

West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Fifth Legislature
Second Regular Session

Held at Charleston
Published by the Clerk of the House



January 21, 2022

TENTH DAY

Friday, January 21, 2022

TENTH 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 Thursday, January 20, 2022, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Anderson, Chair of the Committee on Energy and Manufacturing, submitted the following report, which was received:

Your Committee on Energy and Manufacturing has had under consideration:

H. B. 4002, Creating the Certified Sites and Development Readiness Program,

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 Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 4002) was referred to the Committee on Finance.

Delegate Anderson, Chair of the Committee on Energy and Manufacturing, submitted the following report, which was received:

Your Committee on Energy and Manufacturing has had under consideration:

H. B. 2882, Relating to repealing a ban on construction of nuclear power plants,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2882) was referred to the Committee on Government Organization.

Delegate Anderson, Chair of the Committee on Energy and Manufacturing, submitted the following report, which was received:

Your Committee on Energy and Manufacturing has had under consideration:

H. R. 5, Regarding power grid stability,

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. R. 5) was referred to the Committee on Rules.

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. 4276, Permit WVU to create a Parkinson's disease registry,

And reports back a committee substitute therefor, as follows:

Com. Sub. for 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,”

With the recommendation that the committee substitute 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. 4252, To reduce copay cap on insulin and devices,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4252 – “A Bill to amend and reenact §33-59-1 of the Code of West Virginia, 1931, as amended, relating to diabetes; reducing copayments; adding coverage for devices; permitting testing equipment to be purchased without a prescription,”

With the recommendation that the committee substitute 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. 4288, Relating to expanding the practice of auricular acudetox to professions approved by the acupuncturist board,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4288) was referred to the Committee on Government Organization.

Delegate Statler, Chair of the Committee on Fire Departments and Emergency Medical Services, submitted the following report, which was received:

Your Committee on Fire Departments and Emergency Medical Services has had under consideration:

H. B. 2111, Including emergency response vehicles in the single fee program for EZ Pass transponders,

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 Finance.

In accordance with the former direction of the Speaker, the bill (H. B. 2111) was referred to the Committee on Finance.

Delegate Rowan, Chair of the Committee on Senior, Children, and Family Issues, submitted the following report, which was received:

Your Committee on Senior, Children, and Family Issues has had under consideration:

H. B. 2798, Relating to requiring the Health Department to mandate mucopolysaccharidosis type 1 (MPS1) test for newborn babies, to be known as Embie's Law,

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. 2798) was referred to the Committee on Health and Human Resources.

Delegate Rowan, Chair of the Committee on Senior, Children, and Family Issues, submitted the following report, which was received:

Your Committee on Senior, Children, and Family Issues has had under consideration:

H. B. 2524, Modifying the definition of child abuse or neglect to exclude accidental injury,

And reports the same back with the recommendation that it do pass, 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. 2524) was referred to the Committee on the Judiciary.

Messages from the Senate

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. 244 - "A Bill to amend and reenact §51-11-6 of the Code of West Virginia, 1931, as amended, relating to the intermediate court of appeals, correcting a typographical error regarding the process for appointing the initial Judges of the Intermediate Court of Appeals; and making this change retrospective to December 27, 2021"; which was referred to the Committee on the Judiciary.

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 Technology and Infrastructure then Rules as follows:

S. C. R. 1 - "Requesting the Division of Highways name bridge number 10-061/00-027.81 (10A161), locally known as Armstrong Creek Bridge, carrying West Virginia Route 61 over Armstrong Creek in Fayette County, the 'U.S. Army PFC Billy Keith Ford Memorial Bridge'."

Whereas, Billy Keith Ford was born on September 28, 1945, in Boomer, West Virginia, to Henry and Juanita Kilburn Ford, into a family of four boys and five girls; and

Whereas, As a boy, Billy Keith Ford spent his time helping in local gardens near the family home and when they were not in the gardens, the family enjoyed camping in West Virginia state parks; and

Whereas, Billy Keith Ford entered the United States Army in 1967 and was deployed to Vietnam on December 23, 1967, at the rank of Private First Class; and

Whereas, PFC Billy Keith Ford was originally assigned to the Fifth Battalion, Seventh Cavalry, as a new battalion of the First Air Cavalry in 1966. As part of this battalion, he was stationed in Thua Thien Province, an area of exceptionally heavy fighting during that time, with more U.S. casualties than in any other province of Vietnam; and

Whereas, PFC Billy Keith Ford and his unit participated in a massive offensive, Operation Pegasus, in April 1968. They liberated ground troops who had been under siege for 78 days and seized tons of enemy supplies and equipment; and

Whereas, PFC Billy Keith Ford and the "5/7 Cav" later interdicted enemy movements to the south and held a dominant position in the A Shau Valley, hindering the enemy's efforts at retreat and reinforcement; and

Whereas, PFC Billy Keith Ford's company came under fire on April 28, 1968, and he was killed in the engagement; and

Whereas, During his time in service, PFC Billy Keith Ford received the Army Combat Infantryman Badge, Marksmanship Badge, National Defense Service Medal, Vietnam Service Medal, the Army Presidential Unit Citation, the Vietnam Gallantry Cross, and the Purple Heart Medal; and

Whereas, PFC Billy Keith Ford's funeral service was held in the Mount Carbon Community Church on Sunday, May 12, 1968, and he was laid to rest in Montgomery Memorial Park in London, West Virginia; and

Whereas, It is fitting that an enduring memorial be established to commemorate U.S. Army PFC Billy Keith Ford and his contributions and 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 bridge number 10-061/00-027.81 (10A161), locally known as Armstrong Creek Bridge, carrying West Virginia Route 61 over Armstrong Creek in Fayette County, the "U.S. Army PFC Billy Keith Ford 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 Billy Keith Ford 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"; which was referred to the Committee on Technology and Infrastructure then Rules.

