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THIRTY-FIRST DAY

Friday, February 11, 2022

THIRTY-FIRST DAY

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

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

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

The Clerk proceeded to read the Journal of Thursday, February 10, 2022, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, Delegate Summers announced that H. B. 4264 and Com. Sub. for H. B. 4483, on First Reading, Special Calendar, had been transferred to the House Calendar.

Committee Reports

Delegate Householder, Chair of the Committee on Finance submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 4568, To allow phased rehabilitations of certified historic structures,

And reports the same back, with a title amendment, with the recommendation that it do pass, as amended.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

H. B. 4352, Decreasing federal taxable income,

And,

H. B. 4460, Relating to authorizing application of the manufacturing investment tax credit and the manufacturing property tax adjustment credit against personal income tax,

And reports the same back with the recommendation that they each do pass.

Delegate Householder, Chair of the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration:

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

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4002 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5B-2-18, relating to the creation of the Certified Sites and Development Readiness Program under the Department of Economic Development; requiring the department to develop evaluation criteria and site certification levels; establishing application processes for program; establishing eligible applicants; allowing the department to select sites for the program from applications; providing for the review of sites and reporting to applicants of the site's readiness; creating two types of grants; allowing the department to choose sites to provide matching grant funds to develop sites included in the program; establishing requirements for the matching grant funding; allowing the department to choose recipients for micro-grants; providing the department the authority to set forth criteria for micro-grants; limiting the amount of funds which may be expended per site; providing for the repayment of funds from matching grants; and creating the Certified Sites and Development Readiness Fund,"

H. B. 4025, Providing exemption to severance tax for severing rare earth elements and other critical minerals,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4025 - "A Bill to amend and reenact §11-13A-3c of the Code of West Virginia, 1931, as amended, relating to the imposition of the tax on the privilege of severing other natural resources; providing for an exemption from the imposition of the severance tax for a period of 5 years beginning on July 1, 2022, for severing rare earth elements and critical minerals; and defining rare earth elements and critical minerals,"

H. B. 4259, Creating the West Virginia Small Business Jumpstart Act,

And reports back a committee substitute therefor, as follows:

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

clarifying that Department cannot revoke tax credit following the fund's exit; and allowing for Department to provide opinions to small business growth fund regarding investment of a small business concern,"

H. B. 4451, Eliminating the requirement that otherwise qualified investment assets be located or installed at or within 2 miles of a preexisting manufacturing facility,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4451 - "A Bill to amend and reenact §11-6F-6 of the Code of West Virginia, 1931, as amended, all relating to the special method for appraising qualified capital additions to manufacturing facilities, eliminating the requirement that otherwise qualified capital addition be located or installed at or within two miles of a preexisting manufacturing facility; and specifying effective date,"

H. B. 4465, Relating to the tax credit for apprenticeship training,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4465 - "A Bill to amend and reenact §11-13W-1 of the Code of West Virginia, 1931, as amended, all relating to the tax credit for apprenticeship training; eliminating the requirement that the credit base be limited to wages paid to apprentices in the construction trades; and specifying effective date,"

And,

H. B. 4470, Relating to consumers sales and service tax and use tax exemption for certain goods to be incorporated into a qualified, new or expanded warehouse or distribution facility,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4470 - "A Bill to amend and reenact §11-15-9n of the Code of West Virginia, 1931, as amended, all relating to the consumers sales and service tax and use tax exemption for qualified purchases of computers and computer software, primary material handling equipment, racking and racking systems, and components, building materials and certain tangible personal property to be incorporated into a qualified, new or expanded warehouse or distribution facility; changing threshold jobs creation number from 300 to 50; and making stylistic changes,"

With the recommendation that the committee substitutes each do pass.

Delegate Linville, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

H. B. 4001, Generally relating to broadband,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4001) was referred to the Committee on Finance.

Delegate Linville, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

H. C. R. 1, Naming a locally known bridge in Ashford, WV as the “Alex Perdue Memorial Bridge”,

H. C. R. 4, John B. Short Memorial Bridge, Logan County,

H. C. R. 7, To name a locally known bridge in Seth, West Virginia as the “Kohlton Red Haney Memorial Bridge”,

H. C. R. 9, Name road naming the “James C. Vickers Silver Star Highway”,

H. C. R. 13, Doctor Enrique and Mrs. Sallie H. Aguilar Memorial Bridge,

H. C. R. 14, To create the “Colonel Ronald John “Ron” Chiccehitto Memorial Road.”,

H. C. R. 25, To name the SP5 Terry Lee McClanahan Memorial Bridge,

H. C. R. 26, To name the Officer Cassie Johnson Fallen Heroes Memorial Bridge,

H. C. R. 35, David Allen Drake, Sr. Memorial Bridge,

H. C. R. 36, To name the John Calvin JC Baker Memorial Bridge,

H. C. R. 46, Donald Homer Wheeler Memorial Bridge,

H. C. R. 47, William Earl Duty Memorial Bridge,

H. C. R. 48, To name the Sergeant John S Syner memorial highway,

H. C. R. 49, To name the Charles M. Biggs memorial roadway,

H. C. R. 50, To name the John Ellison memorial roadway,

H. C. R. 52, Roy E. Givens Memorial Road,

Com. Sub. for S. C. R. 17, US Air Force SSGT Logan A. Young Memorial Bridge,

S. C. R. 21, Putnam County Veterans Memorial Bridge,

And,

S. C. R. 23, USMC CPL Guy Maywood Edwards Memorial Bridge,

And reports the same back with the recommendation that they each be adopted, but that they first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolutions (H. C. R. 1, H. C. R. 4, H. C. R. 7, H. C. R. 9, H. C. R. 13, H. C. R. 14, H. C. R. 25, H. C. R. 26, H. C. R. 35, H. C. R.

36, H. C. R. 46, H. C. R. 47, H. C. R. 48, H. C. R. 49, H. C. R. 50, H. C. R. 52, Com. Sub. for S. C. R. 17, S. C. R. 21 and S. C. R. 23) were each referred to the Committee on Rules.

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

Your Committee on Education has had under consideration:

H. B. 4489, Require counties to post open positions on statewide job bank,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4489 - "A Bill to amend and reenact §18A-2-7a of the Code of West Virginia, 1931, as amended, relating to requiring county boards of education report certain information to the Statewide Job Bank,"

With the recommendation that the committee substitute do pass.

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

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

H. B. 4351, To ensure that staffing plans are sent to the state health office, as well as of the Department of Homeland Security,

And reports back a committee substitute therefor, as follows:

Com. Sub. for 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 the implementation of an acuity-based patient classification system; defining terms; providing for legislative findings; establishing a process to develop a plan; requiring a staffing plan to be reported; providing an exemption from the Freedom of Information Act; and establishing a framework for the staffing plans to be sent,"

With the recommendation that the committee substitute do pass, and with the recommendation that second reference to the Committee on the Judiciary be dispensed with.

In the absence of objection, reference of the bill (Com. Sub. for H. B. 4351) to the Committee on the Judiciary was abrogated.

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

Your Committee on Education has had under consideration:

H. J. R. 106, Require Board of Education races to become party affiliated,

And reports the same back with the recommendation that it be adopted, but that it first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the resolution (H. J. R. 106) was 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. 4426, Repeal article 33-25G-1 *et seq.* creating provider sponsored networks,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4426 – “A Bill to repeal §16-2L-1, §16-2L-2, §16-2L-3, §16-2L-4, §16-2L-5, §16-2L-6 and §16-2L-7 of the Code of West Virginia, 1931, as amended; and to repeal §33-25G-1, §33-25G-2, §33-25G-3, §33-25G-4, and §33-25G-5 of said code, all relating to Provider Sponsored Networks”,

With the recommendation that the committee substitute do pass.

