive with Arms Act,

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

In accordance with the former direction of the Speaker, the bills (H. B. 2631 and H. B. 4048) were each referred to the Committee on the Judiciary.

Delegate Dean, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. B. 2775, Relating to the beginning and expiration of hunting and fishing licenses,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2775) was referred to the Committee on the Judiciary.

Delegate Dean, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. B. 2759, Relating to tax credit for disabled veterans for lifetime hunting, trapping and fishing license,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2759) was referred to the Committee on Finance.

Delegate Westfall, Chair of the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration:

H. B. 4089, Require certain coverage and reimbursement for a person diagnosed with hypertension,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4089) was referred to the Committee on Health and Human Resources.

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

Your Committee on the Judiciary has had under consideration:

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

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

Com. Sub. for H. B. 2184 - "A Bill to amend and reenact §61-2-10b of the Code of West Virginia, 1931, as amended, relating to adding new penalties for exposure of governmental representatives, including emergency medical service persons, to fentanyl, or to any other harmful drug or chemical agent, and, for causing harm to such persons by exposing them to said agent,"

And,

H. B. 2972, Allowing a person to manufacture a stated amount of alcoholic liquor for personal consumption,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 2972 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §60-6-2a, relating to allowing a person to manufacture a stated amount of alcoholic liquor for personal consumption,"

With the recommendation that the committee substitutes each do pass.

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

Your Committee on the Judiciary has had under consideration:

H. B. 3303, Relating to clarifying the process of filling vacancies on ballots,

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

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

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

H. B. 4111, Relating to the prescriptive authority of advance practice registered nurses,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4111) was referred to the Committee on the Judiciary.

Resolutions Introduced

Delegates Hott, Nestor, Jennings, Honaker, Forsht, Sypolt, Burkhammer, Thompson, Martin, Rowan and D. Kelly offered the following resolution, which was read by its title and referred to the Committee on Agriculture and Natural Resources then Rules:

H. R. 7 - "Urging the United States Congress to increase sustainable forest harvesting on public lands in the State of West Virginia and more specifically, the Monongahela National Forest."

Whereas, West Virginia's forest products industry has demonstrated a tremendous economic benefit of at least \$3.4 billion to West Virginia and supports 19,200 jobs; and

Whereas, West Virginia has an unparalleled opportunity to replace lost jobs with new employment supporting the forest products industry; and

Whereas, Increased harvesting in the national forests will bring economic benefits to the state and to the national budget, as well as, a reduction in the potential for devastating wildfires through proper forest management and harvesting practices; and

Whereas, Revenues from national forest sales are by law shared with local schools and roads, thus improving our educational system and infrastructure: and

Whereas, Timber harvesting in the past 10 years has averaged less than 25% of allowable sale quantity thus denying local, state and federal revenues for education and roads: and

Whereas, Through the Good Neighbor Authority, timber harvesting can provide federal revenues to West Virginia agencies to assist in this management: and

Whereas, The public benefits of maintaining and expanding West Virginia's economy, of improving wildlife habitat, and of maintaining a vital forest products industry, provide powerful reasons to restore well managed public lands in this state; therefore, be it

Resolved by the House of Delegates:

That the West Virginia House of Delegates urges state and federal legislators and regulators to adopt laws, regulations, and policies that increase sustainable forest harvesting on national forest lands in the State of West Virginia; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to the members of West Virginia's Congressional Delegation.

Bills Introduced

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

By Delegates Ellington, Toney and Smith:

H. B. 4253 - "A Bill to repeal §18-9D-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-9A-10 of said code; and to amend and reenact §18-9D-2, §18-9D-3, §18-9D-4, §18-9D-6, §18-9D-7, §18-9D-8, §18-9D-9, §18-9D-13, §18-9D-15, and §18-9D-19 of said code, all relating to removing or revising obsolete, outdated, antiquated, inoperative, surplus or superseded provisions relating to defining terms; allowing funding directly to school construction fund instead of through school aid formula; providing duties and powers of school building authority; providing authority to issue revenue bonds; providing authority to offer higher education savings plans; closing certain fund; providing purposes and revenue sources for other funds; providing authority to collect rents; providing for the use of proceeds of bonds; providing for the issuance of revenue refunding bonds, use of proceeds, entry into escrow agreements and redemption of bonds; paying bonds; expending authority funds for projects; requirements for projects; and authorizing construction of comprehensive high schools"; to the Committee on Education.

