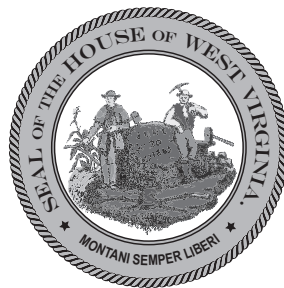


West Virginia Legislature

**JOURNAL**  
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February 2, 2022  
TWENTY-SECOND DAY



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Wednesday, February 2, 2022

**TWENTY-SECOND DAY**

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

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

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

The Clerk proceeded to read the Journal of Tuesday, February 1, 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. 4084**, Relating to advanced recycling,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4084** - "A Bill to amend and reenact §22-15-2 of the Code of West Virginia, 1931, as amended, relating to advanced recycling of solid waste under the Solid Waste Management Act; adding definitions of advanced recycling, advanced recycling facility, catalytic cracking, depolymerization, gasification, hydrogenation, post-use polymer, pyrolysis, recovered feedstock, and solvolysis; amending the definition of solid waste to except out post-use polymers and recovered feedstocks which are converted or held for conversion at an advanced recycling facility; amending the definition of solid waste facility to except out advanced recycling facilities; and facilitating the conversion and use of plastics and other recovered materials through advanced recycling processes,"

With the recommendation that the committee substitute do pass.

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. 4411**, Relating to the imposition of the minimum severance tax on coal,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4411) was referred to the Committee on Finance.

Delegate Jennings, Chair of the Committee on Veterans' Affairs and Homeland Security, submitted the following report, which was received:

Your Committee on Veterans' Affairs and Homeland Security has had under consideration:

**S. B. 9**, Providing continued eligibility for developmental disability services to dependents of military members,

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 (S. B. 9) was referred to the Committee on Health and Human Resources.

Delegate Jennings, Chair of the Committee on Veterans' Affairs and Homeland Security, submitted the following report, which was received:

Your Committee on Veterans' Affairs and Homeland Security has had under consideration:

**H. B. 4295**, To transfer the State Office of the National Flood Insurance Program from the Offices of the Insurance Commissioner to the Division of Emergency Management,

And,

**H. B. 4390**, Establishing Medal of Valor for emergency medical service personnel, firefighters, and law-enforcement officers,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4295 and H. B. 4390) were each referred to the Committee on Government Organization.

Delegate Cooper, Chair of the Committee on Veterans' Affairs and Homeland Security, submitted the following report, which was received:

Your Committee on Veterans' Affairs and Homeland Security has had under consideration:

**H. B. 2733**, Relating to the establishment of a Combat Action Badge and Combat Action Ribbon special registration plates,

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 Government Organization.

In accordance with the former direction of the Speaker, the bill (H. B. 2733) was referred to the Committee on Government Organization.

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. 4127**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Hospital Licensure,

And,

**H. B. 4136**, Authorizing the Health Care Authority to promulgate a legislative rule relating to Certificate of Need,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4127 and H. B. 4136) were each referred to the Committee on the Judiciary.

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. 4126**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Methods and Standards for Chemical Tests for Intoxication,

**H. B. 4128**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Childhood Lead Screening,

**H. B. 4129**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Food Manufacturing Facilities,

**H. B. 4130**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Sewage Treatment and Collection System Design Standards,

**H. B. 4131**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Emergency Medical Services,

**H. B. 4132**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Clinical Laboratory Practitioner Licensure and Certification,

**H. B. 4133**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Clandestine Drug Laboratory Remediation,

**H. B. 4134**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Maternal Risk Screening,

**H. B. 4135**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Expedited Partner Therapy,

**H. B. 4137**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Medication-Assisted Treatment - Opioid Treatment Programs,

**H. B. 4138**, Authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Syringe Services Program Licensure,

**H. B. 4139**, Authorizing DHHR and Insurance Commission to promulgate a legislative rule relating to All Payer Claims Database - Data Submission Requirements,

And,

**H. B. 4140**, Authorizing DHHR and Insurance Commission to promulgate a legislative rule relating to All-Payer Claims Database Program's Privacy and Security Rule,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4126, H. B. 4128, H. B. 4129, H. B. 4130, H. B. 4131, H. B. 4132, H. B. 4133, H. B. 4134, H. B. 4135, H. B. 4137, H. B. 4138, H. B. 4139 and H. B. 4140) were each referred to the Committee on the Judiciary.

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. 4369**, Update the telepsychology compact,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4369** – "A Bill to amend and reenact §30-21A-3 of the Code of West Virginia, 1931, as amended, relating to updating the telepsychology compact,"

With the recommendation that the committee substitute do pass.

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

Your Committee on Banking and Insurance has had under consideration:

**H. B. 4426**, Repeal article 33-25G-1 *et seq.* creating provider sponsored networks,

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 Health and Human Resources.

In accordance with the former direction of the Speaker, the bill (H. B. 4426) was referred to the Committee on Health and Human Resources.

### **Reports of Select Committees**

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

**By Delegates D. Kelly, Hott, Garcia, Lovejoy, Barrett, Bates, Boggs, Fast, Nestor, Pinson and B. Ward:**

**H. B. 4424** - "A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to the definition of operations of jail functions; and clarifying that upon appropriation of funds by the Legislature as part of the state budget, the per diem costs for incarcerating inmates may not include salaries of employees in a regional jail facility."

### **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

**Com. Sub. for S. B. 5** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5B-2-18; to amend said code by adding thereto a new section, designated §5B-2-18a; to amend and reenact §17-2A-19a of said code; and to amend and reenact §61-16-2 of said code, all relating generally to unmanned aircraft systems; establishing the West Virginia Unmanned Aircraft Systems Advisory Council; requiring all operators of unmanned aircraft systems to comply with Federal Aviation Administration regulations; recognizing ownership of certain airspace above lands and waters of the state; clarifying the ability of the state Division of Highways to sell unused airspace to multiple bidders; clarifying the ability of a county or municipality to lease space above a public road under its control; and including private business owners and industrial facilities as entities protected by criminal statute relating to prohibited uses of unmanned aircraft systems"; which was referred to the Committee on Government Organization.