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 Technology and Infrastructure then Rules as follows:

S. C. R. 3 - "Requesting the Division of Highways name bridge number 23-017/09-000.06 (23A054), (37.94149, -81.82224), locally known as Clothier Box Beam, carrying CR 17/9 over Spruce Fork in Logan County, the 'U.S. M.C. CAPT Dempsey Stowers Memorial Bridge'."

Whereas, Dempsey Stowers, a native of Bulger, West Virginia, was born September 7, 1941, and died February 23, 2020; and

Whereas, Dempsey Stowers proudly joined the U.S. Marine Corps in 1960. He served as a signal intelligence/electronic warfare officer; and

Whereas, Dempsey Stowers retired from the U.S. Marine Corps after 23 years, earning the rank of captain; and

Whereas, CAPT Dempsey Stowers obtained numerous medals for his exceptional service, including the National Defense Medal, Armed Forces Expeditionary, Republic of Vietnam Campaign, Navy Union Citation, Navy Achievement Medal, Vietnam Service Medal with three stars, Meritorious Unit Commendation, Sea Service Deployment Ribbon, Navy Commendation Medal, Meritorious Service Medal, Republic of Vietnam Meritorious Unit Citation, and three letters of Commendation; and

Whereas, Upon retirement from service, CAPT Dempsey Stowers returned home to West Virginia, where he and his wife, Judy Stowers, raised their family; and

Whereas, CAPT Dempsey Stowers was active in his community and church, where he was widely known as a leader and an exemplification of service; and

Whereas, It is fitting that an enduring memorial be established to commemorate U.S. M.C. CAPT Dempsey Stowers 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 23-017/09-000.06 (23A054), (37.94149, -81.82224), locally known as Clothier Box Beam, carrying CR 17/9 over Spruce Fork in Logan County, the "U.S. M.C. CAPT Dempsey Stowers 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. CAPT Dempsey Stowers 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"; which was referred to the Committee on Technology and Infrastructure then Rules.

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 Technology and Infrastructure then Rules as follows:

Com. Sub. for S. C. R. 5 - "Requesting the Division of Highways name bridge number 54-068/00-009.73 (54A259), (39.19674, -81.65356) locally known as Race Track Bridge, carrying WV Route 68 over the North Fork of Lee Creek in Wood County, the 'U.S. Marine Corps CPL James 'Bud' Cox Memorial Bridge'."

Whereas, James "Bud" Cox was born on May 25, 1946, in Parkersburg, West Virginia, the son of James Blake Cox and Betty Jane Cox; and

Whereas, James "Bud" Cox and his lifelong friend, Joseph A. Memel, grew up playing under the bridge located at WV Route 68 South across from the local racetrack, which is now being replaced with the bridge being requested herein to be named in honor of James; and

Whereas, James "Bud" Cox graduated from Parkersburg High School with the Class of 1965. While in high school, he was a member of the woodworking club and a student in home room #120; and

Whereas, James "Bud" Cox and his friend, Joseph A. Memel, enlisted together in the U.S. Marine Corps on December 14, 1965. James "Bud" Cox took his boot camp training at Parris Island and infantry training at Camp Lejeune. He was stationed in Cuba before being issued orders for Vietnam; and

Whereas, When CPL James "Bud" Cox arrived in Vietnam on May 14, 1967, he was assigned to Weapons with 3rd Platoon, Echo Company, 2nd Battalion, 3rd Marine Regiment, 3rd Marine Division; and

Whereas, CPL James “Bud” Cox received shrapnel wounds to his leg from a mortar round on May 24, 1967, in the vicinity of Gio Linh District. He was medevacked to and recovered aboard the USS Princeton, and he returned to the field June 10, 1967; and

Whereas, On December 28, 1967, CPL James “Bud” Cox was serving as a machine gun squad leader with the E Company Weapons Platoon, 2nd Battalion 3rd Marines. Echo Company was conducting a sweep of Quang Nam Province when they made heavy contact with a large force with the North Vietnamese Army and he was fatally wounded by a mine/booby trap during combat at LZ Hawk, Bao An Dong, Go Noi Island, during Operation Auburn; and

Whereas, At the time of his death, CPL James “Bud” Cox was 21 years old and had served in Vietnam for seven months and 14 days; and

Whereas, It is fitting that an enduring memorial be established to commemorate U.S. Marine Corps CPL James “Bud” Cox and his sacrifice for 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 54-068/00-009.73 (54A259), (39.19674, -81.65356) locally known as Race Track Bridge, carrying WV Route 68 over the North Fork of Lee Creek in Wood County, the “U.S. Marine Corps CPL James ‘Bud’ Cox 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. Marine Corps CPL James ‘Bud’ Cox 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 Technology and Infrastructure then Rules as follows:

S. C. R. 6 - “Requesting the Division of Highways name bridge number 23-018/00-000.74 (23A084), currently known as the Holden Box Beam, carrying County Route 18 over Copperas Mine Fork in Holden, Logan County, the ‘Holden 22 Coal Miners Memorial Bridge’.”