By Delegates Burkhammer, Foster, Steele and Linville:

H. B. 4254 - "A Bill to repeal §22A-1-1 *et seq.*, §22A-1A-1 *et seq.*, §22A-2-1 *et seq.*, §22A-2A-1 *et seq.*, §22A-3-1 *et seq.*, §22A-4-1 *et seq.*, §22A-5-1 *et seq.*, §22A-6-1 *et seq.*, §22A-7-1 *et seq.*, §22A-8-1 *et seq.*, §22A-9-1 *et seq.*, §22A-10-1 *et seq.*, §22A-11-1 *et seq.*, and §22A-12-1 *et seq.* of the Code of West Virginia, 1931, as amended, all relating to miners' health, safety and training"; to the Committee on Energy and Manufacturing then Government Organization.

By Delegates Burkhammer, Pinson, Maynor, Worrell, Martin, Linville, Mazzocchi and Hanna:

H. B. 4255 - "A Bill to amend and reenact §16-2M-1, §16-2M-2, §16-2M-3, §16-2M-4, and §16-2M-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §16-2M-4a, all relating to delimiting the circumstances in which an abortion may be performed or attempted; eliminating the 'pain capable gestational age' threshold; establishing a threshold based upon the detection of a heartbeat in the unborn child; limiting abortion to circumstances of rape, incest, or threat to life or safety of the mother; requiring abortions to be performed in hospitals by licensed physician; referencing requirements for notification and consent by parent or guardian; and providing for manslaughter charges if the

woman is convicted, after the abortion, of making false statements regarding allegations of sexual assault”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Burkhammer, Foster, Hanna, Martin, Booth, Riley, Jennings and Hardy:

H. B. 4256 - “A Bill to amend and reenact §21-1C-5 of the Code of West Virginia, as amended, relating to reporting requirements for public improvement projects; specifying alternative forms of records to document persons employed on the project”; to the Committee on Workforce Development then Government Organization.

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

H. B. 4257 – “A Bill to amend and reenact §16-39-8 of the Code of West Virginia, 1931, as amended, relating to requiring visitation immediately following a procedure in a health care facility”; to the Committee on Health and Human Resources.

By Delegates Gearheart, Smith, Zatezalo, Hamrick and Ferrell:

H. B. 4258 - “A Bill to amend and reenact §20-2-15 of the Code of West Virginia, 1931, as amended, relating to permit land owners or lessees of land whose land is damaged by deer or other wildlife to hire a third party to kill the deer or other wildlife by bow and arrow”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Hanshaw (Mr. Speaker) and Skaff:

H. B. 4259 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §31-15D-1, §31-15D-2, §31-15D-3, §31-15D-4, §31-15D-5, §31-15D-6, §31-15D-7, §31-15D-8, §31-15D-9, §31-15D-10, §31-15D-11, §31-15D-12, §31-15D-13, §31-15D-14, §31-15D-15, §31-15D-16, §31-15D-17, §31-15D-18, §31-15D-19, §31-15D-20, and §31-15D-21, all relating to promoting investment and future growth in small businesses in West Virginia; creating the Small Business Jumpstart Act; defining terms; establishing the transferability of tax credits; establishing the application requirements for small business growth funds; establishing process for approval of the application; providing grounds for the denial of an application; allowing submission of additional information to complete an application following denial; establishing process for Development Office to notify applicant of approval; creating duties of the fund following approval of application; establishing how an approval may lapse; providing for a tax credit against an entity’s state insurance premium tax liability; limiting amount of tax credit; providing for the carryforward of tax credits; prohibiting assignments of tax credit; establishing that entity participating in program not required to pay retaliatory tax; establishing when revocation of tax credit occurs; requiring reporting by small business growth funds; requiring small business growth fund pay fee to Development Office; establishing process for exiting the program; clarifying that the Development Office cannot revoke tax credit following the fund’s exit; and allowing for the Development Office to provide opinions to small business growth fund regarding investment of a small business concern”; to the Committee on Finance.

