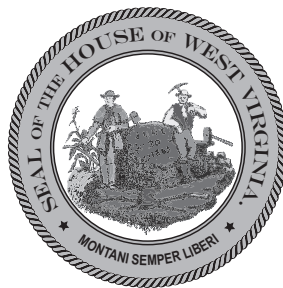


West Virginia Legislature

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January 24, 2022  
THIRTEENTH DAY



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Monday, January 24, 2022

**THIRTEENTH 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 Friday, January 21, 2022, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Messages from the Senate**

A message from the Senate, by

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

**S. B. 253** - "A Bill to amend and reenact §3-1-5 of the Code of West Virginia, 1931, as amended, relating to voting precincts and redistricting; designating the Secretary of State as this state's liaison to the U.S. Census Bureau for purposes of redistricting phases for the federal decennial census; requiring county commissions to submit information to the Secretary of State relating to precinct updates; and providing other responsibilities of the county commissions and Secretary of State relating to maps and accompanying technical files, business hours and availability of information to the public for inspection"; which was referred to the Committee on Government Organization.

**Resolutions Introduced**

Delegates Hanshaw (Mr. Speaker), Skaff, Dean and Evans offered the following resolution, which was reported by the Clerk:

**H. R. 8** – "Creating a Select Committee on Coalfield Communities."

Whereas, Coal production decline has had a devastating impact on the communities that have relied on the industry; and

Whereas, Due to a variety of reasons, West Virginia's coal communities are home to several vulnerable populations, including people suffering from substance use disorder, mental illness, hunger, and homelessness; and

Whereas, The State continues to seek methods which would address these issues, which would ensure an educated, skilled, dedicated and diversified workforce, and this issue can, and has, been addressed through appropriate legislative action; therefore, be it

*Resolved by the House of Delegates:*

That for the remainder of the 85<sup>th</sup> Legislature, there is hereby created a Select Committee on Coalfield Communities, consisting of not more than eleven members of the House of Delegates, to be appointed by the Speaker. Notwithstanding the provisions of any House rule to the contrary, the Select Committee hereby created shall receive testimony, consider legislation, and recommend action to the Speaker of the House regarding all issues relating to coalfield communities in the State of West Virginia; and, be it

*Further Resolved*, That the rules of the House governing Standing Committees shall govern the actions and proceedings of this Select Committee insofar as applicable.

At the request of Delegate Summers, and by unanimous consent, reference of the resolution (H. R. 8) to a committee was dispensed with and it was taken up for immediate consideration, and adopted.

### **Bills Introduced**

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

**By Delegates Ellington, Statler, Criss, Householder, Smith, Gearheart, Espinosa, Hanna, Horst, Bridges and Rohrbach:**

**H. B. 4008** - "A Bill to amend and reenact §18B-1B-4 of the Code of West Virginia, 1931, as amended, relating to directing the Higher Education Policy Commission to develop and implement a funding formula model governing its appropriation request to the Legislature regarding distribution of general revenue to the state's institutions of higher education"; to the Committee on Education then Finance.

**By Delegates Summers, Espinosa and Householder:**

**H. B. 4009** - "A Bill to amend and reenact §21A-2D-1, §21A-2D-2, and §21A-2D-3, of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §21A-2D-2a; to amend said code by adding thereto a new article, designated §21A-3-1, §21A-3-2, and §21A-3-3; and to amend and reenact §21A-6-10 of said code, all relating to unemployment benefits program; adding definition of 'state average unemployment rate' and making technical changes to definitions; increasing requirements to verify claim program integrity; providing for automatic eligibility review in certain circumstances; redesignating code sections; establishing formula to correlate duration of benefits to unemployment rate; providing for rulemaking; setting effective date; and reducing period of maximum duration of benefits"; to the Committee on Finance.