Whereas, The production of coal has brought a livelihood to many people in the state of West Virginia, but at times it has also come at a great cost to the miners and their families. A single disaster in a mine may impact an entire community with grief to be felt in many families for generations; and

Whereas, The community of Holden, West Virginia, was hit by such a tragedy on March 8, 1960, when a fire ignited during the day shift in the tunnels of the Island Creek Coal Company Number 22 Mine, commonly known as the Holden 22 Mine; and

Whereas, Shortly after 8:00 a.m., a large fire broke out near the 3 Left Overcast deep within the mine. Mine crews immediately positioned fire-fighting equipment – including a water car, an

80-gallon chemical truck, and high-pressure rock dusting equipment – at the site, but they could make very little headway against the large, hot fire. There was a massive rockfall as several of the wooden timbers collapsed, blocking off 200 feet of passageway, and, soon after, the power was cut off inside the mine; and

Whereas, Twenty men were trapped behind the fire and rockfall, but they also attempted to extinguish the fire and they tried to determine the best way to exit the mine via other slopes or entries. After discussion with the section foreman and the safety engineer, two men, Kyle Blair and Willis Carter, then attempted to reach the 3 Left Entries to the mine through a small opening, with a plan to open large airlock doors to “short circuit” the air and smoke away from the fire. It took these two men hours to make their way as they had to crawl through other areas of fallen rock, dense smoke, and noxious air, but they did manage to reach the entrance. They would be the only two of the trapped miners to make it out alive; and

Whereas, Teams of state and federal inspectors, company officials, rescue crews, and first responders arrived at the mine that afternoon and quickly assessed the situation. Rescue work began immediately as these crews explored access into the mine by way of alternate entrances and they continued efforts to fight the fire at its source. These efforts persisted through the night and into the next day; and

Whereas, Families of the miners and first responders gathered outside the main entrance of the mine while crews inside ran water lines and air hoses into the mine, constructed stoppings, checks, and line curtains to control the flow of air away from the fire. Rockfalls and the need to carefully manage the flow of air, left almost no open, travelable openings to the fire, all of which impeded the rescue effort; and

Whereas, Over the next seven days the crews made heroic efforts, at considerable risk to themselves, to reach the trapped miners. They were hindered by the intense heat of the fire, collapsed ceilings, and, as one rescuer stated, “smoke so thick you could poke a hole in it with your finger”; and

Whereas, Rescue crews first reached trapped miners on March 15, 1960, discovering a group of 14 men, all of whom appeared to have been overcome by carbon monoxide from the fire. The next day, two more deceased miners were found and, the day after that, two more were discovered, with the body of the last victim brought to the surface at 4:45 p.m., on March 17, 1960; and

Whereas, Fifty-three mineworkers entered the mine on day shift the morning of March 8, 1960, but the following eighteen men did not make it out alive and were never to see their families and friends again:

Charles Adams

Berti Horvath

Frank Ardis

Flint Lock Jarrells

Ernest Bevins

Albert Marcum, Jr.

Okey Bryant

Melvin Newsome

James Carter	Isom Ooten
Josh Chafin, Jr.	James Lundell
Roy Lee Dempsey	Orville Sargent
William Donaldson	Clyde White
Garfield Hensley	Louis Workman; and

Whereas, It is fitting that an enduring memorial to be established commemorate the 18 miners who perished in this disaster and the selfless dedication of the many miners, rescue teams, and first responders in their efforts; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 23-018/00-000.74 (23A084), currently known as the Holden Box Beam, carrying County Route 18 over Copperas Mine Fork in Holden, Logan County, the "Holden 22 Coal Miners 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 "Holden 22 Coal Miners 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"; which was referred to the Committee on Technology and Infrastructure then Rules.

Resolutions Introduced

Delegates Pinson, Kessinger, Maynor, Burkhammer and Pack offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 23 - "Requesting the Division of Highways to place at least 10 additional signs along highways entering West Virginia honoring fallen veterans and Gold Star Families."

Whereas, More than 10,000 men and women from West Virginia have died during 20th and 21st century military actions, either in combat or during the official period of conflict and prior to discharge from the military. The ultimate sacrifices made by these men and women for their country and West Virginia represent the highest levels of honor and courage and should not go unnoticed; and

Whereas, Gold Star Families are those families who have family members who died or were killed serving in the armed forces. They are the families of fallen military heroes, whether they gave their lives in Iraq, Afghanistan, Vietnam, Korea, World War II, or another conflict; and

Whereas, Rather than attempt to acknowledge individually each of these fallen warriors and patriots by finding a bridge or stretch of road or highway to be named for the individual veterans, it would be a more worthy form of recognition, homage and honor to these heroes and heroines and the Gold Star Families if signage were erected at the highways that enter West Virginia; and

Whereas, Since 2014 at least 10 signs have been placed along West Virginia highways honoring these heroes and heroines and the Gold Star Families; and

Whereas, It would be appropriate to further honor these heroes and heroines and the Gold Star Families by placing at least 10 additional signs at visible and highly traveled highways entering West Virginia; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to place at least 10 additional signs along highways entering West Virginia honoring fallen veterans and Gold Star Families; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to create and erect signs upon an additional heavily traveled highways entering the State of West Virginia on which a "Welcome to West Virginia" sign is posted near a border crossing. To the extent permissible by signage rules and regulations, each sign should read "West Virginia is proud to honor its fallen Veterans and Gold Star Families" and have affixed to it a gold star symbol similar to the design of the lapel pin approved under 10 U.S.C. §1126; 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 Nestor, Wamsley, Ferrell, Hott, Kimes, Longanacre and Reynolds offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

H. C. R. 24 - "Requesting the Joint Committee on Government and Finance study the cause and possible solutions to the high incidence of motor vehicle accidents at the intersection of U.S. Route 33 and Kesling Mill Road in Upshur County."

Whereas, During the last several years, based on information and belief of some of the local citizens who live near or frequently travel through this intersection, there has been a high incidence of motor vehicle accidents at or near the intersection of U.S. Route 33 and Kesling Mill Road in Upshur County, several of which have resulted in fatalities; and

Whereas, There appears to have been no remedial action taken by way of any significant or effective infrastructure improvements or changes to the intersection in recent years to improve the safety of the intersection and reduce or mitigate the frequency of motor vehicle accidents; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance study the cause and possible solutions to the high incidence of motor vehicle accidents at the intersection of U.S. Route 33 and Kesling Mill Road in Upshur County; and, be it

Further Resolved, That this study include requesting the Division of Highways to investigate and provide the committee with its findings and possible solutions to improve the safety of the intersection to reduce or eliminate the likelihood of accidents occurring at the intersection, including, but not limited to, a redesign and upgrade of the intersection and the two roadways

leading into the intersection, installation of modern traffic control devices and other measures to improve the safety of the intersection; 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.