A message from the Senate, by

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

**Com. Sub. for S. B. 439** - "A Bill to amend and reenact §30-39-1, §30-39-2, §30-39-3, §30-39-4, §30-39-5, §30-39-6, §30-39-7, §30-39-9, §30-39-10, §30-39-11, §30-39-12, §30-39-13, §30-39-14, §30-39-15, §30-39-16, §30-39-19, and §30-39-21 of the Code of West Virginia, 1931, as amended, all relating to adopting the Revised Uniform Athlete Agents Act of 2015; modifying short title; defining terms; granting legislative rule-making authority to the Secretary of State; establishing seven-day limit on athlete agent to register; requiring additional information from applicant in registration process; eliminating language making applications or renewals for athlete agent registration public records; providing for reciprocal registration; updating required contents of reciprocal registration application; requiring Secretary of State issue reciprocal license if certain criteria satisfied; requiring Secretary of State cooperate with certain national organizations; allowing the Secretary of State to consider whether the athlete agent has pled guilty in decision to issue registration; providing requirements for reciprocal renewals of registration; providing Secretary of State authority to suspend or revoke registration for same reasons as would justify refusal to issue certificate of registration; permitting applicant to appeal adverse decision of Secretary of State; authorizing Secretary of State promulgate procedural rules to implement appeal procedures; increasing fees for initial license and renewal; adding required contract terms; requiring certain notices by athlete agent to educational institutions; requiring educational institution notify Secretary of State and others if it becomes aware of violation of article by athlete agent; allowing parent and guardian of student athlete ability to cancel contract; requiring athlete agent to create certain records; expanding scope of what constitutes prohibited conduct under the act; expanding scope of who might engage in prohibited conduct under the act; expanding

scope of who can be charged with a criminal violation of the act; enabling student athletes to bring civil action for act or omission of athlete agent; expanding scope of damages that may be available in civil action; making a civil violation an unfair trade practice under West Virginia law; establishing relation to the Electronic Signatures in Global and National Commerce Act; and modifying effective date”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**S. B. 440** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §55-20-1, §55-20-2, §55-20-3, §55-20-4, §55-20-5, §55-20-6, §55-20-7, §55-20-8, §55-20-9, §55-20-10, §55-20-11, §55-20-12, §55-20-13, §55-20-14, §55-20-15, §55-20-16, §55-20-17, §55-20-18, §55-20-19, §55-20-20, §55-20-21, §55-20-22, §55-20-23, §55-20-24, §55-20-25, §55-20-26, §55-20-27, and §55-20-28, all relating to establishing uniform requirements and authority for a receiver appointed by a court for management of commercial real estate during certain matters pending before the court; providing a short title; providing definitions; providing for notice and an opportunity for a hearing; providing for scope and exclusions; establishing the power of court; providing for the appointment of receiver; providing for the disqualification from appointment as receiver and disclosure of interest; providing for bond and alternative security; providing for the status of receiver as lien creditor; creating a security agreement covering after-acquired property; providing for the collection and turnover of receivership property; creating the powers and duties of receiver; creating the duties of owner; creating a stay of other actions and injunction; providing for engagement and compensation of professional; providing for the use or transfer of receivership property not in ordinary course of business; creating an executory contract; providing defenses and immunities of receiver; providing for an interim report of receiver; creating notice of appointment, claim against receivership, and distribution to creditors; providing fees and expenses; creating the removal of receiver, replacement, and termination of receivership; creating the final report of receiver and discharge; creating receivership in another state and ancillary reporting; providing an effect of enforcement by mortgagee; creating uniformity of application and construction; and providing for transition”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

**S. B. 450** - “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”; which was referred to the Committee on Finance.

A message from the Senate, by

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

**S. B. 451** - “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”; which was referred to the Committee on Finance.



A message from the Senate, by

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

**Com. Sub. for S. B. 452** - "A Bill to amend the code of West Virginia, 1931, as amended, by adding thereto a new article, designated §55-20-1, §55-20-2, §55-20-3, §55-20-4, §55-20-5, §55-20-6, §55-20-7, §55-20-8, §55-20-9, and §55-20-10, all relating to permitting civil remedies for the unauthorized disclosure of intimate images; providing for a short title; defining terms; providing for a civil action; providing exceptions to liability; providing for plaintiff's privacy; providing for remedies; creating a statute of limitations; providing for construction; providing for uniformity of application and construction; and addressing effective date"; which was referred to the Committee on the Judiciary.

### Resolutions Introduced

Resolutions were introduced, pursuant to House Rule 109, and severally referred as follows:

Delegates Smith, Anderson, Barach, Barnhart, Barrett, Bates, Boggs, Booth, Bridges, Brown, Burkhammer, Capito, Clark, Conley, Cooper, Criss, Crouse, Dean, Diserio, Doyle, Ellington, Espinosa, Evans, Fast, Ferrell, Fleischauer, Fluharty, Forsht, Foster, Garcia, Gearheart, Graves, Griffith, Hamrick, Hanna, Hansen, Hanshaw (Mr. Speaker), Hardy, Haynes, Holstein, Honaker, Hornbuckle, Horst, Hott, Householder, Howell, D. Jeffries, J. Jeffries, Jennings, Keaton, D. Kelly, J. Kelly, Kessinger, Kimble, Kimes, Linville, Longanacre, Lovejoy, Mallow, Mandt, Martin, Maynard, Maynor, Mazzocchi, McGeehan, Miller, Nestor, Pack, Paynter, Pethtel, Phillips, Pinson, Pritt, Pushkin, Queen, Reed, Reynolds, Riley, Rohrbach, Rowan, Rowe, Skaff, Statler, Steele, Storch, Summers, Sypolt, Thompson, Toney, Tully, Walker, Wamsley, B. Ward, G. Ward, Westfall, Williams, Worrell, Young, Zatezalo and Zukoff offered the following resolution, which was read by its title and referred to the Committee on Rules:

**H. R. 11** – "Urging members of the United States Congress to enact federal legislation designating May 4 as Firefighters Day."

Whereas, There are over 400 separate fire departments in the State of West Virginia; and

Whereas, There are over 10,300 certified firefighters in the State of West Virginia, protecting the lives and homes of West Virginians on a moment's notice every day; and

Whereas, Our firefighters expose themselves to physical risks, including long-term health risks; and

Whereas, On average every year one of these brave men and women dies in the line of duty; and

Whereas, In addition to their firefighting duties, our firefighters also provide emergency medical services, hazardous materials response, special rescue response, terrorism response, and life safety education; and

Whereas, Such dedication and devotion deserve a day of recognition from the community as a whole; therefore, be it

*Resolved by the House of Delegates:*

That the House hereby designates May 4 as Firefighters Day; and, be it

*Further Resolved*, That the Clerk of the House is hereby directed to forward a copy of this resolution to the members of the West Virginia Congressional delegation; and, be it

*Further Resolved*, That the members of the West Virginia Congressional delegation are urged to enact federal legislation designating May 4 as Firefighters Day.