Delegate D. Jeffries, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 10th day of February, 2022, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

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,

And,

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

Mr. Speaker (Mr. Hanshaw), Chair of the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration:

H. C. R. 15, Thomas Brothers Memorial Bridge,

H. C. R. 58, February 14 as National Donor Day,

H. C. R. 59, To name the “Warrant Officer James G. Bosley Memorial Bridge.”,

H. C. R. 60, Fire Chief Lee Thomas Bridge,

And,

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

And reports the same back with the recommendation that they each be adopted.

Messages from the Senate

A message from the Senate, by
The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

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

On motion of Delegate Summers, the House concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-40a. Education on and prevention of self-harm behavior and eating disorders.

(a) This section shall be known and cited as “Meghan’s Law”.

(b) Training of public school employees and volunteers – The state board shall promulgate, by September 1, 2022, a legislative rule pursuant to §29A-3B-1 et seq. of this code, and if necessary may promulgate an emergency rule in accordance with said article, to establish training requirements for all county board employees who might come into contact with a student, including full-time, part-time, and contract employees, as well as any volunteers of a school or school district that might come into contact with a student as such employees and volunteers may be further defined in the rule. The training shall be focused on developing skills, knowledge, and capabilities related to preventing, recognizing, and responding to students’ self-harm behaviors and eating disorders. The rule shall provide for at least the following:

(1) The required training shall include instruction and information to better equip schools and their employees, including how to:

(A) Recognize warning signs of self-harm behaviors and eating disorders that can lead to serious health issues and death;

(B) Support the healthy development of students by learning how to appropriately respond to or refer a student who exhibits warning signs of self-harm or eating disorders; and

(C) Provide consistent and standard protocols for responding to disclosures or discovery of self-harm or an eating disorder;

(2) The rule shall contain provisions to ensure that public school employees complete the required training every three years; and

(3) The rule may provide for this training to be administered virtually or through self-review of materials and resources provided by the state board.

(c) Education of middle school and high school students – Beginning September 1, 2022, children in grades 5-12 shall receive information regarding self-harm and eating disorder signs, prevention, and treatment.

(1) This education shall occur at least once per academic school year.

(2) The information may be obtained from the Bureau for Behavioral Health and Health Facilities, a licensed healthcare provider, or from commercially developed awareness and prevention training programs for the awareness, treatment resources, and prevention of self-harm behavior and eating disorders approved by the state board in consultation with the bureau to assure the accuracy and appropriateness of the information.

(3) To facilitate this process and develop resources, the state board may promulgate a legislative rule pursuant to §29A-3B-1 et seq. of this code.”

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 4074 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-40a, all relating to providing education on and prevention of self-harm behavior and eating disorders in public schools; naming the section “Meghan’s Law”; requiring the state board to promulgate a legislative rule to establish training requirements for certain county board employees and volunteers on students’ self-harm behaviors and eating disorders; setting forth criteria for said rule; requiring middle school and high school students at least once per academic school year receive information regarding self-harm and eating disorders signs, prevention and treatment; specifying allowable sources of the information; and allowing the promulgation of state board rules to facilitate student education process and develop resources.”

The bill, as amended by the Senate, was then put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 109**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Ellington, Gearheart, Horst and Wamsley.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4074) passed.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

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. 6 - “A Bill to amend and reenact §31B-3-303 of the Code of West Virginia, 1931, as amended, relating to the applicability of “corporate veil piercing” analysis to impose personal liability on a member or manager of a limited liability company; establishing the intent

and policy of the Legislature to modify the applicability of “corporate veil piercing” analysis adopted in *Joseph Kubican v. The Tavern, LLC*, 232 W.Va. 268, 752 S.E.2d 299 (2013) with respect to certain claims against a limited liability company; clarifying circumstances in which members of a limited liability company may be held liable in their capacity as members for debts, obligations, or liabilities of the company; establishing criteria required for court to apply “corporate veil piercing analysis” in certain claims asserted against a limited liability company; providing for liability of non-human members of a limited liability company under doctrine of joint enterprise liability; providing for liability of a member of a limited liability company as a tortfeasor; authorizing a creditor of a limited liability company to seek “clawback” from a member of limited liability company under certain circumstances; and defining terms”; 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

Com. Sub. for S. B. 312 - “A Bill to amend and reenact §64-7-1 et. seq. of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Revenue to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee and as amended by the Legislature; relating to authorizing the Alcohol Beverage Control Commission to promulgate a legislative rule relating to private club licensing; relating to authorizing the Alcohol Beverage Control Commission to promulgate a legislative rule relating to nonintoxicating beer licensing and operations procedures; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to continuing education for individual insurance producers and individual in; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to the adoption of the valuation manual; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to pharmacy auditing entities and pharmacy benefit managers; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to term and universal life insurance reserve financing; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to bail bondsmen in criminal cases; relating to authorizing the Lottery Commission to promulgate a legislative rule relating to the West Virginia Lottery State Lottery Rules; relating to authorizing the Lottery Commission to promulgate a legislative rule relating to West Virginia Lottery Limited Video Lottery Rule; relating to authorizing the Racing Commission to promulgate a legislative rule relating to thoroughbred racing; relating to authorizing the Racing Commission to promulgate a legislative rule relating to pari-mutuel wagering; relating to authorizing the Tax Department to promulgate a legislative rule relating to the West Virginia tax credit for Federal Excise Tax imposed upon small arms and ammunition manufacturers; relating to authorizing the Tax Department to promulgate a legislative rule relating to the Sales Tax Holiday; relating to authorizing the Tax Department to promulgate a legislative rule relating to the exemption for repair, remodeling, and maintenance of an aircraft; relating to authorizing the Tax Department to promulgate a legislative rule relating to vendor absorption or assumption of Sales and Use tax; and relating to authorizing the Tax Department to promulgate a legislative rule relating to on-line bingo and raffles; and relating to authorizing the Tax Department to promulgate a legislative rule to the corporation net income tax”; 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. 419 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-29, relating to the Department of Health and Human Resources entering into contracts with managed care organizations that allow payments based upon performance-based metrics; evaluating the impact that post-discharge planning and the provision of wraparound services has on the outcomes of substance use disorder in three years post-substance use disorder residential treatment; requiring the Bureau for Medical Services to seek an amendment to existing waivers from the Centers for Medicare and Medicaid Services; creating advisory committee; setting terms of performance based contract; and required reporting”; which was referred to the Committee on Prevention and Treatment of Substance Abuse then Health and Human Resources.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2022, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 533 - “A Bill to amend and reenact §11-19-2 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §11-19-13; and to amend said code by adding thereto a new section, designated §33-3-14e, all relating to funding for health sciences and medical schools in this state; eliminating the direction of proceeds of the soda tax into special medical school fund; providing for the eventual elimination of the tax; providing for a sunset date; directing a portion of insurance premium tax to health sciences and medical schools in this state; setting out findings; providing for specific amounts to be directed to Health Sciences Center at West Virginia University, Marshall University School of Medicine, and West Virginia school of Osteopathic Medicine; providing for effective dates, providing for quarterly distribution for dedicated fund; and providing that the amounts directed from premium tax shall not limit total appropriation to the health sciences and medical schools”; 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. 540 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-15-28, all relating to municipal fire departments; providing for municipal fire departments to provide service weapons to municipal fire marshal upon retirement in certain circumstances; and allowing the sale of retired service weapons to active and retired fire marshals”; 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. 546 - “A Bill to amend and reenact §18B-10-1c of the code of West Virginia, 1932, as amended; and to amend and reenact §18B-10-8 of said code, all relating to using fees and other money collected from students at institutions of higher education; defining terms; clarifying allowable expenses for the use of tuition and required general fees; providing for fees charged to be used for information technology purposes; allowing for a specified percentage of gross tuition revenue funds to be spent on information technology projects; and establishing what costs are allowable for information technology projects”; 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. 550 - “A Bill to amend and reenact §18B-1-1f of the Code of West Virginia, 1931, as amended; and to amend and reenact §18B-1B-4 of said code; all relating to funding for institutions of higher education; clarifying the powers and duties of the Higher Education Policy Commission; establishing additional criteria for a state institution of higher education to be considered exempt from the requirement that the council or the commission approve the establishment of new programs on their own campuses for programs incentivized within the funding formula established herein; directing the Higher Education Policy Commission to develop and implement a funding formula model; providing that the funding formula shall govern the appropriation requests to the Legislature regarding distribution of general revenue to the state’s institutions of higher education; providing for rulemaking; setting forth factors to be included in the rule; setting out factors which may not be included in the rule and making the rule applicable to the 2024 budget cycle”; which was referred to the Committee on Finance.