By Delegates Steele and Foster:

H. B. 4260 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6-15-1, §6-15-2, and §6-15-3; and to amend and reenact §59-3-2 of said code, all relating to legal advertisements; creating the State Central Legal Advertising website; establishing the State Auditor as the administrator and creator of the website; permitting alternate publication timelines if also publishing on the State Central Legal Advertisement website; providing for rulemaking authority; and setting an effective date”; to the Committee on Government Organization then the Judiciary.

By Delegates Summers, Rohrbach, D. Jeffries, G. Ward, Jennings, Steele, Bates, Pushkin, Foster, Linville and Skaff:

H. B. 4261 - "A Bill to amend and reenact §30-8-3, §30-8-6 and §30-8-9 of the Code of West Virginia, 1931, as amended, all relating to the practice of optometry; establishing the Accreditation Council on Optometric Education as an accrediting body; defining ophthalmic surgery; removing obsolete areas of the code; and requiring certain procedures to be approved by an accredited body"; to the Committee on Health and Human Resources then Government Organization.

By Delegates Steele and Foster:

H. B. 4262 - "A Bill to amend and reenact §21-5-5a, §21-5-5b, §21-5-5c, and §21-5-5d of the Code of West Virginia, 1931, as amended, all relating to licensure for polygraph examiners, establishing definitions for national associations of polygraph examiners, clearly defining employer limitations for use of detection of deception equipment; removing state licensure requirements for polygraph examiners and requiring other conditions be met; and updating code citations"; to the Committee on Government Organization.

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

H. B. 4263 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-61-1, all relating to prohibiting certain actions"; to the Committee on Health and Human Resources.

By Delegates Boggs, Queen, Westfall and Hanshaw (Mr. Speaker):

H. B. 4264 - "A Bill to amend and reenact §18B-2A-6 of the Code of West Virginia, 1931, as amended, relating to designating Glenville State College a university, having met eligibility requirements"; to the Committee on Education.

By Delegates Steele, Foster and Wamsley:

H. B. 4265 - "A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to providing an exemption from the consumer sales tax upon sales of administrative services of performing employee administration tasks, including, but not limited to, employee payroll and benefits administration, on behalf of an employer"; to the Committee on Finance.

By Delegates Reed, B. Ward, Forsht, Barrett, Mandt, Hanna, Mallow, Hardy, Worrell, Booth and Clark:

H. B. 4266 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §31B-1-115, relating to requiring persons or other entities, that charge fees for services to limited liability companies to file annual reports, include a notice that contains the West Virginia Secretary of State website address and that the filing and actual \$25 costs of the filing may be made online at that website"; to the Committee on Government Organization.

By Delegates Reed, Foster, Rohrbach, Steele, Booth, Worrell, Mandt, Dean, Paynter, B. Ward and Riley:

H. B. 4267 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-5A-1, §30-5A-2, §30-5A-3, and §30-5A-4, all relating to creating the Productivity Quota Prohibitions Act; providing for legislative findings; establishing the act and terms of the act; providing for enforcement actions; and laying out terms for severability"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Reed, Clark, Forsht, Mandt, Westfall, Wamsley, Queen, Mallow, Booth and Jennings:

H. B. 4268 - “A Bill to amend and reenact §62-1D-3 of the Code of West Virginia, 1931, as amended, relating to modifying the criminal code relating to consent for recording devices; clarifying that recording anyone in a bathroom for any reason without the consent of both individuals is expressly forbidden; and providing for a penalty”; to the Committee on the Judiciary.

By Delegates Rowe, Garcia, Young, Barach, Evans and Fleischauer:

H. B. 4269 - “A Bill to amend and reenact §24-1-1 of the Code of West Virginia, 1931, as amended, relating to the Public Service Commission; and requiring annual reports on ratepayer utility costs to the Joint Committee on Government and Finance, adjusted for inflation”; to the Committee on Government Organization.