Delegates Hamrick, Ferrell, Haynes, Horst, Howell, Kessinger, Linville, Longanacre, Maynard, Maynor and Zukoff offered the following resolution, which was read by its title and referred to the Committee on Education then Rules:

**H. C. R. 42** - "Urging U.S. universities to relocate Chinese language programs from mainland China to Taiwan."

Whereas, Students benefit enormously from overseas educational programs that promote cultural and language learning and these benefits are typically realized by the students' home countries; and

Whereas, The People's Republic of China (PRC) is an American top-three trading partner and is a global economic and strategic power; and

Whereas, English language education is compulsory for students in the PRC while comparatively few U.S. students study Chinese languages either domestically or overseas; and

Whereas, Many U.S. institutions of higher education have foreign language and culture programs in the PRC, however the number of U.S. students studying Chinese languages in China has declined steadily since 2011; and

Whereas, Taiwan has developed the educational infrastructure to accommodate and enlarge foreign exchange programs including the Ministry of Education's (MOE) establishment of the Huayu Enrichment Scholarship and the Taiwan Scholarship Program in 2004 to encourage foreign students to study Mandarin or pursue their degree studies; and

Whereas, Taiwanese universities are rising in the QS World University Rankings; and

Whereas, Mandarin has been designated by the U.S. government as a critical need language to maintain U.S. national security making it more important now than ever for Americans to study Mandarin; and

Whereas, Mandarin Chinese is the official language of both the PRC and Taiwan; and

Whereas, The United States and Taiwan launched the Taiwan-U.S. Education Initiative in December 2020 in order to expand access to Mandarin and English language instruction between our two democracies and to highlight Taiwan's potential to provide Mandarin language instruction to American students and students around the world; and

Whereas, In accordance with the Taiwan-U.S. Education initiative, Taiwan's Overseas Community Affairs Council (OCAC) has already opened Taiwan Centers across the United States to provide Chinese language courses for American adults; and

Whereas, Northwestern University in Evanston, Illinois, signed a Memorandum of Understanding (MOU) with National Taiwan University (NTU) which will enable Northwestern University undergraduates to travel to NTU for language instruction in accordance with the Taiwan-U.S. Education Initiative; and

Whereas, American universities have begun to identify operational challenges and quality concerns with language programs in the PRC, including lack of proper facilities and the rise of unfriendly sentiment toward American institutions; and

Whereas, Harvard University decided in October 2021 to relocate their highly-regarded Chinese language program from Beijing Language and Cultural University in Beijing, China, to National Taiwan University in Taipei, Taiwan, in part due to what university officials described as “a perceived lack of friendliness” on the part of their counterparts at the Beijing institution; and

Whereas, Taiwan’s economic and strategic partnership with the United States is strengthening in contrast to the increasing strains in U.S.-China relations; and

Whereas, Taiwan is a likeminded, liberal democracy that adheres to free market principles and is among America’s most important economic and strategic partners in the Asia-Pacific; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the House of Delegates encourages institutes of higher education to relocate Chinese language and cultural programs from the PRC to Taiwan to advance U.S. national security interests, strengthen ties between our two democracies and promote a positive learning environment to enhance comprehensive Mandarin language education for American students; and, be it

*Further Resolved,* That the Clerk of the House of Delegates forward a copy of this resolution to members of West Virginia’s Congressional delegation.

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

**H. C. R. 43** - “Requesting the Division of Highways name Bridge Number: 18-77-145.78 NB & SB (18A172, 18A173), locally known as Sandy Creek Bridges, carrying Interstate 77 (NB & SB) over Sandy Creek in Jackson County the ‘Chief Lee Thomas Memorial Bridge’.”

Whereas, Hershell Lee Thomas, known by his family and friends as Lee Thomas, was born November 4, 1933, at Sandyville, a son of the late Orville and Jessie Smith Thomas. He served in the US Army and was a member of the National Rifle Association. He retired from Ravenswood Aluminum in 1995 after 38 years of service. He was a charter member of the Silverton Fire Department which started in 1968. He served as the Chief of the department for 25 years. Lee dedicated his life to helping people in the community; and

Whereas, Hershell Lee Thomas died on December 7, 2016, and was survived by his wife of 64 years, Helen Benson Thomas; son Gregory Thomas and his wife Denise; daughter Joyce Baltic; grandchildren Stephanie Thomas, Jason Baltic and his wife Cathryn and Stacy Baltic; three great grandchildren, Julie, Hailey, Myna; and

Whereas, It is fitting that an enduring memorial be established to commemorate Hershell Lee Thomas and his contributions to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name Bridge Number: 18-77-145.78 NB & SB (18A172, 18A173), locally known as Sandy Creek Bridges, carrying Interstate 77 (NB & SB) over Sandy Creek in Jackson County the "Chief Lee Thomas 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 "Chief Lee Thomas 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.