**By Delegates Horst, J. Jeffries, Steele, Conley, Crouse, Maynor, G. Ward, Worrell, Foster, Dean and Nestor:**

**H. B. 4012** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-3-4b, relating to prohibiting the showing of proof of a COVID-19 vaccination"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Summers, Tully, Dean, Kimes, Crouse, Barrett, Conley, Horst, J. Jeffries, Hamrick and Pritt:**

**H. B. 4013** - "A Bill to repeal §9-5-19 of the Code of West Virginia, 1931, as amended; to repeal §16-2D-2, §16-2D-3, §16-2D-4, §16-2D-5, §16-2D-6, §16-2D-7, §16-2D-8, §16-2D-9, §16-2D-10, §16-2D-11, §16-2D-12, §16-2D-13, §16-2D-14, §16-2D-15, §16-2D-16, §16-2D-16a, §16-2D-17, §16-2D-18, §16-2D-19, and §16-2D-20 of said code; to repeal §16-2N-3 of said code; to

repeal §16-5Y-12 of said code; to repeal §16-29A-20 of said code; to repeal §16-29B-1, §16-29B-8, §16-29B-12, §16-29B-13, §16-29B-14, §16-29B-15, and §16-29B-30 of said code; to repeal §49-2-124 of said code; to amend and reenact §16-2D-1 of said code; to amend and reenact §16-5Y-3 of said code; and to amend and reenact §33-15B-5 of said code, all relating to eliminating the certificate of need program for health services; prohibiting certain actions; fixing an effective date; deleting references to the certificate of need program throughout the code; and making technical corrections”; to the Committee on Health and Human Resources.

**By Delegates Smith, Dean, Longanacre, Crouse, Clark, Horst, J. Kelly, Mazzocchi, Pritt, Kimble and Worrell:**

**H. B. 4014** - “A Bill to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating to allowing the concealed carry of firearms on and in Capitol grounds”; to the Committee on the Judiciary.

**By Delegates Fast, Worrell, G. Ward, Crouse, Burkhammer, Conley, J. Jeffries, Cooper, Mazzocchi, Pritt and Kimble:**

**H. B. 4015** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-11C-1, §5-11C-2, §5-11C-3, §5-11C-4, and §5-11C-5, all relating to establishing the West Virginia Religious Freedom Restoration Act to ensure that, in all cases where state action is alleged to substantially burden the exercise of religion, that a compelling interest test is mandated, and, strict scrutiny is applied; including a short title; providing definitions; and addressing applicability, construction, remedies, and severability”; to the Committee on the Judiciary.

**By Delegates J. Jeffries, Maynor, Foster, Nestor, Cooper, Mallow and Forsht:**

**H. B. 4017** - “A Bill to amend and reenact §8-1-5a of the Code of West Virginia, 1931, as amended, all relating to the Municipal Home Rule Program, clarifying the board’s ability to review participating municipalities for efficacy and to make recommendations to the Legislature; clarifying a participating municipality’s authority on local taxation; clarifying that a participating municipality may retain both the municipal sales tax and the municipal business and occupation tax under certain conditions; and making other technical changes”; to the Committee on Government Organization then Finance.

**By Delegates Summers, Espinosa and Steele:**

**H. B. 4018** - “A Bill to amend and reenact §21A-6-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §21A-6-1d, all relating to eligibility for unemployment benefits; requiring work search activities to qualify for unemployment benefits; defining what constitutes work search activities; mandating submittal of proof of work search activities; providing for verification of work search activities; granting commissioner of Workforce West Virginia discretion in verification of work search activities; mandating establishment of process to refer individuals seeking unemployment benefits to job opportunities; requiring individuals receiving referrals to suitable work to apply for and accept that work; mandating employers to report refusal of offer of employment to commissioner; allowing individuals who accept part-time non-suitable employment to receive unemployment benefits without reduction for wages under certain circumstances; making certain individuals applying for or receiving unemployment benefits exempt from work search requirements; establishing process for notification of work search activity requirements; requiring rule-making; and setting effective date”; to the Committee on Government Organization.

**By Delegate Linville:**

**H. B. 4343** - "A Bill to amend and reenact §17A-3-17 of the Code of West Virginia, 1931, as amended, relating to renewal of registrations by sheriffs by establishing that registration renewal is discretionary; establishing that a sheriff may renew any vehicle registration type authorized by the division; increasing the sheriff's service fee by one dollar; and establishing that the division does not have to verify property taxes for any county that does not renew vehicle registration"; to the Committee on Technology and Infrastructure then Government Organization.