A message from the Senate, by

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

S. B. 576 - “A Bill to amend §21A-6-3 of the Code of West Virginia, 1931, as amended, relating to unemployment insurance generally; and authorizing the receipt of unemployment benefits by an otherwise eligible person who has left employment due to his or her employer denying his or her request for a medical or religious exemption regarding a COVID-19 vaccination requirement”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules as follows:

Com. Sub. for S. C. R. 28 - “Requesting the Division of Highways name an interstate bridge bearing the bridge numbers 13-064/00-159.39 (EB and WB) (13A1442, 13A145), (37.88992, -80.57907), locally known as Williamsburg Road Bridge, carrying I-64 (NB and SB) over County Route 9 in Greenbrier County, as the ‘U.S. Army PVT Garland Lee Loudermilk Memorial Bridge’.”

Whereas, Garland Lee Loudermilk was born on July 16, 1923, in Clintonville, West Virginia, to Johnny and Bertha Loudermilk; and

Whereas, Garland Lee Loudermilk enlisted on January 21, 1944, and was a member of the United States Army’s 89th Calvary Recon Squadron, 9th Armored Division at the Rhine River in Germany during World War II; and

Whereas, PVT Garland Lee Loudermilk was married to Letha M. Loudermilk; and

Whereas, Sadly, PVT Garland Lee Loudermilk was killed in action on March 8, 1945, during the Battle of the Bulge, fighting to protect the country he loved; and

Whereas, PVT Garland Lee Loudermilk is buried at the Henri-Chapelle American Cemetery in Henri Chapelle, Belgium, at Plot E, Row 10, Grave 23; and

Whereas, PVT Garland Lee Loudermilk was awarded a Purple Heart, European-African-Middle Eastern Campaign Medal, World War II Victory Medal, and the Honorable Service Lapel Button for his sacrifice and actions during his deployment in World War II; and

Whereas, It is fitting that an enduring memorial be established to commemorate PVT Garland Lee Loudermilk and his sacrifice to our state and county; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways name an interstate bridge bearing the bridge number 13-064/00-159.39 (EB and WB) (13A1442, 13A145), (37.88992, -80.57907), locally known as Williamsburg Road Bridge, carrying I-64 (NB and SB) over County Route 9 in Greenbrier County, as the "U.S. Army PVT Garland Lee Loudermilk Memorial Bridge" and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S. Army PVT Garland Lee Loudermilk 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, as well as to the Loudermilk family.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules as follows:

Com. Sub. for S. C. R. 29 - "Requesting the Division of Highways name, upon construction of the new bridges that will replace the Donald M. Legg Memorial Bridge, carrying I-64 over the Kanawha River, locally known as the Nitro-St. Albans Bridge in Kanawha County, the new westbound lanes/bridge, the 'Nitro WW I Memorial Bridge', while retaining the 'Donald M. Legg Memorial Bridge' name for the eastbound lanes/bridge at that location."

Whereas, On August 29, 1916, the United States Congress authorized the building of the Naval Ordnance Plant between U.S. 60 and the railroad in South Charleston, West Virginia. The plant took two years to build, spanned 900,000 square feet, and began operating in May of 1918. According to Secretary of the Navy Josephus Daniels, this naval base was the first in U.S. history to be placed away from seawaters. The U.S. Navy was drawn to the location by West Virginia's Natural Resources, as well as its "moral environment and splendid citizenship". The plant manufactured military equipment such as armor plates, gun forgings, and projectiles for battleships and cruisers which were used by the U.S. Navy in World War I; and

Whereas, Nitro was a World War I boom town believed to be named after nitrocellulose, which was used to manufacture smokeless gunpowder and other explosive devices. The plant was one of three selected by the U.S. government under the Deficiency Appropriations Act to relieve a severe shortage of gunpowder. Nitro's location, 14 miles from Charleston, was chosen because it was secure from coastal attacks and climatic conditions while having access to railroads, waterways, and raw materials. The ordnance plant complex was known as Explosive Plant C. It

was built in just 11 months and thousands of workers, supplies, and materials arrived practically overnight; and

Whereas, During the 11 months that the Explosive Plant C was in operation, the town was 90 percent complete and housed 23,951 people associated with the plant. There was a high turnover of people coming and going from the plant, with workers from each state and representing 41 different nationalities. Some who arrived for work in 1918 suffered from Spanish influenza, and army barracks and other buildings had to be converted into hospitals to care for the sick; and

Whereas, By the end of the war on November 11, 1918, Explosive Plant C had produced 350 tons of smokeless gun powder per day. On Armistice Day, Nitro celebrated with a parade of cars, military tanks, and a band. Within two weeks after the Armistice, 12,000 people left Nitro and there were not enough workers to sustain plant production. The director of the plant turned its operation over to the Ordnance Department on January 15, 1919, and the plant was declared surplus as the U.S. government prepared to liquidate the property. Workers were laid off in October of 1919 and, a month later, the facilities were sold at auction to the Charleston Industrial Corporation; and

Whereas, In November of 1919, a state charter was granted to the Charleston Industrial Corporation, which was organized for the specific purpose of purchasing and redeveloping the surplus government property at Nitro. The Charleston Industrial Corporation launched a sales promotion campaign to attract new industries and businesses to the area, focusing on manufacturing and chemical industries. By 1921, the future of Nitro was beginning to take shape with many wartime holdovers calling it home and relying on their friends and neighbors for fellowship, common interests, and help in time of need. This early community spirit remains strong; and

Whereas, Remnants of Nitro's gunpowder production history can be seen throughout the town and many special events associated with both World War I and World War II are held each year. The town proudly celebrates its wartime history and being known as a "living memorial to World War I"; and

Whereas, It is fitting that an enduring memorial be established to commemorate Nitro's rich past, significance, and contributions to our state and country during World War I, while retaining the "Donald M. Legg Memorial Bridge" name for the eastbound lanes/bridge at that location; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name the new westbound lanes/bridge, upon construction of the new bridges that will replace the Donald M. Legg Memorial Bridge, carrying I-64 over the Kanawha River, locally known as the Nitro-St. Albans Bridge in Kanawha County, the "Nitro WW I Memorial Bridge", while retaining the "Donald M. Legg Memorial Bridge" name for the eastbound lanes/bridge at that location; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the westbound lanes/bridge as the "Nitro WW I 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.