On motion for leave, a Joint Resolution was introduced, read by its title and referred as follows:

Delegates Foster, Steele, J. Jeffries, G. Ward, Clark, Wamsley, Haynes, Booth, Kimble, Mazzocchi and Keaton:

H. J. R. 104 - "Proposing an amendment to the Constitution of the State of West Virginia, amending section four, article VII thereof, relating to preventing any individual from serving in the office of Secretary of State, Auditor, State Treasurer, Commissioner of Agriculture, or Attorney General for more than three consecutive terms; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

Bills Introduced

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

By Delegates Holstein, Bridges, Pritt, Kimble, Pack, Summers, Tully, Conley, G. Ward, Barnhart and Keaton:

H. B. 4311 - "A Bill to amend and reenact §3-9-17 of the Code of West Virginia, 1931, as amended, prohibiting voting more than once in any election, whether held in West Virginia or between West Virginia and another state, and making such violations a felony offense; making it a felony offense to vote when not legally entitled to do so; and making it a felony offense to reject valid votes, alter ballots, or deceive voters"; to the Committee on the Judiciary.

By Delegates Holstein, Hanna, Bridges, Tully, Barnhart, Maynor, Honaker, Crouse and B. Ward:

H. B. 4312 - "A Bill to amend and reenact §3-3-1 and §3-3-5 of the Code of West Virginia, 1931, as amended, relating to permitting first responders to vote by electronic absentee ballot in certain emergency circumstances"; to the Committee on the Judiciary.

By Delegates Nestor, D. Kelly, Hott, B. Ward, Wamsley, Cooper, Zatezalo, Tully, Summers and Pack:

H. B. 4313 - "A Bill to amend and reenact §5-5-4b of the Code of West Virginia, 1931, as amended, relating to providing a pay raise and sign-on bonus to correctional personnel in West Virginia to retain current workers and attract new workers to this field"; to the Committee on Select Committee on Jails and Prisons then Finance.

By Delegates J. Kelly, Conley, Anderson, Westfall, D. Jeffries, Hott, Criss and Mandt:

H. B. 4314 - "A Bill to amend and reenact §32-4-401 of the Code of West Virginia, 1931, as amended, relating to the Uniform Securities Act; general provisions; and excluding a solicitor from the definition of 'investor adviser'"; to the Committee on the Judiciary.

By Delegates Burkhammer, Pinson, Keaton, Mazzocchi, Foster, Mandt and Maynor:

H. B. 4315 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §62-17-1, relating to gender and correctional facility housing"; to the Committee on Select Committee on Jails and Prisons then the Judiciary.

By Delegates Foster, Sypolt, Graves, Summers, McGeehan, J. Jeffries, Phillips, Storch, Steele, Rowan and Brown:

H. B. 4316 - "A Bill amend and reenact §48-1-239 and §48-1-241a of the Code of West Virginia, 1931, as amended; and to amend and reenact §48-9-102, §48-9-203, and §48-9-205 of said code, all relating to 'Best Interests of the Child Protection Act of 2022'; establishing the presumption that co-equal shared legal and physical custody of children in cases of divorce to be in the best interests of the children and families; requiring that temporary parenting plans and permanent parenting plans consider the presumption of co-equal shared legal and physical custody is in the best interests of a child; all relating generally to the public policy recognition and preservation of the fundamental constitutional rights of all parents to raise their own children and that it is presumptively in the best interest of children to be raised by both of their parents equally"; to the Committee on the Judiciary.

By Delegates Burkhammer, Pinson, Mazzocchi, Tully, Pack, D. Jeffries, Keaton, Hanna, Ellington and Graves:

H. B. 4317 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-29-1, §11-29-2, §11-29-3, §11-29-4, and §11-29-5; to amend said code by adding thereto a new section, designated §21-5-19; to amend said code by adding thereto a new section, designated §33-13-49; and to amend said code by adding thereto a new section, designated §33-15-15, all related to fostering organ donation by providing benefits and protections for persons who donate or agree to donate bodily organs: creating a tax credit for living and deceased organ donors; establishing purpose of credit; establishing the amount of tax credit and eligible taxpayers; providing for the applicability of the tax credit; prohibiting the termination of an employee who takes time away from employment to donate an organ or organs; prohibiting denial of coverage, increase in premiums, or cancellation of life insurance for living organ donors; and prohibiting denial of coverage, increase in premiums, or cancellation of sickness, disability, or long-term care insurance for living organ donors"; to the Committee on Health and Human Resources then Finance.

By Delegates Householder and Criss:

H. B. 4318 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-8-5a; and to amend and reenact §5A-8-7 of said code, all relating to creating a special revenue account for the statewide records management program; and authorizing the State Records Administrator to collect fees for services provided"; to the Committee on Finance.

By Delegates Haynes, Dean, Wamsley, Riley, Mallow, Zatezalo, Hardy, Toney, Holstein, Booth and Kessinger:

H. B. 4319 - "A Bill amending the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-7-6f; and to amend said code by adding thereto a new section, designated §15-5-31, all relating to requiring county assessors to identify defective and dilapidated properties for subsequent enforcement proceedings; declaring responsibilities of county assessors and staff; requiring training of assessment personnel in county assessor offices; and specifying that appropriate training is to be provided by or through the Division of Emergency Management"; to the Committee on Political Subdivisions then Government Organization.