### **Bills Introduced**

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

**By Delegates Hanshaw (Mr. Speaker) and Skaff**

**[By Request of the Executive]:**

**H. B. 4492** - "A Bill to repeal §17-16B-1, §17-16B-2, §17-16B-3, §17-16B-5, §17-16B-6, §17-16B-7, §17-16B-7a, §17-16B-7b, §17-16B-8, §17-16B-9, §17-16B-10, §17-16B-11, §17-16B-12, §17-16B-13, §17-16B-14, §17-16B-15, §17-16B-16, §17-16B-17, §17-16B-18, §17-16B-19, §17-16B-20, §17-16B-21, and §17-16B-22 of the Code of West Virginia, 1931, as amended; to repeal §17-16C-1, §17-16C-2, §17-16C-3, and §17-16C-5 of the Code of West Virginia, 1931, as amended; to repeal §29-2A-1, §29-2A-2, §29-2A-3, §29-2A-4, §29-2A-5, §29-2A-6, §29-2A-7, §29-2A-8, §29-2A-10, §29-2A-11, §29-2A-11a, §29-2A-11b, §29-2A-11c, §29-2A-11d, §29-2A-11e, §29-2A-11f, §29-2A-12, §29-2A-13, §29-2A-14, and §29-2A-20 of said code; to repeal §29-18-1, §29-18-2, §29-18-3, §29-18-4, §29-18-4a, §29-18-5, §29-18-6, §29-18-7, §29-18-8, §29-18-9, §29-18-10, §29-18-11, §29-18-12, §29-18-13, §29-18-14, §29-18-15, §29-18-16, §29-18-17, §29-18-18, §29-18-19, §29-18-20, §29-18-21, §29-18-22, §29-18-23, §29-18-24, and §29-18-25 of said code; and to amend said code by adding thereto a new article, designated §17-16F-1, §17-16F-2, §17-16F-3, §17-16F-4, §17-16F-5, §17-16F-6, §17-16F-7, §17-16F-8, §17-16F-9, §17-16F-10, §17-16F-11, §17-16F-12, §17-16F-13, §17-16F-14, §17-16F-15, §17-16F-16, §17-16F-17, §17-16F-18, §17-16F-19, §17-16F-20, §17-16F-21, §17-16F-22, §17-16F-23, §17-16F-24, §17-16F-25, §17-16F-26, §17-16F-27, §17-16F-28, §17-16F-29, §17-16F-30, §17-16F-31, §17-16F-32, §17-16F-33, and §17-16F-34, all relating to creating the Division of Multimodal Transportation and combining the powers and duties and eliminating certain references to the Public Port Authority, the West Virginia State Rail Authority and the state Aeronautics Commission; providing for legislative findings and creation of the division; transferring employees, equipment, assets, liabilities, contracts, agreements, functions and duties to the division or its sections; providing for all property currently held by the Public Port Authority, the West Virginia State Rail Authority and the state Aeronautics Commission to be transferred to the division; authorizing the Secretary of the Department of Transportation to appoint the commissioner; establishing general powers and duties of the commissioner; defining terms; establishing the powers and duties of the division generally; requiring the division to promote, supervise and support safe, adequate and efficient transportation, preserve rail, water and airway facilities and promote economic development and tourism; authorizing division to work cooperatively with similar entities within and without the state; providing for siting, development and operation of

facilities; authorizing employment of trained and qualified staff and consultants and compensating therefor; providing the right to enter into contracts and agreements; authorizing acquisition of various types and interests in property to be held in the name of the state; authorizing use of eminent domain; authorizing acquisition and disposal of property by various means; authorizing interagency cooperation; authorizing division to act on behalf of the state in planning, financing, development, construction and operation of port, railroad and aeronautic projects or facilities; reporting annually to Legislature on status of projects, operations, finances and related information; authorizing study and assessment of state transportation needs; authorizing use of various financing options including issuing revenue bonds and receipt of grants and loans; authorizing division to make grants and loans to governmental agencies and persons for multimodal transportation projects; permitting collection of reasonable fees and charges connected to making and servicing loans, notes, bonds and other obligations; granting rule-making authority to the division; continuing all rules, policies and orders of the combined entities until revised and reissued by the division; requiring strategic plan and reports to the Governor and the Legislature; requiring collection and analysis of shipping through state ports; providing for confidentiality of collected information and providing criminal penalty for violation; providing that division employees may not have direct or indirect financial interest in contracts, sale of property of the division and providing criminal penalty for violation; providing that activities of division are for public purpose; authorizing the division to use certain property or facilities of a public utility, common carrier, public road or railroad for certain public projects; requiring the division to relocate any such property or facilities; providing for rules regarding relocation or removal of railroad or public utility located on division property; requiring the division to pay for said relocation or removal; encouraging participation of private enterprise in construction and operation of facilities; authorizing lease back to division; authorizing development of foreign trade zones, free trade zones, ports of entry and customs zones; providing for specific duties related to port projects; authorizing the division to act on behalf of the state in developing, operating, improving and maintaining ports; authorizing the division to coordinate and cooperate with other port entities; creating the West Virginia Multimodal Operations Fund and transference of funds and liabilities of the West Virginia Public Port Authority Operations Fund; providing for specific duties related to rail projects; authorizing the exercise of powers necessary to qualify for federal subsidies; authorizing various means to carry out rail projects that are consistent with state plan with other entities; providing authority for the division to establish, fund, construct, reconstruct, acquire, repair, replace, operate, maintain and make available to other entities railroad projects; providing that research and development of railroads may be conducted; providing that contracts may be entered into to acquire various rolling stock, equipment or trackage and providing the requirements therefor; providing for the authority to enter into agreements that are beneficial to railroad projects notwithstanding other code provisions, including the authority to reject bids; authorizing division to purchase various types of insurance; authorizing the collection of fees for use of rail projects; providing for the administration and coordination of a state plan, including the distribution of federal subsidies; providing for investigation, research, promotion and development with public participation; authorizing the provision of fiscal assurances and adoption of accounting procedures necessary to continue subsidies; authorizing compliance with applicable federal regulations; authorizing all actions necessary to maximize federal assistance for rail subsidies; providing powers necessary to coordinate with the Maryland Transit Administration for continued operation in the state, including negotiation and contracting authority; providing that any commuter rail operation agreement will meet certain service standards; providing that any track access fees to be paid pursuant to the agreement shall be paid from the West Virginia Commuter Rail Access Fund; authorizing sale or transfer of interest in rail property with federal approval