Resolutions Introduced

Delegates Gearheart, Ellington, Maynor and Smith offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 61 - "Requesting the Division of Highways name Bridge Number: 28-019/00-020.58 (28A187), (37.43298, -81.11005) locally known as GARDNER ROAD BRIDGE, carrying US 19 over BLUESTONE RIVER in Mercer County, the 'Timothy Wayne Farley Memorial Bridge'."

Whereas, Timothy Wayne Farley, a Spanishburg native, founding Chief of the Bluestone Valley Volunteer Fire Department and 16-year veteran as the Mercer County Emergency Management Director and Flood Plain Manager died suddenly and unexpectedly on January 23, 2021, at the age of 64. Tim is survived by his wife, Debbie; son, Lt. Col. Matthew Tad Farley, USAir Force; his wife Rebecca and their three children; and

Whereas, Tim was a devoted community servant with a life-long commitment to service that shown brightly during his teenage years when he led the Spanishburg High School Wildcats to an undefeated 20-0 season in 1974 and earned All-Area Team honors. He continued that commitment to excellence in college where he played basketball for the Bluefield State Big Blues earning All-West Virginia Conference Honorable Mention honors in 1976 and later graduated with a dual degree in electrical engineering and business administration; and

Whereas, In 2005, Tim was appointed to serve as Mercer County Emergency Services Director/Flood Plain Manager. His education, life experiences, dedication to helping others and willingness to meet intense challenges during times of trouble combined to earn him the highest level of respect locally, statewide, and regionally in emergency service circles. His calm demeanor and clarity of focus were called to the forefront during the period of local, regional, national, and international emergency during the COVID-19 pandemic. Tim's steadfast heart and unyielding focus gave guidance and comfort to all those he worked tirelessly to help during this time of uncertainty. A Christian soldier at heart, Tim's life of service appeared to be driven by the words in Isaiah 6:8 — Then I heard the voice of the Lord saying, "Whom shall I send? And who will go for us?" And I said, "Here am I. Send me"; and

Whereas, It is fitting that an enduring memorial be established to commemorate Timothy Wayne Farley 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: 28-019/00-020.58 () (28A187), (37.43298, -81.11005) locally known as Gardner Road Bridge, carrying US 19 over Bluestone River in Mercer County, the "Timothy Wayne Farley 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 “Timothy Wayne Farley Memorial Bridge”; and, be it

Further Resolved, That the Clerk of the House forward a copy of this resolution to the Commissioner of the Division of Highways.

Motions

The bill being in possession of the Clerk, on motion of Delegate Summers, the House reconsidered the vote on yesterday to make, **H. B. 4301**, Reforming membership requirements of Huntington Park and Recreation District Board, effective from passage.

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

H. B. 4301 – “A Bill to amend and reenact section two, chapter 26, Acts of the Legislature, regular session, 1925 (municipal charters), as last amended by chapter 110, Acts of the Legislature, regular session 2003, relating to election of commissioners to Greater Huntington Park and Recreation District board; providing for nonpartisan elections; modifying composition of board; modifying timing of elections; providing for number and composition of commissioners to be elected at primary election in 2022; providing for number and composition of commissioners to be elected at primary election in 2024; and providing for number and composition of commissioners to be elected at primary election in 2026.”

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

On this question, the yeas and nays were taken (**Roll No. 110**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Ellington and Horst.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 4301) takes effect from its passage.

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

Bills Introduced

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

By Delegates Crouse, Mazzocchi, Tully, Honaker and Booth:

H. B. 4635 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6B-2C-1 and §6B-2C-2, all relating to prohibiting the naming of any public infrastructure facilities owned or funded by the state from being named for a living current or former public officer”; to the Committee on Technology and Infrastructure then Government Organization.

By Delegates Pack, Graves, Householder, Criss, Steele, Foster, Kimes, Westfall and Queen:

H. B. 4636 - “A Bill to amend and reenact §11-13-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-13-32, all relating to clarifying that business and occupation taxes, as well as city service fees, that are owed

to a city or municipality are considered to be remitted 'on time' when the date that they are postmarked is on or before the deadline date, rather than on the date that such taxes are physically received by a city or municipality; and clarifying that cities and municipalities may not impose a late fee or penalty for those taxes owed to them so long as they are postmarked on or before the deadline date"; to the Committee on the Judiciary.

By Delegate Young:

H. B. 4637 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-5J-1, §21-5J-2, §21-5J-3, §21-5J-4, §21-5J-5, §21-5J-6, §21-5J-7, §21-5J-8, §21-5J-9, and §21-5J-10, all relating to creating a paid parental leave pilot program; providing findings and purpose; definitions; paid parental leave and requirements for claiming benefits; requiring employer to continue group health insurance coverage for employee; employment benefits and seniority position upon return from leave; benefits not to accrue during period of leave; employers required to respond to survey to Department of Labor; requiring department to report to Joint Committee on Government Organization; authorizing emergency rulemaking authority; and providing December 31, 2026, sunset"; to the Committee on Banking and Insurance then Finance.

By Delegates Walker, Fleischauer, Zukoff, Pushkin, Young, Lovejoy, Hornbuckle and Rowe:

H. B. 4638 - "A Bill to amend and reenact §48-19-105 of the Code of West Virginia, 1931, as amended, relating to increasing minimum salaries for Bureau for Child Support Enforcement attorneys"; to the Committee on Finance.

By Delegates Walker, Pushkin, Thompson, Lovejoy, Hornbuckle and Rowe:

H. B. 4639 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §25-8-1, §25-8-2, §25-8-3, §25-8-4, and §25-8-5, all relating to creating the West Virginia Higher Education Prison Task force; providing legislative findings; providing for the creation of the task force; providing for the makeup and composition of the task force; providing for a pay and meeting schedule, as well as a reporting requirement; and detailing the goal of the task force"; to the Select Committee on Jails and Prisons then Education then Finance.

By Delegates Hansen, Fleischauer, Walker, Williams and Doyle:

H. B. 4640 - "A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22-1-4, relating to requiring disclosure of the lawful activity that is the basis of a permit application with the Department of Environmental Protection; and providing exceptions thereto"; to the Committee on Energy and Manufacturing then the Judiciary.

By Delegates Burkhammer and Martin:

H. B. 4641 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §23-4-2a, relating to eligibility for workers' compensation benefits by persons that suffer a traumatic personal injury; requiring blood tests of persons being treated for a traumatic personal injury by the medical provider to determine whether the person is intoxicated under certain circumstances; requirements for testing; circumstances when a blood test may not be administered; exceptions; denial of benefits upon refusal to submit to a blood test; disclosure to certain persons of test information and results and of refusal of test; and limiting criminal and civil liability of persons administering tests"; to the Committee on the Judiciary.