By Delegates Crouse, Keaton, Maynor, Horst, Pinson, Longanacre, Hanna, Worrell, Pritt, Mazzocchi and Honaker:

H. B. 4320 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-3-14, relating to ensuring that all persons who have obtained natural immunity or antibodies from an infectious or communicable disease are considered to be vaccinated; and ensuring that those persons are given equal or preferred treatment as opposed to those who have vaccine induced immunity"; to the Committee on Health and Human Resources.

By Delegates Crouse, Haynes, Longanacre, Clark, Worrell, Pritt, Mazzocchi and Honaker:

H. B. 4321 - "A Bill to amend the Code of West Virginia, 1931, by adding thereto a new section, designated §18-2-44, relating to the removal of standardized testing in public and private schools; and providing for an effective date"; to the Committee on Education.

**By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:**

H. B. 4322 - "A Bill to amend and reenact §11-24-3 of the Code of West Virginia, 1931, as amended, relating to updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act; and specifying effective dates"; to the Committee on Finance.

**By Delegates Hanshaw (Mr. Speaker) and Skaff
[By Request of the Executive]:**

H. B. 4323 - "A Bill to amend and reenact §11-21-9 of the Code of West Virginia, 1931, as amended, relating to updating meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act; and specifying effective dates"; to the Committee on Finance.

By Delegate Rohrbach:

H. B. 4324 - "A Bill to amend and reenact §30-5-4 and §30-5-19 of the Code of West Virginia, 1931, as amended, all relating to collaborative pharmacy practice; defining terms; setting forth requirements for different practice settings; and updating the terms of collaborative practice agreements"; to the Committee on Health and Human Resources.

By Delegates Clark, Steele, Linville, Pinson, Fast, Keaton, Hanna and Riley:

H. B. 4325 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-9-1, §46A-9-2, §46A-9-3, §46A-9-4, and §46A-9-5, all relating to online privacy protection for children; defining terms; establishing actions prohibited; creating rulemaking authority; providing safe harbor for operators; and providing for enforcement by the attorney general"; to the Committee on the Judiciary.

By Delegate Westfall:

H. B. 4326 - "A Bill to amend and reenact §33-16-1a and §33-16-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §33-16-2a, all relating to modify group accident and sickness insurance requirements"; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Pinson, Keaton, B. Ward, Hott, Burkhammer, Hanna and Pack:

H. B. 4327 - "A Bill to amend and reenact §8-10-2b of the Code of West Virginia, 1931, as amended, relating to ensuring that if a person establishes a payment plan, but does not make at

least one payment within 6 months from the date of setting up the payment plan, that person's driver's license will be suspended"; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegates Pinson, Burkhammer, Keaton and Kessinger:

H. B. 4328 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-2Q-1, relating to abortion, requiring all abortions to be performed by a physician board-certified eligible in obstetrics and gynecology"; to the Committee on Health and Human Resources.

By Delegate Criss:

H. B. 4329 - "A Bill to amend and reenact §44-1A-1 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Small Estate Act; updating definitions; and adding a definition of the term 'interested person' for purposes of identifying those who have a property right in or a claim against the estate of a decedent or property"; to the Committee on the Judiciary.

By Delegates Pinson, D. Jeffries, Burkhammer, Keaton, Ellington, Hanna, Kessinger and Pack:

H. B. 4330 - "A Bill to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to the secondary schools activities commission and participation in commission activities by private and parochial school students whose schools are not members of the commission"; to the Committee on Education.

By Delegates Criss, Rohrbach, Pack, Riley, Queen, Storch and Capito:

H. B. 4331 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-27-4a, relating to the federal Urban Mass Transportation Act of 1964; and ensuring the definition of 'deduction' is changed to preserve federal funding"; to the Committee on the Judiciary.

By Delegates Evans, Griffith, B. Ward, Fleischauer, Hansen, Phillips and Pethel:

H. B. 4332 - "A Bill to repeal §19-1-10 and §19-15-11 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-13DD-3 of said code; to amend and reenact §19-1-4a and §19-1-11 of said code; to amend said code by adding thereto two new sections, designated §19-1-13 and §19-1-14; to amend and reenact §19-2C-1, §19-2C-6a, and §19-2C-10 of said code; to amend and reenact §19-9-7a of said code; to amend and reenact §19-12E-4 and §19-12E-5 of said code; to amend said code by adding thereto a new article, designated §19-14A-1, §19-14A-2, §19-14A-3, §19-14A-4, §19-14A-5, §19-14A-6, §19-14A-7, §19-14A-8, §19-14A-9, §19-14A-10, §19-14A-11, §19-14A-12, §19-14A-13, §19-14A-14, and §19-14A-15 of said code; to amend and reenact §19-15A-4 of said code; to amend and reenact §19-16-6 of said code; to amend and reenact §19-16A-21 of said code; to amend and reenact §19-20C-3 of said code; and to amend and reenact §19-36-2 and §19-36-5 of said code, all relating generally to the 2022 Farm Bill; raising the West Virginia Farm to Food bank tax credit from \$2,500 to \$5,000; allowing for retroactive application of the tax credit; allowing the Commissioner of Agriculture to accept funds from various federal agencies; repealing requirement for Social Security numbers to be included on applications; removing reporting requirement to Joint Committee; requiring commissioner to report to the Legislature; authorizing commissioner to add interest to debts owed the department; authorizing department to file liens against persons who owe debts; modifying definitions; revising requirements for membership on the board of review; providing compensation for board members; clarifying advertising requirements; changing the National Animal Identification System to the Animal Disease Traceability Program; requiring license from state to produce industrial hemp; allowing commissioner to recognize hemp license issued by the USDA; creating the West Virginia

Animal Remedy law; defining terms; establishing powers and duties of commissioner; providing exemptions; requiring registration of animal remedy products; providing commissioner authority to refuse, suspend, or revoke the registration of animal remedies; providing the right to hearing or appeal of decisions to suspend, refuse, or revoke applications; establishing labeling requirements; establishing when an animal remedy is adulterated; establishing when an item is misbranded; allowing commissioner to issue and enforce embargo orders, confiscate product, condemn, and seek injunction against violators; requiring commissioner keep trade secrets confidential; establishing prohibited acts; establishing criminal and civil penalties for violations; providing penalty for deviation in product; repealing publication requirement for West Virginia fertilizer law; removing requirement that commissioner published a report on the West Virginia seed law; allowing commissioner to deny, suspend, or modify license if applicant has violated, convicted, or assessed penalty under the federal insecticide, fungicide, and rodenticide act; Removing outdated reporting requirement provision; defining agritourism; and establishing that agritourism does not affect the zoning law"; to the Committee on Agriculture and Natural Resources then the Judiciary then Finance.