when required; authorizing assistance to entities seeking federal railroad service certification, including the provision of any necessary assurances or guarantees; authorizing division to retain attorney or others to title ownership of rail properties within the state; requiring rail properties offered for sale within the state to be offered first to the state; providing that division may acquire railroad rights in other states and may cooperate with other states in so purchasing any rail properties; providing for the division to give consideration to county or municipality interest in acquiring abandoned property interest and providing for the division to acquire any such abandoned property for subsequent conveyance to a county or municipality; authorizing the division to apply for and utilize federal funds or loans in carrying out its purposes of this article; authorizing the purchase of any railroad rolling stock, equipment and machinery necessary for the operation and maintenance of state rail properties and authorizing contracts with the Division of Highways for maintenance or purchase of vehicles; authorizing maintenance, rebuilding or relocation of state rail properties and authorizing expenditures for the modernization, rebuilding and relocation of any rail properties owned by the state or private carrier; providing for contracting with domestic or foreign entities to provide, maintain or improve rail transportation service on state rail properties; providing for transfer of rail properties to other entities within the state when permitted by the Governor; authorizing the division to resolve conflicts when multiple entities want to utilize the same rail property; providing for proceeds from the sale of state rail property to be deposited in Railroad Maintenance Fund; terminating Railroad Maintenance Authority Fund and creating a Railroad Maintenance Fund for proceeds and expenditures related to division's purpose; authorizing expenditure from any fund for study of proposed rail projects and use of funds from Railroad Maintenance Fund for study and engineering costs; authorizing the issuance of railroad maintenance revenue bonds and notes for costs of rail projects, including issuance of renewal notes and bond refund, with aggregate amount of all issues of bonds and notes outstanding at one time not exceeding amount capable of being serviced by revenues received; providing that issues of bonds or notes are negotiable instruments and are obligations of the division and are payable out of the revenues which are pledged for such payment; providing for maturity date, terms of execution, sale, redemption and delivery; authorizing the establishment of various conditions necessary to secure sufficient funds to protect bonds or notes; providing that person executing bonds or notes is not personally liable therefor; providing for trust agreement to secure bonds issued by division and creating conditions therefor, not including mortgage of any rail project; allocating expenses of bond issuance or trust agreement to rail projects; providing for civil action for bondholders seeking to enforce rights granted; providing that bonds are payable from division revenues and are not a debt of state or political subdivision; restricting division from incurring debt on behalf of state or political subdivision; authorizing use of proceeds from bonds to carry out division's powers and prohibiting commingling with other funds; providing for the investment of excess funds by West Virginia State Board of Investments; authorizing division to collect rents or revenues for use of rail projects; providing for cooperation with other governmental agencies to effect acquisition of rail project or bond issuance; authorizing division to maintain rail projects in good repair; providing that railroad maintenance bonds are lawful investments for various entities; continuing West Virginia Commuter Rail Access Fund which is administered by division commissioner; requiring division to establish a state rail plan that complies with federal requirements for funding; providing specific powers and duties for director of public transit; designation of public transit as the agency of the state responsible for administering all federal and state programs related to public transportation; providing for assistance and cooperation of other state agencies with all multimodal sections; providing for specific duties related to aeronautics projects; authorizing division to advance development of aeronautics in cooperation with municipalities; authorizing rules necessary for public safety related to airports and

aeronautics; authorizing division to fund grants for public airport authorities; authorizing division to receive federal funding to support airports or air navigation facilities; providing for procedures and conditions for use of federal funds; requiring a federal license to operate an aircraft; allowing for the use of state and municipal facilities and services; disposing of fees collected under this code section and providing a severability clause”; to the Committee on Government Organization.

**By Delegates Hanshaw (Mr. Speaker) and Skaff**

**[By Request of the Executive]:**

**H. B. 4493** - “A Bill to amend and reenact §60A-4-401, §60A-4-409, and §60A-4-415 of the Code of West Virginia, 1931, as amended, relating to knowingly possessing or manufacturing, or possessing with the intent to deliver fentanyl, and importing and transporting fentanyl through the State of West Virginia; clarifying the statutes to reference mandatory sentencing provisions for felony fentanyl crimes promulgated through the amendment and reenactment of §60A-4-415 of this code; increasing the minimum term of imprisonment for felony fentanyl related offenses; noting that any person convicted of manufacturing, delivering, or transporting into the state or possessing fentanyl, or conspiring to manufacture, deliver, or transport into the state or possessing fentanyl either alone or in combination with another substance, is not eligible for probation; noting that any person convicted of manufacturing, delivering, transporting into the state or possessing fentanyl, either alone or in combination with another substance, is not eligible for parole; enhancing penalties for transportation of fentanyl into the state and for the possession, manufacture, and delivery of fentanyl within the state when certain aggravating factors exist at the time of the offense; to-wit, the person has one or more prior convictions for an offense relating to possessing, manufacturing, or delivering controlled substances; the person possesses a firearm or any other dangerous weapon; the person utilizes, enlists, or solicits the aid of, or conspires with a juvenile to illegally import fentanyl; noting that any person who violates the aggravating provisions in this section shall be imprisoned for a definite term not less than 15 nor more than 20 years, and fined an amount twice that otherwise authorized; increasing the fines to which a person convicted of transporting fentanyl into the state may be subject”; to the Committee on the Judiciary.

**By Delegates Hanshaw (Mr. Speaker) and Skaff**

**[By Request of the Executive]:**

**H. B. 4494** - “A Bill to amend and reenact §15-1B-26 of the Code of West Virginia, 1931, as amended, to provide for additional firefighters and security guards for the National Guard”; to the Committee on Government Organization.

**By Delegates Hanshaw (Mr. Speaker) and Skaff**

**[By Request of the Executive]:**

**H. B. 4495** - “A Bill to amend and reenact §30-7-2 of the Code of West Virginia, 1931, as amended, relating to allowing eligible professional nurses and advance practice registered nurses, or the equivalent, to practice in West Virginia; providing for registration with the West Virginia Board of Examiners for Registered Professional Nurses; providing for timely consideration and approval or denial of applications for registration; and revising the style of certain phrases”; to the Committee on Health and Human Resources.

**By Delegates Hanshaw (Mr. Speaker) and Skaff**

**[By Request of the Executive]:**

**H. B. 4496** - “A Bill to amend and reenact §12-1-12 of the Code of West Virginia, 1931, as amended, to allow interest and earnings on federal COVID-19 relief moneys to be retained in the funds or accounts where those moneys are invested and making said amendments retroactive in application”; to the Committee on Finance.

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

**H. B. 4497** - "A Bill to repeal §15A-8-1, §15A-8-2, and §15A-8-3 of the Code of West Virginia, 1931, as amended; and to amend and reenact §15A-3-2 and §15A-3-16 of said code, all relating to the repeal of the article governing the Regional Jail and Correctional Facility Authority Board; abolishing the Regional Jail and Correctional Facility Authority Board; and eliminating the requirement that special revenue funds be used by the Regional Jail and Correctional Facility Authority Board to pay indebtedness; and making other technical corrections"; to the Committee on Select Committee on Jails and Prisons then Finance.

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

**H. B. 4498** - "A Bill to amend and reenact §61-3C-4 of the Code of West Virginia, 1931, as amended, relating to increasing the financial penalties in regard to any person who, knowingly and willfully, directly or indirectly, accesses or causes to be accessed any computer, computer services, or computer network for purposes of executing any scheme or artifice to defraud or obtaining money, property, or services by means of fraudulent pretenses, representations, or promises and increasing the financial penalties in regard to any person who, with intent to extort money or other consideration from another, that introduces ransomware into any computer, computer system or computer network, and providing for restitution to the state, state agencies, and political subdivisions for damages"; to the Committee on the Judiciary.