By Delegates Reed, Wamsley, Pack, Ferrell, Mandt, Mallow, Worrell, Dean, Paynter, B. Ward and Sypolt:

H. B. 4270 - “A Bill to amend and reenact §5-1-25 of the Code of West Virginia, 1931, as amended, relating to eliminating the use of daylight savings time in West Virginia; and establishing an effective date”; to the Committee on Government Organization.

By Delegates Criss and Maynard:

H. B. 4271 - “A Bill to amend and reenact §12-1-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §12-1B-1, §12-1B-2, §12-1B-3, §12-1B-4, §12-1B-5, §12-1B-6, §12-1B-7, §12-1B-8, §12-1B-9, §12-1B-10, §12-1B-11, §12-1B-12, §12-1B-13, and §12-1B-14; all relating generally to the West Virginia Security for Public Deposits Act; authorizing the State Treasurer to promulgate certain legislative rules related to securing public deposits; providing a short title; providing legislative findings; specifying the Act’s applicability; defining terms; establishing the West Virginia Security for Public Deposits Program and requiring the program to be operable by a certain date; establishing the Treasurer’s Collateral Administration Fund and requirements for said fund; establishing powers and duties of the State Treasurer with regard to the program; requiring the State Treasurer to promulgate certain legislative rules related to the program; authorizing designated state depositories to secure public deposits pursuant to the Act; clarifying that designated state depositories securing public deposits under the Act are not required to secure deposits by other methods; establishing the duties of designated state depositories securing deposits pursuant to the Act; allowing designated state depositories to secure public deposits through a pooled method; subrogating the State Treasurer to certain claims of a depositor and requiring distribution of assets; mandating that deposit of public funds pursuant to the Act be made in designated state depositories and authorizing said depositories to make public deposits; limiting liability of public depositors in certain circumstances; setting forth reporting requirements for designated state depositories; and clarifying that the Act controls over inconsistent provisions of state or local law”; to the Committee on Banking and Insurance then Finance.

By Delegates Reed, B. Ward, Forsht, Hardy, Mallow, Worrell, Rowan, Mandt, Hanna, Dean and Paynter:

H. B. 4272 - “A Bill to amend and reenact §17C-16-4 of the Code of West Virginia, 1931, as amended, relating to require the Superintendent of the West Virginia State Police to accept a certificate of inspection and approval issued in another state having an inspection law similar to West Virginia requirements; and providing that upon expiration of the certificate of inspection of the vehicle, it shall be inspected in this state”; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegates Reed, Smith, Jennings, Sypolt, B. Ward, Booth, Mallow, Worrell, Mandt, Paynter and Foster:

H. B. 4273 - "A Bill to amend §61-3B-3 of the Code of West Virginia, 1931, as amended, relating to modifying the penalties for trespassing; and establishing a West Virginia database for sheriff's departments to have a record of who is barred from trespassing on a landowner's private property"; to the Committee on the Judiciary.

By Delegates Hott, D. Jeffries, D. Kelly, Tully, Jennings, Dean, Mallow, Longanacre, Worrell, Kimble and Rowan:

H. B. 4274 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-3-4b, relating to the prohibition of discrimination based upon the vaccine status of an individual"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Westfall:

H. B. 4275 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-5D-1, §15-5D-2, §15-5D-3, §15-5D-4, §15-5D-5, §15-5D-6, §15-5D-7, and §15-5D-8, all relating to creating a County Emergency Fund and County Emergency Board; making legislative findings and declaring the legislative purpose of the act; defining terms; establishing the West Virginia County Emergency Fund; establishing the West Virginia County Emergency Board and specifying its powers; providing for meetings and procedures for meetings; outlining an application process and limits to the scope of applications; requiring matching funding from local government entities; establishing restrictions on allowable expenditures from fund distributions and handling of distributions to local governments; and authorizing the proposal of legislative rules and the promulgation of procedural and interpretive rules"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

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

H. B. 4276 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-5DD-1, all relating to the collection of data relating to Parkinson's Disease; providing for definitions; providing a notice requirement; allowing for West Virginia University to enter into agreements regarding this data collection; and allowing for the maintaining of certain records"; to the Committee on Health and Human Resources.