**By Delegates Rohrbach, Reed, Summers, D. Jeffries, Tully, Bates, Worrell, Rowan, Forsht and Pinson:**

**H. B. 4344** - "A Bill to amend and reenact §49-1-203 of the Code of West Virginia, 1931, as amended; to amend and reenact §49-2-110 and §49-2-111c of said code; to amend said code by adding thereto a new section, designated §49-2-111d; to amend and reenact §49-4-405, §49-4-501 and §49-4-601 of said code; and to amend and reenact §49-9-101, §49-9-103, §49-9-105, §49-9-106 and §49-9-107 of said code, all relating to foster care; creating new definitions; requiring child placement agencies provide services to kinship family; deleting outdated language; requiring bureau to use the PATH system and a web based portal, matching database, and dashboard database; requiring salaries of direct service employees be raised for recruitment and retention; requiring circuit court judges to issue scheduling order for multidisciplinary treatment team; including managed care case coordinator in multidisciplinary treatment team; allowing department to hire outside counsel; requiring sheriff's office to serve notice of hearing; requiring foster care ombudsman to make recommendations in accordance with the Foster Child Bill of Rights and the Foster and Kinship Parent Bill of Rights; authorizing ombudsman to have access to kinship family; exempting foster care ombudsman from testifying about official duties; making investigation of complaint confidential except when imminent risk of harm reported to foster care ombudsman"; to the Committee on Health and Human Resources then Finance.

**By Delegate Linville:**

**H. B. 4345** - "A Bill to amend and reenact §17A-3-13 of the Code of West Virginia, 1931, as amended, relating to motor vehicle registration cards by establishing electronic or mobile registration cards"; to the Committee on Technology and Infrastructure then Government Organization.

**By Delegates Conley, Horst, Steele, Mazzocchi, J. Jeffries, Longanacre, Worrell, Kimes, Smith, Dean and Nestor:**

**H. B. 4346** - "A Bill to amend and reenact §15-5-2 and §15-5-6 of the Code of West Virginia, 1931, as amended, all relating to the authority and obligations of the Governor and Legislature when in declared states of preparedness and emergency; clarifying the authority and obligations of the Governor during periods of preparedness and emergency; providing requirements for any proclamation or resolution issued relating to a state of preparedness or emergency; defining terms; specifying new criteria for the duration and termination of states of preparedness and emergency; providing for the extension of states of emergency and preparedness by concurrent resolution of the Legislature and specifying the duration of such extensions; providing directives for lawsuits filed challenging actions taken pursuant to the authority granted herein; and updating references to a state agency"; to the Committee on Government Organization then the Judiciary.

**By Delegates Steele, Barrett, Smith and Wamsley:**

**H. B. 4347** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15A-4-8a, relating to the confidentiality of video, incident reports, or other records of a correctional or juvenile facility; providing that the commissioner's agents, representatives, or other designees may view any video, incident report, or other record of a

correctional or juvenile facility; permitting the disclosure of video, incident reports, or other record to law enforcement and the Fusion Center; permitting the disclosure of such items in a civil proceeding upon and appropriate order; permitting the viewing of facility video to any licensed state attorney investigating a potential claim against the division; preventing the disclosure to any licensed state attorney unless a protective order is entered; and extending the confidentiality provisions of this section to any person receiving copies of the video, incident report, or other record”; to the Committee on Select Committee on Jails and Prisons then the Judiciary.

**By Delegates Reed, Martin, Westfall, Booth, Worrell, Riley, Pack, Mallow, Mandt, Queen and Rowan:**

**H. B. 4348** - “A Bill amend and reenact §30-5-11a of the Code of West Virginia, 1931, as amended, relating to pharmacy technician trainees; amending eligibility requirements to include persons at least 16 years old and enrolled in high school or a post-secondary education institution; and allowing the employment of a pharmacy technician trainee for up to 90 days prior to being registered by the Board of Pharmacy”; to the Committee on Health and Human Resources.

**By Delegates Pritt, Haynes, Ferrell, D. Jeffries, Dean, Phillips, J. Jeffries, J. Kelly, Maynor, Graves and Kimble:**

**H. B. 4349** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-39-9, relating to permitting parents or guardians visit a minor patient in a health care facility”; to the Committee on Health and Human Resources.