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

**H. B. 4499** - "A Bill to amend and reenact §5A-3-1, §5A-3-3, §5A-3-4, §5A-3-10, §5A-3-10a, §5A-3-11, §5A-3-12, §5A-3-17, §5A-3-18, §5A-3-29, §5A-3-35, and §5A-3-45 of the Code of West Virginia, 1931, as amended; and to amend and reenact §6D-1-2, of said code, all relating generally to making the procurement process more efficient by modifying and updating outdated processes and requirements and encouraging earlier communication with and assistance from experts within the purchasing division regarding manner and process of procurement of commodities and services by the various spending units of the state; to eliminate outdated audit references of exempted agencies; to allow the director to exempt certain transactions from the requirements of chapter 5A, article 3; to clarify that grant recipients need not pay registration fees as a vendor; to authorize other procurement methods in lieu of formal competitive bidding when determined to be in the best interest of the state; to increase delegated procurement limits in the director's discretion; to make procurement from nonprofit workshops optional; to clarify timing required on rebidding; to change the requirement for an affidavit verifying that no debt is owed to an affirmation; to provide the Purchasing Division Director with discretion in increasing the \$2,500 no bid limit; to eliminate outdated information reporting requirements for vendor registration; to clarify procurement penalties and inventory submission language; to remove surplus fees for inter-agency asset transfers; to require inter-agency asset transfers be recorded in accordance with governmental accounting standards; to shift the collection of the interested party disclosure information from contract award to before work begins in an effort to make the procurement process"; to the Committee on Government Organization then the Judiciary.

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

**H. B. 4500** - "A Bill to amend and reenact §5A-1-11 of the Code of West Virginia, 1931, as amended, relating to combining the offices of the West Virginia State Americans with Disabilities Act Office and the West Virginia Equal Employment Opportunity Office within the Department of Administration; creating a position titled State Equal Opportunity Coordinator; establishing



qualifications for the position; setting forth how the State Equal Opportunity Coordinator is selected; outlining scope of responsibilities; authorizing access to personnel records to monitor compliance and advise state agencies; renaming the fund titled 'Americans with Disabilities Coordinator Fund'; and making other technical changes"; to the Committee on Government Organization.

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

**H. B. 4501** - "A Bill to amend and reenact §12-7-2, §12-7-3, §12-7-4, and §12-7-5 of the Code of West Virginia, 1931, as amended; to repeal §12-7-8 of said code; and to amend and reenact §31-15-6 of said code; all relating to management and control of jobs investment trust to be vested in the West Virginia Economic Development Authority; and terminating the Jobs Investment Trust Board"; to the Committee on Government Organization.

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

**H. B. 4502** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2L-1, §5B-2L-2, §5B-2L-3, §5B-2L-4, §5B-2L-5, §5B-2L-6, §5B-2L-7, §5B-2L-8, §5B-2L-9, §5B-2L-10, §5B-2L-11, §5B-2L-12, §5B-2L-13, §5B-2L-14, §5B-2L-15, §5B-2L-16, and §5B-2L-17, all relating to establishing the BUILD WV Act; providing legislative findings and purpose; authorizing rule-making authority; providing for the application of the West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; providing effective and expiration dates; exempting the construction contractors of certified BUILD WV projects from the consumers sales and service tax and use tax; authorizing municipalities to provide exemptions to business and occupation taxes; establishing a property value adjustment tax credit; providing for the determination of amount and application of the property value adjustment tax credit; requiring; providing that the property value adjustment tax credit entitlement is retained by eligible taxpayers that have developed project property; providing for credit recapture, interest, penalties, additions to tax, and statute of limitations; providing for certified BUILD WV districts and the procedure for designation; granting authority to the Department of Economic Development to administer BUILD WV; providing for the application and procedures for BUILD WV projects; and requiring agreements between the Department of Economic Development and BUILD WV project participants"; to the Committee on Small Business, Entrepreneurship and Economic Development then Finance.

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

**H. B. 4503** - "A Bill to amend and reenact §18A-3-6 of the Code of West Virginia, 1931, as amended, related to revocation of school personnel certification or licensure; including personnel licensed under §18A-3-2a of this code; and providing that licensure or certification may be revoked upon a finding of abuse by the West Virginia Department of Health and Human Resources"; to the Committee on Education then the Judiciary.

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

**H. B. 4504** - "A Bill to repeal §10-1-12, §10-1-13, §10-1-14, §10-1-14a, §10-1-15, §10-1-16, §10-1-17, §10-1-18, §10-1-18a, §10-1-19, §10-1-20, §10-1-21, §10-1-22, §10-1-23, and §10-1-24 of the Code of West Virginia, 1931, as amended; and to repeal §29-27-1, §29-27-2, §29-27-3, §29-27-4, §29-27-5, and §29-27-6 of said code; and to amend and reenact §5F-2-1 of said code; to amend and reenact §29-1-1 of said code; and to amend said code by adding thereto two new

sections, designated §29-1-8c and §29-1-8d, all relating to placing the duties and functions of certain boards and commissions under the Department of Arts, Culture and History; to repeal certain sections related to the powers and authorities of the State Library Commission; to create a state library section in the Department of Arts, Culture and History; to amend the makeup of the State Library Advisory Commission; to provide for a state library director; to provide powers and duties of the state library section; to provide powers and duties of the State Library Advisory Commission; to create the National Coal Heritage Area Commission; to provide for the makeup of the National Coal Heritage Area Commission; setting forth the powers and duties of the National Coal Heritage Area Commission; to repeal the article related to the National Coal Heritage Area Authority"; to the Committee on Government Organization.

**By Delegate Hanshaw (Mr. Speaker)**

**[By Request of the Executive]:**

**H. B. 4505** - "A Bill to repeal §22C-3-22 of the Code of West Virginia, 1931, as amended; and to amend and reenact §22C-3-1, §22C-3-3, §22C-3-4, §22C-3-5, §22C-3-6, §22C-3-7, §22C-3-8, §22C-3-9, §22C-3-10, §22C-3-11, §22C-3-12, §22C-3-13, §22C-3-14, §22C-3-15, §22C-3-16, §22C-3-17, §22C-3-19, §22C-3-20, §22C-3-21, §22C-3-23, §22C-3-24, and §22C-3-26 of said code, all relating to abolishing the West Virginia Solid Waste Management Board and transferring its functions, rights, powers, and duties to the Department of Environmental Protection; declaring that the department is bound by actions previously taken by the Solid Waste Management Board; removing or repealing obsolete provisions relating to the former board; and correcting and revising citations to related sections of said code"; to the Committee on Energy and Manufacturing then Government Organization.