By Delegate Steele:

H. B. 4642 - "A Bill to amend and reenact §61-10-15 of the Code of West Virginia, 1931, as amended, relating to pecuniary interest of county and district officers, teachers, and school officials in contracts; making an exception to criminal violation for contract for goods or supplies when the contract has been put out for competitive bid and the contract is awarded based upon lowest cost"; to the Committee on Government Organization.

By Delegate Barrett:

H. B. 4643 - "A Bill to amend and reenact §16-2D-8, §16-2D-10 and §16-2D-11 of the Code of West Virginia, 1931, as amended, all relating to certificate of need; providing which health services require a certificate of need; and exempting certain health services from certificate of need"; to the Committee on Health and Human Resources.

By Delegates Foster, Kimes and Steele:

H. B. 4644 - "A Bill amend and reenact §19-16A-14 of the Code of West Virginia, 1931, as amended, relating to agriculture and the West Virginia Pesticide Control Act; and exempting from the requirement of an annual pesticide business license for persons applying products that are generally available through retail sale at groceries, drug stores and other stores offering a broad variety of consumer products"; to the Committee on Government Organization.

By Delegates Smith, Ellington, Foster, Maynor, Sypolt, Reed, Criss and Martin:

H. B. 4645 - "A Bill to amend and reenact §11-8-16 of the Code of West Virginia, 1931, as amended, relating to allowing for surplus money collected above voter approved excess levy requests to remain with the county voting for the levy and placed in the county's general fund"; to the Committee on Political Subdivisions then Finance.

By Delegate Griffith:

H. B. 4646 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-34-1, relating to funding school safety design; creating Safety in Schools fund; and setting forth award procedure"; to the Committee on Finance.

By Delegates Steele and Foster:

H. B. 4647 - "A Bill to amend and reenact §30-6-3, §30-6-8, §30-6-9, §30-6-15, §30-6-16, §30-6-17, §30-6-19, and §30-6-20 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §30-6-22b, all relating to the Board of Funeral Service Examiners; permitting alkaline hydrolysis; clarifying terms; removing apprenticeship restrictions on applicants; clarifying apprenticeship course requirements; clarifying examination requirements; eliminating the requirement for board to provide continuing education; providing for a biennial funeral establishment renewal inspection; providing for certification of alkaline hydrolysis; providing for rules for alkaline hydrolysis; and clarifying recognition of licensees in charge of funeral establishments"; to the Committee on Health and Human Resources then Government Organization.

By Delegates Skaff, Steele, Hornbuckle, Crouse, Hanna, Summers, Capito, Bridges, Toney and Thompson:

H. B. 4648 - "A Bill to amend and reenact §18-20-11 of the Code of West Virginia, 1931, as amended, relating to providing protections for exceptional children in public schools; requiring designation of a county monitoring supervisor for recordings of certain school facilities; defining terms; designating persons responsible to be custodian of recordings; requiring audio recordings of certain locations; modifying conditions and requirements associated with preserving and

releasing recordings; and requiring signing of disclosure form by certain school employees”; to the Committee on Education then Finance.

By Delegate Rohrbach:

H. B. 4649 - “A Bill to repeal §5-16B-6b, §5-16B-6c, and §5-16B-6e of the Code of West Virginia, 1931, as amended; and to amend and reenact §5-16B-1, §5-16B-2, §5-16B-3, §5-16B-4, §5-16B-5, §5-16B-6, §5-16B-6a, §5-16B-6d, §5-16B-8, §5-16B-9, and §5-16B-10 of said code, all relating to the operation of the West Virginia Children’s Health Insurance Program”; to the Committee on Health and Human Resources.

By Delegates Barach, Haynes, Lovejoy, Young, G. Ward, Mallow, Griffith, Evans, Rowe, Williams and Garcia:

H. B. 4650 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10-22m; and to amend said code by adding thereto a new section, designated §18-7A-26x, all relating to providing a \$1,000 cost-of-living adjustment to certain retirees of the Public Employees Retirement System and the State Teachers Retirement System; and providing for the pro rata distribution of the cost-of-living adjustment to certain beneficiaries”; to the Committee on Finance.

By Delegates Foster, Kimes, Steele and Crouse:

H. B. 4651 - “A Bill to amend and reenact §8-13-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-13-32, all relating to setting a limit on the amount of fees that may be collected by third party vendors or contractors who collect business and occupation taxes on behalf of a city or municipality”; to the Committee on Finance.

By Delegates Linville, Howell, Barrett, Hardy, Maynard, Paynter, Hamrick, Storch, Foster, Spolt and Barnhart:

H. B. 4652 - “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, §11-13MM-9, and §11-13MM-10, all relating to the Proficient Customer Service Communications Act; providing for a short title; providing legislative findings and purpose; creating definitions; establishing the Proficient Customer Service Communications tax credit; providing for restrictions on investment; providing for a penalty; providing for disclosure of tax credits; providing for tax credit review and accountability; creating rules; and providing for an effective date”; to the Select Committee on Tourism and Economic Diversification then Finance.

By Delegates Howell, Haynes, Linville, Foster, Maynor, Householder, Martin, Tully, Riley, Hanshaw (Mr. Speaker) and Hamrick:

H. B. 4653 - “A Bill to amend and reenact §11-6F-2 and §11-13S-4 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §11-13LL-1, §11-13LL-2, §11-13LL-3, §11-13LL-4, §11-13LL-5, §11-13LL-6, §11-13LL-7, §11-13LL-8, §11-13LL-9, §11-13LL-10, §11-13LL-11, §11-13LL-12, §11-13LL-13, §11-13LL-14, §11-13LL-15, §11-13LL-16, §11-13LL-17; and to amend said code by adding thereto a new section, designated §11-15-9u, all relating generally to taxation for the manufacturing, sale, and use of certain defined products to encourage economic growth; amending the definition of manufacturing for purposes of special method for appraising qualified capital additions to manufacturing facilities for property tax purposes; amending the formula for calculating the manufacturing investment tax credit amount allowed for manufacturing investment to include tire manufacturing, sport fishing equipment manufacturing, bow, quiver, broadhead, and point manufacturing, arrow shaft

manufacturing, vaccine manufacturing, feed stock manufacturing, and fuel refinery manufacturing; increasing the amount of such allowable credit for said industries; creating the West Virginia Economic Diversification Act; providing for administration and enforcement of the tax credit; making legislative findings; stating legislative purpose; defining terms; specifying an amount of credit allowable based upon the amount of federal excise tax paid, providing limitations based upon qualified investment amount; providing conditions for qualification and use; defining in service or use; providing for the application of the credit to the corporate net income tax and the personal income tax, as appropriate; providing for methods of calculation of the qualified investment; providing for carry over and forfeiture of unused tax credits; providing limitations for credits being carried over; allowing transfer of qualified investment property without forfeiture under certain circumstances; requiring identification of qualified investment property and record keeping; providing penalties for failure to keep required records; providing for interpretation and construction; requiring timely filing of application for credit; specifying burden of proof; requiring periodic tax credit review and accountability reports; authorizing rulemaking; making credit subject to West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; and providing for severability; providing effective dates; and providing for certain exemptions”; to the Select Committee on Tourism and Economic Diversification then Finance.