**By Delegates G. Ward, Conley, McGeehan, Haynes, Phillips, Fast, Steele, Lovejoy, Martin, Mazzocchi and Longanacre:**

**H. B. 4350** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13MM-1, §11-13MM-2, §11-13MM-3, §11-13MM-4, §11-13MM-5, §11-13MM-6, §11-13MM-7, §11-13MM-8, and §11-13MM-9, all relating generally to creating a tax credit for a small manufacturing, mining or industrial business with less than 100 employees or that grosses less than \$5 million a year, if a new labor and capital intensive heavy industry expands or develops in the State of West Virginia; is provided certain tax incentives and draws employees within the boundaries of the State of West Virginia from existing small manufacturing, mining or industrial businesses; and providing that these small businesses that are affected are entitled to a tax credit per employee lost equivalent to the employee’s or employees’ one year base salary”; to the Committee on Workforce Development then Finance.

**By Delegates Tully, Summers, Haynes, B. Ward, Hott, Dean, D. Jeffries, Fast, Linville, Pinson and Worrell:**

**H. B. 4351** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5B-20, relating to creating the Patient Safety & Transparency Act; establishing definitions; providing for legislative findings; creating a staffing plan to be sent to the Office of Health Facility Licensure and Certification, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Homeland Security; and establishing a framework for the staffing plans to be sent”; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Criss and Householder:**

**H. B. 4352** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-24-6c, relating to an additional modification decreasing federal taxable income; providing for definitions; and providing for net liability under apportionment”; to the Committee on Finance.

**By Delegates Smith, Summers, Mallow, Ellington, Steele, Hardy, Phillips, Sypolt, Howell, Fast and Martin:**

**H. B. 4353** - "A Bill to amend and reenact §3-1-30 and §3-1-31 of the Code of West Virginia, 1931, as amended; to amend and reenact §3-2-19 of said code; to amend and reenact §3-11-1 of said code; to amend and reenact §7-1-1a of said code; to amend and reenact §7-4-1 of said code; to amend and reenact §7-14B-21 of said code; to amend and reenact §7-17-12 of said code; to amend and reenact §7-20-7 and §7-20-12 of said code; to amend and reenact §8-1-2 of said code; to amend and reenact §8-2-5 of said code; to amend and reenact §8-3-6 of said code; to amend and reenact §8-4-7, §8-4-8, and §8-4-10 of said code; to amend and reenact §8-5-5 of said code; to amend and reenact §8A-7-7, §8A-7-8a, and §8A-7-13 of said code; to amend and reenact §11-8-16, and §11-8-17 of said code; to amend and reenact §13-1-7, and §13-1-11 of said code; to amend and reenact §15-2-13 of said code; to amend and reenact §16-12-1 of said code; to amend and reenact §18-9-1, §18-9-2, and §18-9-2a of said code; to amend and reenact §20-5K-3 of said code; to amend and reenact §22-15A-18 of said code; to amend and reenact §22C-4A-2, and §22C-4A-3 of said code; to amend and reenact §22C-6-3 of said code; to amend and reenact §29-22C-7 of said code; to amend and reenact §29-25-7 of said code; to amend and reenact §47-20-26 of said code; to amend and reenact §47-21-24 of said code; and to amend and reenact §60-5-1, §60-5-3, and §60-5-4 of said code, all relating to bringing uniformity to local elections by ensuring that all counties hold local elections on a date that a statewide election is already taking place, on a primary or general election date; requiring that local elections and any elections to increase levies coincide with a primary or a general election; removing references to special elections for levies; providing a saving clause for the renewal of existing levies by providing for levying bodies and boards of education to vote in order to schedule such elections to renew or extend these levies in a manner which brings them into conformity with the new structure"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates Pritt and Dean:**

**H. B. 4354** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §29-6A-1, §29-6A-2, §29-6A-3, §29-6A-4 and §29-6A-5, all relating to enacting the Ban-the-Box Act, prohibiting public employers from asking applicants for employment to disclose information concerning the applicant's criminal record or history, under certain circumstances"; to the Committee on Workforce Development then the Judiciary.

**By Delegates Linville, Ellington, Keaton, Haynes, Kimble, Hanna, Maynard and Wamsley:**

**H. B. 4355** - "A Bill to amend and reenact §18B-10-14 of the Code of West Virginia, 1931, as amended, relating to the disclosure by state institutions of higher education of certain information regarding textbooks and digital courseware and certain charges assessed for those items"; to the Committee on Education.