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

**H. B. 4506** - "A Bill to amend and reenact §62-12-13c of the Code of West Virginia, 1931, as amended, relating to clarifying that the Nonviolent Offense Parole Program is not available to offenders who are serving a sentence either consecutively or concurrently with an offense that is a crime of violence against a person or animal as well as a felony controlled substance offense, a felony firearm offense, nor a felony where the victim was a minor child; and making the provisions of this section unavailable to those previously released under the terms of this section"; to the Committee on the Judiciary.

**By Delegates Zukoff, Young and Fluharty:**

**H. B. 4507** - "A Bill to amend and reenact §21-5C-4 of the Code of West Virginia, 1931, as amended, relating to increasing the minimum wage paid to persons who receive tips"; to the Committee on Workforce Development then the Judiciary.

**By Delegates Steele, Foster and Kessinger:**

**H. B. 4508** - "A Bill to repeal §61-8B-18 of the Code of West Virginia, 1931, as amended; to amend and reenact §61-8B-3, §61-8B-4, §61-8B-5, §61-8B-7, §61-8B-8, §61-8B-9, §61-8B-9b, §61-8B-10, §61-8B-12; and to amend said code by adding thereto a new section, designated §61-8B-4a, all relating to sexual offenses; establishing criminal penalties for sexual offenses; and creating criminal penalties for certain sexual offenses"; to the Committee on the Judiciary.

**By Delegates Thompson, Walker, Young, Skaff, Garcia, Diserio, Griffith, Barach, Hornbuckle, Fluharty and Pushkin:**

**H. B. 4509** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §48-2-101a, relating to marriages; and the necessity of interpretation of gender specific terms to be gender neutral and applicable to spouses regardless of gender"; to the Committee on the Judiciary.

**By Delegates Jennings, Ellington and Sypolt:**

**H. B. 4510** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-5g, relating to powers and duties of the State Board of Education; and requiring the State Board of Education to administer a K-3 reading and mathematics program"; to the Committee on Education.

**By Delegates Linville, Howell, Hanshaw (Mr. Speaker), Graves, Summers, Espinosa, Householder and Steele:**

**H. B. 4511** - "A Bill to amend and reenact §16-5C-18 of the Code of West Virginia, 1931, as amended; and to amend and reenact §36-8-1, §36-8-2, §36-8-8, §36-8-10, §36-8-13, §36-8-15, §36-8-25, and §36-8-33 of said code, all relating generally to unclaimed property and escheatment of said property to the state; providing that personal funds of nursing home residents may be used for the benefit of such residents during their lifetimes with consent of certain authorized persons; requiring nursing homes to keep an accounting of certain receipts and disbursements of resident's personal funds and to provide said accounting to authorized persons in certain circumstances; extending the presumption of abandonment period for personal funds of nursing home residents; specifying that a willful or intentional violation of requirements related to nursing home management of resident's personal funds is a misdemeanor and providing criminal penalties; defining terms; setting forth presumption of abandonment period for virtual currency; setting forth the presumption of abandonment period for demand, savings, or time deposits; requiring the holder of virtual currency to liquidate said currency prior to remittance to the state; providing that the owner of abandoned virtual currency has no recourse against the holder or state for gain in value after liquidation; providing that the administrator shall reimburse the holder of a safety deposit box for the cost of opening said box upon remittance to the administrator using administrative funds in the Unclaimed Property Fund; authorizing the administrator to invest the moneys in the Unclaimed Property Fund and allowing earnings to accrue to said fund; eliminating obsolete language related to previous transfers of moneys from the Unclaimed Property Fund; discontinuing an annual transfer from the Unclaimed Property Trust Fund to the Prepaid Trust Escrow Fund and instead providing for an annual transfer from the Unclaimed Property Trust Fund to the Jumpstart Savings Trust Fund; authorizing the administrator to waive the requirement that an apparent owner file a claim with the administrator in certain circumstances; permitting the administrator to disclose the monetary value and nature or type of a property to a person who is reasonably believed to be the property's apparent owner or a person authorized to receive the property on the owner's behalf; and requiring the administrator to publish a report including certain unclaimed property data for the most recently concluded fiscal year"; to the Committee on Government Organization then the Judiciary.

**By Delegate Rowe:**

**H. B. 4512** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §42-2-1; to amend and reenact §42-3-2 of said code, as amended; and to repeal §44-1-17 of said code; all relating to the creation of an exempt property allowance in the surviving spouse or minor children of a decedent"; to the Committee on the Judiciary.

**By Delegates Sypolt, Jennings and Miller:**

**H. B. 4513** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-3tt, relating to allowing county commissions to impose an amusement tax"; to the Committee on Political Subdivisions then Finance.

**By Delegate Zukoff:**

**H. B. 4514** - "A Bill to amend and reenact §3-3-5c of the Code of West Virginia, 1931, as amended, relating to mandating county commissions develop emergency absentee voting procedures"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates Mandt, Queen, D. Kelly, Pack, Criss, Householder, Honaker, Summers, Ferrell, Hanna and Martin:**

**H. B. 4515** - "A Bill to amend and reenact §21-6-7 of the Code of West Virginia, as amended, relating to modifying the hours worked by teenagers to help with pandemic staffing shortages"; to the Committee on Workforce Development then the Judiciary.

**By Delegates Kimble, D. Jeffries, Holstein, Barnhart, Maynard, G. Ward, Hanna, Mazzocchi and Rohrbach:**

**H. B. 4516** - "A Bill to amend and reenact §16-5Y-6 of the Code of West Virginia, 1931, as amended, relating to requiring written policies of medication-assisted treatment programs"; to the Committee on Political Subdivisions then Health and Human Resources.

**By Delegates Steele, Foster and Kessinger:**

**H. B. 4517** - "A Bill to repeal §61-8E-1, §61-8E-2, and §61-8E-3 of the Code of West Virginia, 1931, as amended, all relating to the repealing requirements to display video ratings"; to the Committee on Government Organization.

**By Delegates Pritt, Phillips, Keaton, Kimes, Holstein, Hott, Foster, Martin and G. Ward:**

**H. B. 4518** - "A Bill to amend and reenact §3-2-13 of the Code of West Virginia, 1931, as amended, relating to prohibit an agency of state or local government, including an employer, or contractor, from automatically registering to vote any eligible person without first obtaining an explicit, written consent to be registered to vote, and an appropriate state or federal registration form"; to the Committee on the Judiciary.