By Delegates Steele and Foster:

H. B. 4333 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-26-21, relating to sunset the Board of Hearing-Aid Dealers and Fitters"; to the Committee on Government Organization.

By Delegate Linville:

H. B. 4334 - "A Bill to amend and reenact §17A-6B-2 of the Code of West Virginia, 1931, as amended, relating to the bond required of license services by increasing the bond amount to \$100,000"; to the Committee on Technology and Infrastructure then Finance.

By Delegate Linville:

H. B. 4335 - "A Bill to amend and reenact §17C-5C-1a of the Code of West Virginia, 1931, as amended, relating to the transfer of jurisdiction for Office of Administrative Hearings by establishing that the Division of Motor Vehicles has jurisdiction to hear certain driver's license suspension cases and appeals that are made in accordance with the Administrative Procedures Act"; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegates Graves, Foster, Steele, Burkhammer, Clark, Bridges, Criss, Anderson, J. Kelly and Barrett:

H. B. 4336 - "A Bill to amend and reenact §11-1C-10 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-1C-10a, all generally relating to valuation and assessment regarding personal property taxation; providing for a revised methodology to value property producing oil, natural gas, and natural gas liquids by the Tax Commissioner for property tax assessments; providing for methods, calculation requirements, and definitions, all of which are used to determine fair market value, net proceeds, weighted average prices from regional markets, actual receipts, actual annual operating costs, a statewide capitalization rate, average industry production decline rates, a yield capitalization model for each property, and a discounted net cash flow series income; and providing for reporting by the Tax Commissioner to the Joint Committee on Government and Finance by the Tax Commissioner of certain data, explanations, and methodologies"; to the Committee on Finance.

By Delegates Kessinger, Pinson, Mazzocchi, Burkhammer, Pack, Maynard, D. Jeffries, Kimble, Tully, Bridges and Keaton:

H. B. 4337 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-2Q-1, §16-2Q-2, §16-2Q-3, §16-2Q-4, §16-2Q-5, §16-2Q-6, §16-

2Q-7, §16-2Q-8, §16-2Q-9, §16-2Q-10, §16-2Q-11, §16-2Q-12, §16-2Q-13, and §16-2Q-14, all relating to creating the Unborn Child with Down Syndrome Protection and Education Act; providing for a short title, legislative finding, and purpose; providing for definitions; creating dissemination of information on fetal disabilities; providing for informational publications by department; providing that abortion may not be performed for down syndrome and other disabilities except in the case of a medical emergency; providing reporting forms and establishing criminal penalties; providing professional sanctions and civil penalties; providing for additional enforcement; providing for construction of the act; creating severability; providing for the right of intervention; and providing for an effective date”; to the Committee on Health and Human Resources then the Judiciary.

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

H. B. 4338 - “A Bill to amend and reenact §29-22B-1103 of the Code of West Virginia, 1931, as amended, relating to reducing the annual permit fee for each video lottery terminal owned or leased by a limited video lottery licensee”; to the Committee on Finance.

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

H. B. 4339 - “A Bill to amend and reenact §29-22A-10 and §29-22A-10d of the Code of West Virginia, 1931, as amended, all relating to replacing the racetrack modernization fund provisions with racetrack rebate fund provisions generally; requiring that the amount deducted annually from the gross terminal income of each racetrack for the Lottery Commission’s actual costs and expenses incurred in administering racetrack video lottery at the licensed racetrack shall include \$1,500,000, or the entire four percent of the gross terminal income of that racetrack if the amount is less than \$1,500,000, that the commission shall deposit into the Licensed Racetrack Rebate Fund; creating the Licensed Racetrack Rebate Fund; closing the Licensed Racetrack Modernization Fund and providing for the distribution of any amounts remaining in the fund; and requiring the Lottery Commission to pay an equal share of the full amount deposited into the Licensed Racetrack Rebate Fund for each fiscal year to each racetrack facility from which gross terminal income was derived during the fiscal year”; to the Committee on Finance.

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

H. B. 4340 - “A Bill to amend and reenact §16-19-9, §16-19-14 and §16-19-22 of the Code of West Virginia, 1931, as amend; and to amend and reenact §61-12-3 of said code, all relating to anatomical gifts; authorizing the Department of Health and Human Resources as guardian to make an anatomical gift without a court order; clarifying the duties of procurement organization with regard to state medical examiner; requiring the state medical examiner to cooperate with procurement organizations to maximize the opportunity to recover anatomical gifts; authorizing procurement organizations to conduct a test or examination which is reasonably necessary to evaluate the medical suitability of the body or part for its intended purpose; requiring a prosecuting attorney who denies the release of a body or part that is the subject of an anatomical gift to consult with the procurement organization about the proposed recovery; and authorizing the state’s chief medical examiner to enter into contracts and agreements with a procurement organization when necessary to facilitate the efficient and economical recovery of anatomical gifts”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Brown, Lovejoy, Garcia and Dean:

H. B. 4341 - “A Bill to amend and reenact §7-14D-2 of the Code of West Virginia, 1931, as amended, relating to deputy sheriff retirement benefits”; to the Committee on Pensions and Retirement then Finance.