By Delegates Steele and Foster:

H. B. 4277 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5Q-5, relating to sunset of the James 'Tiger' Morton Catastrophic Illness Commission"; to the Committee on Government Organization.

By Delegates Steele, Foster and Wamsley:

H. B. 4278 - "A Bill to amend and reenact §29-21-16 of the Code of West Virginia, 1931, as amended, relating to repayment of legal services when payment is made by the state for public defender services"; to the Committee on the Judiciary.

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

H. B. 4279 - "A Bill to amend and reenact §29-3E-7 of the Code of West Virginia, 1931, as amended; and to amend and reenact §33-3-14d and §33-3-33 of said code, all relating generally

to the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments; defining terms; providing the method of allocation and distribution for proceeds of the fireworks safety fee deposited in the Fire Protection Fund; eliminating obsolete language; requiring the State Fire Marshal to provide certain information to the State Treasurer; and clarifying the requirements for distribution of funds in the Fire Protection Fund”; to the Committee on Fire Departments and Emergency Medical Services then Finance.

By Delegates Barnhart, Keaton, Pack, Maynor and G. Ward:

H. B. 4280 - “A Bill to amend and reenact §52-1-17 of the Code of West Virginia, 1931, as amended, relating to increasing the reimbursement for persons serving on petit jurors”; to the Committee on the Judiciary then Finance.

By Delegates Pinson, B. Ward, D. Kelly, Keaton, Fast, D. Jeffries and Honaker:

H. B. 4281 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17C-24-1, relating to the operation of vehicles on a roadway covered by water, creating a criminal and civil penalty upon conviction of such act”; to the Committee on the Judiciary.

By Delegates Steele and Wamsley:

H. B. 4282 - “A Bill to amend and reenact §24-6-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §24-6-15, all relating to establishing next generation 911 services in this state; providing for expanded definitions; establishing a commission to study next generation 911 services; establishing commission membership and travel rates for meetings; prescribing the duties of the commission; requiring a preliminary report be provided to the Joint Committee on Government and Finance and to the Governor; and establishing an effective date and termination date of the commission”; to the Committee on Technology and Infrastructure then Government Organization.

By Delegates Steele, Foster and Wamsley:

H. B. 4283 - “A Bill to amend and reenact §61-10-31 of the Code of West Virginia, 1931, as amended, relating to defining criminal penalties for conspiracy to commit murder in the first degree, conspiracy to commit murder in the second degree, and conspiracy to commit voluntary manslaughter; and making other technical corrections”; to the Committee on the Judiciary.

By Delegate Steele:

H. B. 4284 - “A Bill to amend and reenact §50-1-8, §50-1-9, §50-1-9a, and §50-1-9b of the Code of West Virginia, 1931, as amended, all relating to magistrate employee appointments; permitting the circuit court to appoint additional magistrate clerks as necessary based on workload; permitting the magistrate to appoint additional magistrate assistants; permitting the magistrate to request additional magistrate deputy clerks when workload requires it; eliminating any restrictions on the number of magistrate deputy clerks that may be employed in the state; increasing compensation of magistrate employees; and other technical corrections”; to the Committee on the Judiciary.

By Delegates Steele and Foster:

H. B. 4285 - “A Bill to amend and reenact §30-38-10, and §30-38-11 of the Code of West Virginia, 1931, as amended, all relating to real estate appraiser licensing board requirements; prohibiting persons serving as expert witnesses from participating in any decision regarding disciplinary action; requiring the board provide applicants a written statement when the applicant’s request for a license is denied; requiring the board send a written statement in 15 calendar days of its decision to deny an applicant’s license or renewal request; setting forth content and mailing

requirements for the board's written statement; requiring the board offer guidance on certain issues relating to nonconformity of Uniform Standards of Professional Appraisal Practice when submitted to the board; providing for 60 days for an applicant to cure any nonconformity to the standards; and other technical modifications"; to the Committee on Government Organization then the Judiciary.

By Delegates Steele and Foster:

H. B. 4286 - "A Bill to amend and reenact §29-6-4 of the Code of West Virginia, 1931, as amended, relating to exempting persons employed as attorneys from the civil service system"; to the Committee on Government Organization.