By Delegates Howell, Statler, Hott, Maynard, Criss, Pinson, Householder, Hamrick, Wamsley, Linville and Martin:

H. B. 4654 - “A Bill to amend and reenact §11-13S-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §11-13LL-1, §11-13LL-2, §11-13LL-3, §11-13LL-4, §11-13LL-5, §11-13LL-6, §11-13LL-7, §11-13LL-8, §11-13LL-9, §11-13LL-10, §11-13LL-11, §11-13LL-12, §11-13LL-13, §11-13LL-14, §11-13LL-15, §11-13LL-16, §11-13LL-17, all relating generally to the creation of the Downstream Steel, Aluminum, and Metal Product Manufacturing Act of 2022; providing certain relief of taxation for the manufacturing, sale, and use of certain defined products to encourage economic growth; amending the definition of manufacturing for purposes of special method for appraising qualified capital additions to manufacturing facilities for property tax purposes; amending the formula for calculating the manufacturing investment tax credit amount allowed for manufacturing investment to include steel, aluminum, and metal product manufacturing; increasing the amount of such allowable credit for said industries; creating the Downstream Steel, Aluminum, and Metal Product Manufacturing Act of 2022; providing for administration and enforcement of the tax credit; making legislative findings; stating legislative purpose; defining terms; providing limitations based upon qualified investment amount; providing conditions for qualification and use; defining in service or use; providing for the application of the credit to the corporate net income tax and the personal income tax, as appropriate; providing for methods of calculation of the qualified investment; providing for carry over and forfeiture of unused tax credits; providing limitations for credits being carried over; allowing transfer of qualified investment property without forfeiture under certain circumstances; requiring identification of qualified investment property and record keeping; providing penalties for failure to keep required records; providing for interpretation and construction; requiring timely filing of application for credit; specifying burden of proof; requiring periodic tax credit review and accountability reports; authorizing rulemaking; making credit subject to West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; and providing for severability; providing effective dates; and providing for certain exemptions”; to the Select Committee on Tourism and Economic Diversification then Finance.

By Delegates Howell, Criss, Pinson, Martin, Householder, Hamrick, Wamsley, Linville, Phillips, Zatezalo and Storch:

H. B. 4655 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13LL-1, §11-13LL-2, §11-13LL-3, §11-13LL-4, §11-13LL-5, §11-

13LL-6, §11-13LL-7, §11-13LL-8, §11-13LL-9, and §11-13LL-10, all relating to the Commercial Opportunity Zone Tax Credit Act; providing for a short title; providing legislative findings and purpose; creating definitions; establishing the Commercial Opportunity Zone tax credit; providing for restrictions on investment; providing for a penalty; providing for disclosure of tax credits; providing for tax credit review and accountability; creating rules; and providing for an effective date”; to the Select Committee on Tourism and Economic Diversification then Finance.

By Delegates Howell, Householder, Criss, Jennings, Linville, Booth, Martin, Hanshaw (Mr. Speaker), Espinosa, Statler and Hamrick:

H. B. 4656 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-10-1, §5B-10-2, and §5B-10-3, all relating to creation of the Remote Worker Home Development Act; providing for legislative findings; establishing parameters for the creation of homes and subdivisions to comport with the purpose of the Act; creating guidelines; and providing for an effective date”; to the Select Committee on Tourism and Economic Diversification then Finance.

By Delegates Howell, Hanshaw (Mr. Speaker), Hamrick, Keaton, Linville, Barnhart, Householder, Criss and Clark:

H. B. 4657 - “A Bill to amend and reenact §11-13A-3c of the Code of West Virginia, 1931, as amended; to amend said code 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, §11-13MM-9, §11-13MM-10, §11-13MM-11, §11-13MM-12, §11-13MM-13, §11-13MM-14, §11-13MM-15, §11-13MM-16, §11-13MM-17, §11-13MM-18, §11-13MM-19, §11-13MM-20, and §11-13MM-21; and to amend said code by adding thereto a new section, designated §22-2-10, all relating to the creation of the Critical Mineral Investment Tax Credit Act of 2022; exempting rare earth elements, critical minerals, and carbon-based products otherwise taxed elsewhere in the code; providing for administration and enforcement of act; providing for a short title; making legislative findings relating to the mining and processing of rare earth elements and critical minerals, as well as the manufacturing of products that require rare earth elements and critical minerals; establishing the legislative purpose for the act; defining terms of the act; specifying an amount of credit allowable based on amount of qualified investment and the number of new jobs created as they relate to mining, processing, and manufacturing of products that require rare earth elements and critical minerals; providing limitations and conditions for the qualification and use of the act; defining in service or use; providing for the application of the credit to the corporate net income tax and the personal income tax, as appropriate; providing for methods of calculation of the qualified investment in rare earth element, critical mineral, and carbon-based product mining and processing facilities, as well as manufacturing facilities whose products require rare earth elements, critical minerals, and carbon-based products; providing for a determination and certification of the number of new jobs as they relate to the act; providing for carry over and forfeiture of unused tax credits and redetermination of tax credits under certain circumstances; providing certain limitations for credits being carried over; providing for full recapture and partial recapture of credit under certain circumstances and imposing a recapture tax; allowing transfer of qualified investment property without forfeiture or recapture under certain circumstances; requiring identification of qualified investment property and record keeping; providing penalties for failure to keep required records; providing for interpretation and construction of credit; requiring timely filing of application for credit; specifying burden of proof; requiring periodic tax credit review and accountability reports; authorizing rulemaking; making credit subject to West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; providing for severability; allowing for qualified investments; specifying an effective date for the act; and clarifying ownership of rare earth elements, critical minerals, and carbon-based products in order to incentivize acid mine drainage treatment while recovering rare earth elements, critical minerals,

and carbon-based products”; to the Select Committee on Tourism and Economic Diversification then Finance.

By Delegates Howell, Maynard, Paynter, Hamrick, Keaton, Hanshaw (Mr. Speaker), Zatezalo, Storch, Anderson, Ellington and Foster:

H. B. 4658 - “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, and §11-13MM-6, all relating to the Critical Mineral Reinvestment Tax Credit; establishing a short title; providing for legislative findings, purpose, and definitions; providing for the amount of credit and limitations; defining the credit allowed for opening or relocating a manufacturing facility or corporate headquarters in this state who use rare earth elements or critical minerals in the manufacturing of their products; clarifying the credit allowable for certified projects; and providing for an effective date”; to the Select Committee on Tourism and Economic Diversification then Finance.

By Delegates Howell, Criss, Pinson, Martin, Householder, Hamrick, Linville, Phillips, Zatezalo, Storch and Wamsley:

H. B. 4659 - “A Bill to amend and reenact §11-6F-2 and §11-13S-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §11-13LL-1, §11-13LL-2, §11-13LL-3, §11-13LL-4, §11-13LL-5, §11-13LL-6, §11-13LL-7, §11-13LL-8, §11-13LL-9, §11-13LL-10, §11-13LL-11, §11-13LL-12, §11-13LL-13, §11-13LL-14, §11-13LL-15, §11-13LL-16, §11-13LL-17, all relating generally to taxation for the manufacturing, sale, and use of heavy duty trucks and products associated therewith to encourage economic growth; amending the definition of manufacturing for purposes of special method for appraising qualified capital additions to manufacturing facilities for property tax purposes; amending the formula for calculating the manufacturing investment tax credit amount allowed for manufacturing investment to include heavy duty truck manufacturing; increasing the amount of such allowable credit for said industries; creating the West Virginia Heavy Duty Truck Excise Tax Elimination Act; providing for administration and enforcement of the tax credit; making legislative findings; stating legislative purpose; defining terms; specifying an amount of credit allowable based upon the amount of federal excise tax paid, providing limitations based upon qualified investment amount; providing conditions for qualification and use; defining in service or use; providing for the application of the credit to the corporate net income tax and the personal income tax, as appropriate; providing for methods of calculation of the qualified investment; providing for carry over and forfeiture of unused tax credits; providing limitations for credits being carried over; allowing transfer of qualified investment property without forfeiture under certain circumstances; requiring identification of qualified investment property and record keeping; providing penalties for failure to keep required records; providing for interpretation and construction; requiring timely filing of application for credit; specifying burden of proof; requiring periodic tax credit review and accountability reports; authorizing rulemaking; making credit subject to West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; and providing for severability; providing effective dates; and providing for certain exemptions”; to the Select Committee on Tourism and Economic Diversification then Finance.