By Delegates Longanacre, Mandt, Kimble, Gearheart, Crouse, Evans, Barrett, Horst, Kimes, Fast and Honaker:

H. B. 4342 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-14-9, relating to a 10 cent per gallon refund of tax paid gasoline, diesel, or gasohol gallonage, paid at the pump, by residents of West Virginia; and proof of payment and residency"; to the Committee on Technology and Infrastructure then Finance.

Special Calendar

Third Reading

S. B. 8, Relating generally to state's savings and investment programs; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 24**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Brown, Ellington, Martin, Rohrbach and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 8) passed.

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

S. B. 8 - "A Bill to repeal §18-30-6a of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §12-9-1, §12-9-2, and §12-9-3; to amend and reenact §18-30-1, §18-30-2, §18-30-3, §18-30-4, §18-30-5, §18-30-6, §18-30-8, §18-30-10, §18-30-11, and §18-30-13 of said code; to amend said code by adding thereto a new section, designated §18-30-3a; and to amend and reenact §18-30A-2, §18-30A-3, §18-30A-5, §18-30A-6, §18-30A-8, and §18-30A-9 of said code, all relating generally to the state's savings and investment programs; continuing the Savings and Investment Program Fulfillment Fund and relocating provisions authorizing said fund to a new article of code; clarifying that moneys in the fund may be used for certain savings and investment programs; updating the West Virginia College Prepaid Tuition and Savings Program Act to reflect the termination of the Prepaid Higher Education Program, Plan, and Trust Fund; eliminating obsolete language related to the Prepaid Tuition Program; providing a short title; defining terms; setting forth legislative findings and rules of statutory construction; continuing the West Virginia College Savings Program; continuing the Board of the College Prepaid Tuition and Savings Program and redesignating the board as the Board of Trustees of the West Virginia College and Jumpstart Savings Programs; clarifying that the board is a public instrumentality of the state and the issuer of interests in the Savings Plan Trust; increasing the number of board members; establishing qualifications of certain board members; establishing the duties and powers of the board with regard to the College Savings Program; authorizing the board to use financial organizations as program depositories and managers and providing requirements therefor; continuing the College Prepaid Tuition and Savings Program Administrative Account and redesignating said account as the College and Jumpstart Savings Administrative Account; authorizing certain expenditures from the administrative account; providing that the administrative account is a nonappropriated special revenue account; authorizing the board to take action to satisfy outstanding obligations of the Prepaid Tuition Trust Plan arising after the Plan's closure; continuing the Prepaid Tuition Plan escrow fund; continuing the board's authority to maintain a certain amount in the escrow fund for

up to 10 years; continuing the board's authorization to expend moneys from the escrow fund in certain circumstances; requiring the board to invest the moneys in the escrow fund; providing for closure of escrow fund; setting forth legislative findings and rules of statutory construction related to the Jumpstart Savings Program; defining terms; eliminating the West Virginia Jumpstart Savings Board; requiring the Board of Trustees of the West Virginia College and Jumpstart Savings Program to administer the Jumpstart Savings Program; establishing the powers of the Board of Trustees of the West Virginia College and Jumpstart Savings Programs to implement and administer the Jumpstart Savings Program; authorizing the board to enter into agreements with agencies, subdivisions, or other states regarding programs that are substantially similar to the Jumpstart Savings Program; providing that the Jumpstart Savings Program Trust is a public instrumentality of the state and shall issue interests in said trust to eligible members of the public; eliminating the Jumpstart Savings Expense Fund; providing that fees, charges, and penalties collected by the board in administering the Jumpstart Savings Program shall be deposited in the College and Jumpstart Savings Administrative Account; making Jumpstart Savings Program expenses payable from the administrative account; eliminating inapplicable language relating to selecting financial institutions to provide services for the Jumpstart Savings Program based on existing state purchasing exemption; specifying that the board may enter into a contract with financial institutions to provide services to both the College Savings and Jumpstart Savings programs; eliminating requirement that board take custody of Jumpstart Savings accounts prior to transferring accounts to a new program manager; and making numerous technical corrections."

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

On this question, the yeas and nays were taken (**Roll No. 25**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Brown, Ellington, Martin, Rohrbach and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 8) 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.

Com. Sub. for H. B. 4067, To make certain agency reports electronic or eliminating certain agency reports altogether; 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. 26**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Brown, Ellington, Martin, Rohrbach and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4067) passed.

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

Com. Sub. for H. B. 4067 – “A Bill to repeal §8-13C-13 of the Code of West Virginia, 1931, as amended; to repeal §16-1-21 of said code; to repeal §16-41-6 of said code; to repeal §18-10L-7 of said code; to repeal §22A-6-11, §22A-6-12, and §22A-6-13 of said code; to repeal §29-6-7a

of said code; to repeal §33-25A-35 of said code; to amend and reenact §5-11B-7; to amend and reenact §5A-6C-4 of said code; to amend and reenact §12-7-12 of said code; to amend and reenact §14-2A-21 of said code; to amend and reenact §16-33-6 of said code; to amend and reenact §31-15A-17b of said code; and to amend and reenact §31-18-24 of said code; all relating to making certain agency reports electronic rather than in printed hard-copy form; and eliminating the reporting requirement entirely for those agencies whose reports are no longer needed or whose deadlines have passed with reports already submitted.”

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

On this question, the yeas and nays were taken (**Roll No. 27**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Brown, Ellington, Martin, Rohrbach and Young.

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. 4067) 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.

Second Reading

Com. Sub. for H. B. 2184, Increasing the penalties for exposure of governmental representatives to fentanyl or any other harmful drug; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Pushkin, the bill was amended on page three, section ten-b, line sixty-six, by striking out the period and inserting a colon and the following:

“Provided, That the provisions of this subsection do not apply to those persons immune from prosecution pursuant to §16-47-4 of the code.”