By Delegates Reed, Hardy, Rowan, Mandt, Booth, Hanna, Mallow, Worrell, Barrett, Clark and Dean:

H. B. 4287 - "A Bill to amend and reenact §21A-2-6 of the Code of West Virginia, 1931, as amended, relating to unemployment compensation; and requiring the Commissioner of Workforce West Virginia to implement an online system that allows employers to interact online with claims for unemployment"; to the Committee on Finance.

By Delegates Steele, Foster, Rohrbach, D. Jeffries and Wamsley:

H. B. 4288 - "A Bill to amend and reenact §30-36-10 of the Code of West Virginia, 1931, as amended, relating to expanding the practice of auricular acudetox to professions approved by the board; and making other technical modifications"; to the Committee on Health and Human Resources then Government Organization.

By Delegates Ellington, Statler, Toney, Smith, Clark, Horst, Jennings, Maynor, Kessinger, Bridges and Tully:

H. B. 4289 - "A Bill to amend and reenact §18C-3-3 of the Code of West Virginia, 1931, as amended, relating to establishing the behavioral health workforce education initiative at the Higher Education Policy Commission"; to the Committee on Education then Finance.

Special Calendar

Third Reading

Com. Sub. for H. B. 4059, Clarifying that new Department of Health and Human Resources' Deputy Commissioners are exempt from civil service; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 21**), and there were—yeas 95, nays 5, absent and not voting none, with the nays being as follows:

Nays: Barach, Fleischauer, Hansen, Rowe and Walker.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4059) passed.

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

On this question, the yeas and nays were taken (**Roll No. 22**), and there were—yeas 95, nays 5, absent and not voting none, with the nays being as follows:

Nays: Barach, Fleischauer, Hansen, Rowe and Walker.

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. 4059) takes effect from its passage.

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

H. B. 4060, Repealing outdated sections of code relating to health; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 23**), and there were—yeas 100, nays none, absent and not voting none.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4060) passed.

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

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. 8, Relating generally to state's savings and investment programs,

And,

Com. Sub. for H. B. 4067, To make certain agency reports electronic or eliminating certain agency reports altogether.

Miscellaneous Business

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

H. B. 2111: Delegate Holstein;

H. B. 2230: Delegate Hansen;

H. B. 3204: Delegates Graves and Smith;

H. B. 4026: Delegate D. Jeffries;

H. B. 4055: Delegate Doyle;

H. B. 4061: Delegate Booth;

H. B. 4062: Delegate Booth;

H. B. 4063: Delegate Booth;

H. B. 4068: Delegate Booth;

H. B. 4073: Delegate Hansen;

And,

H. B. 4254: Delegate Mandt.

At 11:32 a.m., the House of Delegates adjourned until 11:00 a.m., Thursday, January 20, 2022.

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

SPECIAL CALENDAR

Thursday, January 20, 2022

9th Day

11:00 A. M.

SECOND READING

- S. B. 8 - Relating generally to state's savings and investment programs (GOVERNMENT ORGANIZATION COMMITTEE AMENDMENT PENDING) (STEELE) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 4067 - To make certain agency reports electronic or eliminating certain agency reports altogether (STEELE) (REGULAR)

FIRST READING

- Com. Sub. for H. B. 2184 - Increasing the penalties for exposure of governmental representatives to fentanyl or any other harmful drug (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2972 - Allowing a person to manufacture a stated amount of alcoholic liquor for personal consumption (CAPITO) (REGULAR)
- H. B. 3303 - Relating to clarifying the process of filling vacancies on ballots (CAPITO) (REGULAR)

HOUSE CALENDAR

Thursday, January 20, 2022

9th Day

11:00 A. M.

(NO BILLS)

**WEST VIRGINIA
HOUSE OF DELEGATES**

THURSDAY, JANUARY 20, 2022

HOUSE CONVENES AT 11:00 A.M.

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

**COMMITTEE ON ENERGY AND MANUFACTURING
1:00 P.M. – ROOM 418 M**

**COMMITTEE ON EDUCATION
3:00 P.M. – ROOM 434 M**

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