**By Delegates Pritt, Haynes, Ferrell, Cooper, Nestor, Fast, Sypolt, Hanna, Dean, Phillips and Maynor:**

**H. B. 4356** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17B-1A-3, relating to allowing an individual with a medical condition or conditions to have those conditions placed upon a driver's license or permit so that an officer may be aware of the condition or conditions a driver may have"; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegates Hamrick, Dean, Linville, Ferrell, Storch, Zukoff, Clark, Barnhart, Pack, B. Ward and Howell:**

**H. B. 4357** - "A Bill to amend and reenact §18B-1B-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §18B-21-1, §18B-



21-2, §18B-21-3, §18B-21-4, §18B-21-5 and §18B-21-6, all relating to establishing the West Virginia Technology Internship Program; establishing certain purposes of the program; requiring the Chancellor for Higher Education administer the program and, in collaboration with the with the Secretary of Department of Commerce, undertake certain activities to carry out the purposes of the program; establishing certain eligibility requirements for participation in the program; requiring the Chancellor for Higher Education to develop a process for tracking and assessing certain outcomes; requiring the Chancellor for Higher Education to obtain feedback from program participants at certain times; authorizing the use of certain awards to reimburse certain businesses for up to a certain percentage of the amount paid to an intern up to a certain amount; and requiring the Chancellor for Higher Education to prepare and submit an annual report to the Joint Committee on Government and Finance”; to the Committee on Education then Finance.

**By Delegate Haynes:**

**H. B. 4358** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11A-3-52a, relating to sale of tax liens, requiring government held liens be transferred at sale to purchaser”; to the Committee on the Judiciary then Finance.

**By Delegates Horst, Paynter, J. Jeffries, Longanacre, Kimes, Mandt, Mallow, Nestor, Jennings, Kimble and Pritt:**

**H. B. 4359** - “A Bill to repeal §60A-7-701, §60A-7-702, §60A-7-703, §60A-7-704, §60A-7-705, §60A-7-705a, §60A-7-706, §60A-7-707, and §60A-7-708 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §60A-12-1, §60A-12-2, §60A-12-3, §60A-12-4, §60A-12-5, §60A-12-6, §60A-12-7, §60A-12-8, §60A-12-9, §60A-12-10, §60A-12-11, §60A-12-12, §60A-12-13, §60A-12-14, §60A-12-15, §60A-12-16, §60A-12-17, §60A-12-18, §60A-12-19, §60A-12-20, §60A-12-21, §60A-12-22, §60A-12-23, §60A-12-24, §60A-12-25, §60A-12-26, §60A-12-27, §60A-12-28, §60A-12-29, §60A-12-30, §60A-12-31, §60A-12-32, §60A-12-33, §60A-12-34, and §60A-12-35, all relating to the creation of the Criminal Forfeiture Process Act replacing the West Virginia Contraband Forfeiture Act; providing that this article applies to the seizure and forfeiture of property used in and derived directly from the crime involving controlled substances; definitions, procedure; providing that there is no civil forfeiture and that the court with jurisdiction of criminal matter has jurisdiction of the forfeiture procedure; seizure of property, both real and personal; providing that there is no property right to contraband; hearing and appeal; return and disposition of property; restrictions on sales; preemption of local laws; and prohibiting an offer for adoption property, seized under state law, to a federal agency for the purpose of forfeiture under federal law”; to the Committee on the Judiciary.

**By Delegates Graves, Smith, Worrell, Honaker, Longanacre, Wamsley, Storch, Haynes, Summers, Ellington and Hanshaw (Mr. Speaker):**

**H. B. 4360** - “A Bill to amend and reenact §18C-9-5 of the Code of West Virginia, 1931, as amended, relating to eligibility requirements for the West Virginia Invests Grant Program; providing that the community service requirement may be satisfied by certain military service; and providing for reimbursement to certain grant recipients that have repaid a grant and related expenses charged for failure to meet the community service requirement”; to the Committee on Education.

**By Delegate Linville:**

**H. B. 4361** - “A Bill to amend and reenact §17B-3-3c of the Code of West Virginia, 1931, as amended, relating to the suspension of driver’s licenses for failure to appear in court; establishing that a suspension may only last five years; establishing that suspensions entered prior to July 1, 2016 are void; and allowing an inmate in a commercial driver’s license program to receive a stay of the suspension”; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegates G. Ward and Haynes:**

**H. B. 4362** - "A Bill to amend and reenact §18-5-1a of the Code of West Virginia, 1931, as amended, relating to permitting members of county boards of education to hold another part-time nonpartisan office"; to the Committee on Education then the Judiciary.