Delegate Pushkin moved to amend the bill on page three, section ten-b, lines sixty-two and sixty-eight, by striking out the words “or any other harmful drug or chemical agent”.

The question being on adoption of the amendment, the same was put and did not prevail.

There being no further amendments, the bill was ordered to engrossment and third reading.

Com. Sub. for H. B. 2972, Allowing a person to manufacture a stated amount of alcoholic liquor for personal consumption; on second reading, coming up in regular order, was read a second time.

Delegate Fast moved to amend the bill on page one, section two-a, line two, after the word “use”, by inserting a comma and the words “provided that no person under the age of 21 years of age may consume or use alcoholic liquor”.

The question being on adoption of the amendment, the same was put and did not prevail.

Delegate Fast moved to amend the bill on page one, section two-a, line two, after the word “exceed”, by striking out the number “100” and inserting in lieu thereof the number “30”.

And,

On page one, section two-a, line three, after the words “years, or”, by striking out the number “50” and inserting in lieu thereof the number “15”.

On this question of the adoption of the amendment, the yeas and nays were demanded, which demand was not sustained.

The question was then put and did not prevail.

An amendment offered by Delegate Fast was reported by the Clerk.

Whereupon,

Delegate Fast asked and obtained unanimous consent that the amendment be withdrawn.

There being no further amendments, the bill was ordered to engrossment and third reading.

H. B. 3303, Relating to clarifying the process of filling vacancies on ballots; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

First Reading

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

S. B. 191, Allowing poll workers to work full and half days,

Com. Sub. for H. B. 2177, Permitting the issuance of a state issued identification card without a photo on the card under certain conditions,

H. B. 2325, Removing the requirement of continuing education for barbers and cosmetologists,

Com. Sub. for H. B. 3220, Restrictions on Taxpayer funded lobbying,

Com. Sub. for H. B. 3231, Public Utilities not required to pay interest on security deposits,

Com. Sub. for H. B. 3312, Establishing a memorial to child labor and child workers who died in the course of employment in this state,

Com. Sub. for H. B. 4062, Removing the residency requirement for the Commissioner of the Division of Highways,

Com. Sub. for H. B. 4065, Allowing the Division of Natural Resources to teach hunter’s safety courses in school,

Com. Sub. for H. B. 4074, Require schools provide eating disorder and self-harm training for teacher and students,

Com. Sub. for H. B. 4112, Provide consumers a choice for pharmacy services,

And,

Com. Sub. for H. B. 4113, Public Health definitions and powers of secretary and commissioner.

Leaves of Absence

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

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. 2052: Delegate Hansen;

H. B. 2300: Delegate Lovejoy;

H. B. 4064: Delegate Linville;

H. B. 4073: Delegates Hornbuckle and Phillips;

H. B. 4095: Delegate Hanna;

H. B. 4260: Delegate Mandt;

H. B. 4288: Delegate Fleischauer;

H. B. 4310: Delegate Smith;

H. B. 4317: Delegate Mandt;

H. B. 4321: Delegate Mandt;

H. B. 4325: Delegates Graves and Mandt;

H. B. 4327: Delegate Mandt;

H. B. 4328: Delegate Mandt;

H. B. 4330: Delegate Mandt;

H. B. 4336: Delegate Householder;

And,

H. J. R. 102: Delegate Kimble.

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

H. J. R. 102: Delegate Cooper.

At 11:52 a.m., the House of Delegates adjourned until 11:00 a.m., Monday, January 24, 2022.

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

SPECIAL CALENDAR

Monday, January 24, 2022

13th Day

11:00 A. M.

THIRD 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)

SECOND READING

- S. B. 191 - Allowing poll workers to work full and half days (CAPITO) (REGULAR)
- 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. 2325 - Removing the requirement of continuing education for barbers and cosmetologists (STEELE) (REGULAR)
- Com. Sub. for H. B. 3220 - Restrictions on Taxpayer funded lobbying (STEELE) (REGULAR)
- Com. Sub. for H. B. 3231 - Public Utilities not required to pay interest on security deposits (CAPITO) (REGULAR)
- Com. Sub. for H. B. 3312 - Establishing a memorial to child labor and child workers who died in the course of employment in this state (STEELE) (REGULAR)
- Com. Sub. for H. B. 4062 - Removing the residency requirement for the Commissioner of the Division of Highways (STEELE) (REGULAR)
- Com. Sub. for H. B. 4065 - Allowing the Division of Natural Resources to teach hunter's safety courses in school (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 4074 - Require schools provide eating disorder and self-harm training for teacher and students (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 4112 - Provide consumers a choice for pharmacy services (ROHRBACH) (REGULAR)

Com. Sub. for H. B. 4113 - Public Health definitions and powers of secretary and commissioner (ROHRBACH) (EFFECTIVE FROM PASSAGE)

FIRST READING

Com. Sub. for H. B. 4252 - To reduce copay cap on insulin and devices (ROHRBACH) (REGULAR)

Com. Sub. for H. B. 4276 - Permit WVU to create a Parkinson's disease registry (ROHRBACH) (EFFECTIVE FROM PASSAGE)

HOUSE CALENDAR

Monday, January 24, 2022

13th Day

11:00 A. M.

(NO BILLS)

**WEST VIRGINIA
HOUSE OF DELEGATES**

MONDAY, JANUARY 24, 2022

HOUSE CONVENES AT 11:00 A.M.

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

**TECHNOLOGY AND INFRASTRUCTURE
1:00 P.M. – ROOM 215 E**

**VETERANS' AFFAIRS AND HOMELAND SECURITY
2:00 P.M. – ROOM 418 M**

**COMMITTEE ON THE JUDICIARY
3:00 P.M. – ROOM 418 M**

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

**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