**By Delegates Steele, Foster and Kessinger:**

**H. B. 4519** - "A Bill to amend and reenact §61-14-2, §61-14-3, §61-14-4, §61-14-5, §61-14-6, §61-14-7, and §61-14-8 of the Code of West Virginia, all relating to increasing criminal penalties for human trafficking; establishing limitations on parole; and providing immunity from criminal liability for juvenile victims"; to the Committee on the Judiciary.

**By Delegates Toney, Fast, Dean, Paynter, Steele, Bates, McGeehan, Ellington and Statler:**

**H. B. 4520** - "A Bill to amend and reenact §17C-12-7 of the Code of West Virginia, 1931, as amended, relating to providing that when a registered owner or lessee of a motor vehicle that is involved in the overtaking and passing of a stopped school bus is charged for a violation and misdemeanor offense, the state is not relieved of its burden of proof"; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegates Rohrbach, Rowan, Sypolt, Zukoff, Graves, Mandt, Forsht, Toney, Haynes and Boggs:**

**H. B. 4521** - "A Bill to amend and reenact §30-29-5a of the Code of West Virginia, 1931, as amended, relating to criminal justice training for law-enforcement officers and correction officers regarding individuals with Alzheimer's and dementias; development of course instruction; defining terms; providing for training in appropriate interactions with individuals with Alzheimer's and dementias; and authorizing the Law-Enforcement Professional Standards Subcommittee to develop guidelines for law-enforcement and correction officer response to individuals experiencing Alzheimer's and dementias who are victims or witnesses to a crime, or suspected or convicted of a crime"; to the Committee on Health and Human Resources then the Judiciary.

### Special Calendar

#### Second Reading

**Com. Sub. for H. B. 4111**, Relating to the prescriptive authority of advance practice registered nurses; on second reading, coming up in regular order, was, at the request of Delegate Summers, and by unanimous consent, postponed one day.

(NOTE: Com. Sub. for H. B. 4111 had been reprinted to include the language with strike-throughs and the underscoring of new language.)

**Com. Sub. for H. B. 4311**, Creating criminal penalties for illegal voting activity; 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. 435**, Awarding service weapon to retiree from Division of Protective Services,

**Com. Sub. for S. B. 437**, Providing for early discharge of parolees,

**Com. Sub. for S. B. 449**, Relating to Nonviolent Offense Parole Program,

**Com. Sub. for H. B. 4003**, Relating generally to commercial benefit of substances removed from waters of the state by the treatment of mine drainage,

And,

**H. B. 4296**, To revise outdated provisions within Chapter 23 of the West Virginia Code, which pertains to workers' compensation.

#### Remarks by Members

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

- Delegate Skaff
- Delegate Rowe
- Delegate Doyle
- Delegate McGeehan
- Delegate Hanna

#### 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. 2550:** Delegate Hansen;  
**H. B. 2908:** Delegate Linville;  
**H. B. 4040:** Delegate Young;  
**H. B. 4054:** Delegate Young;  
**H. B. 4055:** Delegate Young;  
**H. B. 4072:** Delegate Young;  
**H. B. 4084:** Delegate Young;  
**H. B. 4332:** Delegate Young;  
**H. B. 4345:** Delegate Young;  
**H. B. 4382:** Delegates Barach and Doyle;  
**H. B. 4392:** Delegate Crouse;  
**H. B. 4397:** Delegate Young;  
**H. B. 4409:** Delegate Haynes;  
**H. B. 4423:** Delegate Haynes;  
**H. B. 4425:** Delegate Wamsley;  
**H. B. 4426:** Delegates Espinosa and Hott;  
**H. B. 4428:** Delegates Lovejoy and Young;  
**H. B. 4467:** Delegate Young;  
**H. B. 4477:** Delegates Capito, Crouse, Ferrell, Keaton, Pack, Pritt and Skaff;  
And,  
**H. B. 4490:** Delegate Mandt.

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

- H. B. 4406:** Delegate Steele;  
**H. B. 4407:** Delegate Steele;  
**H. B. 4422:** Delegate Reynolds;

And,

**H. B. 4455:** Delegate Steele.

At 12:08 p.m., the House of Delegates adjourned until 11:00 a.m., Thursday, February 3, 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**

**Thursday, February 3, 2022**

**23<sup>rd</sup> Day**

**11:00 A. M.**

### **THIRD READING**

Com. Sub. for H. B. 4311 - Creating criminal penalties for illegal voting activity (CAPITO)  
(REGULAR)

### **SECOND READING**

S. B. 435 - Awarding service weapon to retiree from Division of Protective  
Services (CAPITO) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 437 - Providing for early discharge of parolees (CAPITO) (EFFECTIVE  
FROM PASSAGE)

Com. Sub. for S. B. 449 - Relating to Nonviolent Offense Parole Program (CAPITO)  
(EFFECTIVE FROM PASSAGE)

Com. Sub. for H. B. 4003 - Relating generally to commercial benefit of substances removed  
from waters of the state by the treatment of mine drainage  
(CAPITO) (REGULAR)

Com. Sub. for H. B. 4111 - Relating to the prescriptive authority of advance practice  
registered nurses (CAPITO) (REGULAR)

H. B. 4296 - To revise outdated provisions within Chapter 23 of the West  
Virginia Code, which pertains to workers' compensation (CAPITO)  
(REGULAR)

### **FIRST READING**

Com. Sub. for H. B. 4084 - Relating to advanced recycling (ANDERSON) (REGULAR)

Com. Sub. for H. B. 4369 - Update the telepsychology compact (ROHRBACH) (EFFECTIVE  
FROM PASSAGE)

H. B. 4424 - Defining the operations of jail functions (D. KELLY) (REGULAR)

**HOUSE CALENDAR**

**Thursday, February 3, 2022**

**23<sup>rd</sup> Day**

**11:00 A. M.**

**SECOND READING**

H. B. 2882 -

Relating to repealing a ban on construction of nuclear power plants (STEELE) (REGULAR)

# **WEST VIRGINIA HOUSE OF DELEGATES**

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**THURSDAY, FEBRUARY 03, 2022**

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

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**POLITICAL SUBDIVISIONS  
8:30 A.M. – ROOM 410 M**

**COMMITTEE ON THE JUDICIARY  
9:30 A.M. – ROOM 410 M**

**COMMITTEE ON FINANCE  
9:30 A.M. – ROOM 462 M**

**COMMITTEE ON ENERGY AND MANUFACTURING  
1:00 P.M. – ROOM 410 M**

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

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