Special Calendar

Unfinished Business

H. C. R. 23, Requesting the Division of Highways to place at least 10 additional signs along highways entering West Virginia honoring fallen veterans and Gold Star Families; coming up in regular order, as unfinished business, was reported by the Clerk.

The question now being on the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 111**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Ellington and Horst.

So, a majority of the members present having voted in the affirmative, the Speaker declared the resolution (H. C. R. 23) adopted.

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

Third Reading

Com. Sub. for S. B. 279, Authorizing DEP to promulgate legislative rules; 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. 112**), and there were—yeas 72, nays 22, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Barach, Boggs, Booth, Brown, Diserio, Doyle, Evans, Fleischauer, Fluharty, Garcia, Hansen, Hornbuckle, Lovejoy, Pethtel, Pushkin, Rowe, Skaff, Thompson, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Clark, Dean, Ellington, Griffith, Horst and Linville.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 279) passed.

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

On this question, the yeas and nays were taken (**Roll No. 113**), and there were—yeas 73, nays 21, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Barach, Boggs, Brown, Diserio, Doyle, Evans, Fleischauer, Fluharty, Garcia, Hansen, Hornbuckle, Lovejoy, Pethtel, Pushkin, Rowe, Skaff, Thompson, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Clark, Dean, Ellington, Griffith, Horst and Linville.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 279) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

S. B. 450, Updating definitions of WV Personal Income Tax Act; 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. 114**), and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Dean, Ellington, Fleischauer, Griffith, Horst and Linville.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 450) passed.

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

On this question, the yeas and nays were taken (**Roll No. 115**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Dean, Ellington, Fleischauer, Griffith and Horst.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 450) takes effect from its passage.

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

S. B. 451, Updating definitions of WV Corporation Net Income Tax Act; 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. 116**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Dean, Ellington, Fleischauer, Griffith and Horst.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 451) passed.

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

On this question, the yeas and nays were taken (**Roll No. 117**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Dean, Ellington, Fleischauer, Griffith and Horst.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 451) takes effect from its passage.

Ordered, That the Clerk of the House communicate to the Senate the action of the House of Delegates.

H. B. 4007, To reduce personal income tax rates; 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. 118**), and there were, including pairs—yeas 76, nays 20, absent and not voting 4, with the paired, the nays and the absent and not voting being as follows:

Pursuant to House Rule 43, the following pairings were filed and announced by the Clerk:

Paired:

Yea: Clark Nay: Doyle

Nays: Barach, Boggs, Brown, Diserio, Fleischauer, Fluharty, Garcia, Hansen, Hornbuckle, Lovejoy, Pethtel, Pushkin, Rowe, Skaff, Thompson, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Dean, Ellington, Griffith and Horst.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4007) 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. 4114, Authorizing certain agencies of the Department of Administration to promulgate legislative rules; 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. 119**), and there were—yeas 93, nays 1, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Paynter.

Absent and Not Voting: Clark, Dean, Ellington, Griffith, Horst and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4114) passed.

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

On this question, the yeas and nays were taken (**Roll No. 120**), and there were—yeas 93, nays 1, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Paynter.

Absent and Not Voting: Clark, Dean, Ellington, Griffith, Horst and Worrell.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4114) takes effect from its passage.

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

Com. Sub. for H. B. 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; 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. 121**), and there were—yeas 92, nays 2, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Kimes and Young.

Absent and Not Voting: Clark, Dean, Ellington, Griffith, Horst and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4295) 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. 4420, To modify definitions of school bus operators.; 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. 122**), and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Dean, Ellington, Fluharty, Griffith, Horst and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4420) 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. 4438, Applying current requirements for certain voting systems to be independent and non-networked to all voting systems that seek certification in West Virginia.; 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. 123**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Dean, Ellington, Griffith, Horst and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4438) 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. 4517, Relating to the repealing requirements to display video ratings; 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. 124**), and there were—yeas 94, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Clark, Dean, Ellington, Griffith, Horst and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4517) 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. 4535, Repeal section relating to school attendance and satisfactory academic progress as conditions of licensing for privilege of operation of motor vehicle; on third reading, coming up in regular order, was read a third time.

Delegates Crouse, Foster, Honaker, Paynter and Thompson asked and obtained unanimous consent to be added as a cosponsor of H. B. 4535.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 125**), and there were—yeas 68, nays 25, absent and not voting 7, with the absent and not voting being as follows:

Nays: Anderson, Boggs, Brown, Diserio, Doyle, Espinosa, Evans, Fast, Fleischauer, Fluharty, Gearheart, Hansen, Hornbuckle, Howell, Lovejoy, Pethtel, Rohrbach, Rowe, Skaff, Storch, Toney, Walker, Westfall, Zukoff and Hanshaw (Mr. Speaker).

Absent and Not Voting: Clark, Dean, Ellington, Griffith, Horst, Riley and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4535) 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

Com. Sub. for H. B. 2257, Relating to extended supervision for certain drug offenders; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Capito, the bill was amended on page one, by section thirty, line seven, by striking out the words “of this code” following “§60A-4-409(b)(1)”.

And,

On page one, section thirty line seven, by striking out the third letter “s” from the word “substances”.

Delegate Burkhammer moved to amend the bill on page two, section thirty, line thirty-two, by striking out the words “six months” and inserting the words “two years” in lieu thereof.

On the adoption of the amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 126**), and there were— yeas 36, nays 53, absent and not voting 11, with the yeas and the absent and not voting being as follows:

Yeas: Barrett, Booth, Burkhammer, Conley, Cooper, Criss, Crouse, Ferrell, Foster, Hanna, Hardy, Haynes, Holstein, Honaker, Hott, Howell, D. Jeffries, J. Jeffries, Jennings, Keaton, J. Kelly, Kessinger, Kimes, Linville, Mallow, Mandt, Martin, Mazzocchi, Paynter, Phillips, Pinson, Reynolds, Statler, Steele, B. Ward and G. Ward.

Absent and Not Voting: Boggs, Brown, Clark, Dean, Ellington, Griffith, Horst, Householder, Riley, Westfall and Williams.

So, a majority of the members present not having voted in the affirmative, the amendment was rejected.