**By Delegates G. Ward, Jennings, Sypolt, Barnhart, Haynes, Conley, Kimble, Mazzocchi, Martin, Longanacre and Booth:**

**H. B. 4363** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §18A-2-16 and §18A-4-23, all relating to public school teachers and service personnel who accept subsequent employment in a public charter school; allowing those teachers and service personnel to retain their benefits without penalty"; to the Committee on Education then Finance.

**By Delegate Westfall:**

**H. B. 4364** - "A Bill to amend and reenact §32A-2-1, §32A-2-2, §32A-2-3, §32A-2-4, §32A-2-8, §32A-2-10, §32A-2-11, §32A-2-13, §32A-2-24, and §32A-2-25 of the Code of West Virginia, as amended; and to amend said code by adding thereto two new sections, designated §32A-2-8a and §32A-2-8b, all relating to the licensure and regulation of money transmitters; updating definitions; eliminating outdated provisions; clarifying the financial institution exemption; permitting the commissioner to participate in the multistate licensing and examination process for regulatory burden reduction; updating net worth requirements to use a sliding scale; providing information requirements for a change in control and updating the change in control process; requiring permissible investments to match outstanding obligations; and updating the due process procedure to eliminate the two step process for revocations and suspensions while preserving the order and hearing requirement"; to the Committee on Banking and Insurance then the Judiciary.

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

**Com. Sub. for H. B. 2184**, Increasing the penalties for exposure of governmental representatives to fentanyl or any other harmful drug; 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. 28**), and there were—yeas 94, nays 2, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Fleischauer and Pushkin.

Absent and Not Voting: Pack, Storch, Williams and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2184) passed.

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

**Com. Sub. for H. B. 2972**, Allowing a person to manufacture a stated amount of alcoholic liquor for personal consumption; 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. 29**), and there were—yeas 74, nays 22, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Barnhart, Burkhammer, Conley, Cooper, Fast, Ferrell, Graves, Griffith, Hanna, D. Jeffries, Jennings, Keaton, D. Kelly, Mallow, Mandt, Pinson, Reynolds, Rowe, Toney, B. Ward, G. Ward and Worrell.

Absent and Not Voting: Pack, Storch, Williams and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2972) passed.

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

**H. B. 3303**, Relating to clarifying the process of filling vacancies on ballots; 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. 30**), and there were—yeas 83, nays 13, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Diserio, Doyle, Fleischauer, Fluharty, Hansen, Hornbuckle, Lovejoy, Pushkin, Rowe, Skaff, Thompson, Walker and Zukoff.

Absent and Not Voting: Pack, Storch, Williams and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 3303) passed.

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

### **Second Reading**

**S. B. 191**, Allowing poll workers to work full and half days; on second reading, coming up in regular order, was read a second time and ordered to third reading.

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

**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.

### **First Reading**

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

**Com. Sub. for H. B. 4252**, To reduce copay cap on insulin and devices,

And,

**Com. Sub. for H. B. 4276**, Permit WVU to create a Parkinson's disease registry.

### **Leaves of Absence**

At the request of Delegate Summers, and by unanimous consent, leaves of absence for the day were granted Delegates Pack, Storch, Williams 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. 2095**: Delegate Booth;

And,

**H. B. 2910**: Delegate Foster.

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

**H. B. 4053:** Delegate Householder.

At 11:44, the House of Delegates adjourned until 11:00 a.m., Tuesday, January 25, 2022.

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

## **SPECIAL CALENDAR**

**Tuesday, January 25, 2022**

**14<sup>th</sup> Day**

**11:00 A. M.**

### **THIRD 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)

### **SECOND 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**

**Tuesday, January 25, 2022**

**14<sup>th</sup> Day**

**11:00 A. M.**

**(NO BILLS)**





**WEST VIRGINIA  
HOUSE OF DELEGATES**

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**TUESDAY, JANUARY 25, 2022**

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

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

**COMMITTEE ON THE JUDICIARY  
9:00 A.M. – ROOM 410 M**

**COMMITTEE ON ENERGY AND MANUFACTURING  
2:00 P.M. – ROOM 410 M**



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