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. 2598, Modifying the inspection requirements and the definition of an above ground storage tank,

Com. Sub. for H. B. 3122, Relating to the establishment and operation of regional water, wastewater and stormwater authorities,

Com. Sub. for H. B. 4004, Relating to limiting an abortion to fifteen week's gestation,

Com. Sub. for H. B. 4005, Relating to fetal body parts,

Com. Sub. for H. B. 4008, Relating to Higher Education Policy Commission funding formula,

Com. Sub. for H. B. 4087, Allowing variance in state fire code for certain buildings used solely for emergency equipment storage,

Com. Sub. for H. B. 4126, Authorizing certain agencies of the Department of Health and Human Resources to promulgate legislative rules,

Com. Sub. for H. B. 4262, Relating to licensure for polygraph examiners,

Com. Sub. for H. B. 4282, Relating to establishing next generation 911 services in this state,

H. B. 4307, Increase some benefits payable from Crime Victims Compensation Fund,

H. B. 4396, Reducing federal adjusted gross income relating to tolls for travel on West Virginia toll roads paid electronically,

H. B. 4410, Specifying allocation, apportionment and treatment of income of flow-through entities,

Com. Sub. for H. B. 4418, Relating to the Small Business Supplier Certification Assistance Program,

Com. Sub. for H. B. 4461, Relating to the consolidation of all administrative fees collected by the agency into the existing "Tax Administration Services Fund",

And,

Com. Sub. for H. B. 4484, Declaring certain claims against agencies of the state to be moral obligations of the state.

Leaves of Absence

At the request of Delegate Summers, and by unanimous consent, leaves of absence for the day were granted Delegates Clark, Ellington and Horst.

Miscellaneous Business

Pursuant to House Rule 132, consent was obtained to print the following in the Appendix to the Journal:

- All remarks regarding the passage H. B. 4007
- Remarks of Delegates Boggs and Pinson regarding H. C. R. 23
- Prayer by Delegate L. Pack

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

H. B. 2160: Delegates Martin and B. Ward;

H. B. 2324: Delegate Martin;

H. B. 2686: Delegate Martin;

H. B. 2751: Delegate Martin;

H. B. 3210: Delegate Martin;

H. B. 4327: Delegate Reynolds;

H. B. 4352: Delegate Espinosa;

H. B. 4371: Delegates Hott and D. Kelly;

H. B. 4375: Delegates Hott and D. Kelly;

H. B. 4440: Delegates Burkhammer, Ferrell, Hanna, Keaton, Kimble, Mandt, Martin, Mazzocchi, Phillips and Smith:

H. B. 4490: Delegates Barrett, Fast, Hott, D. Kelly, Lovejoy and Pinson;

H. B. 4516: Delegate Martin;

H. B. 4561: Delegate Young;

H. B. 4578: Delegates Garcia and Zukoff.

H. B. 4632: Delegate Mandt;

And,

H. B. 4641: Delegate Mandt.

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. 4260: Delegate Mandt.

At 2:06 p.m., the House of Delegates adjourned until 11:00 a.m., Monday, February 14, 2022.

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

SPECIAL CALENDAR

Monday, February 14, 2022

34th Day

11:00 A. M.

UNFINISHED BUSINESS

- H. C. R. 15 - Thomas Brothers Memorial Bridge
- H. C. R. 58 - February 14 as National Donor Day
- H. C. R. 59 - To name the "Warrant Officer James G. Bosley Memorial Bridge."
- H. C. R. 60 - Fire Chief Lee Thomas Bridge
- H. R. 11 - Urging members of the United States Congress to enact federal legislation designating May 4 as Firefighters Day.

THIRD READING

- Com. Sub. for H. B. 2257 - Relating to extended supervision for certain drug offenders (CAPITO) (REGULAR)

SECOND READING

- Com. Sub. for H. B. 2598 - Modifying the inspection requirements and the definition of an above ground storage tank (ANDERSON) (REGULAR)
- Com. Sub. for H. B. 3122 - Relating to the establishment and operation of regional water, wastewater and stormwater authorities (STEELE) (REGULAR)
- Com. Sub. for H. B. 4004 - Relating to limiting an abortion to fifteen week's gestation (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4005 - Relating to fetal body parts (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4008 - Relating to Higher Education Policy Commission funding formula (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4087 - Allowing variance in state fire code for certain buildings used solely for emergency equipment storage (STEELE) (REGULAR)
- Com. Sub. for H. B. 4126 - Authorizing certain agencies of the Department of Health and Human Resources to promulgate legislative rules (CAPITO) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 4262 - Relating to licensure for polygraph examiners (STEELE) (REGULAR)
- Com. Sub. for H. B. 4282 - Relating to establishing next generation 911 services in this state (STEELE) (REGULAR)

- H. B. 4307 - Increase some benefits payable from Crime Victims Compensation Fund (HOUSEHOLDER) (REGULAR)
- H. B. 4396 - Reducing federal adjusted gross income relating to tolls for travel on West Virginia toll roads paid electronically (HOUSEHOLDER) (REGULAR)
- H. B. 4410 - Specifying allocation, apportionment and treatment of income of flow-through entities (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4418 - Relating to the Small Business Supplier Certification Assistance Program (STEELE) (REGULAR)
- Com. Sub. for H. B. 4461 - Relating to the consolidation of all administrative fees collected by the agency into the existing "Tax Administration Services Fund" (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4484 - Declaring certain claims against agencies of the state to be moral obligations of the state (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)

FIRST READING

- Com. Sub. for H. B. 4002 - Creating the Certified Sites and Development Readiness Program (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4025 - Providing exemption to severance tax for severing rare earth elements and other critical minerals (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4259 - Creating the West Virginia Small Business Jumpstart Act (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4351 - Relating to the implementation of an acuity-based patient classification system (ROHRBACH) (REGULAR)
- H. B. 4352 - Decreasing federal taxable income (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4426 - Repeal article 33-25G-1 *et seq.* creating provider sponsored networks (ROHRBACH) (REGULAR)
- Com. Sub. for H. B. 4451 - Eliminating the requirement that otherwise qualified investment assets be located or installed at or within 2 miles of a preexisting manufacturing facility (HOUSEHOLDER) (REGULAR)
- H. B. 4460 - Relating to authorizing application of the manufacturing investment tax credit and the manufacturing property tax adjustment credit against personal income tax (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4465 - Relating to the tax credit for apprenticeship training (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4470 - Relating to consumers sales and service tax and use tax exemption for certain goods to be incorporated into a qualified,

new or expanded warehouse or distribution facility
(HOUSEHOLDER) (REGULAR)

Com. Sub. for H. B. 4489 - Require counties to post open positions on statewide job bank
(ELLINGTON) (REGULAR)

H. B. 4568 - To allow phased rehabilitations of certified historic structures
[FINANCE COMMITTEE TITLE AMENDMENT PENDING] (HOUSEHOLDER)
(REGULAR)

HOUSE CALENDAR

Monday, February 14, 2022

34th Day

11:00 A. M.

THIRD READING

Com. Sub. for H. B. 4105 - Relating to service employees with National Association for Pupil Transportation Certifications (ELLINGTON) (REGULAR)

SECOND READING

H. B. 2882 - Relating to repealing a ban on construction of nuclear power plants (STEELE) (REGULAR)

FIRST READING

H. B. 4264 - Change name of Glenville State College to "Glenville State University" (ELLINGTON) (EFFECTIVE FROM PASSAGE)

Com. Sub. for H. B. 4483 - Relating to establishing term limits to certain real property interests and registration requirements associated with carbon offset agreements (ANDERSON) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

MONDAY, FEBRUARY 14, 2022

HOUSE CONVENES AT 11:00 A.M.

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

**COMMITTEE ON RULES
10:45 A.M. – BEHIND CHAMBER**

**VETERANS' AFFAIRS AND HOMELAND SECURITY
1:00 P.M. – ROOM 410 M**

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

**PENSIONS AND RETIREMENT
1:00 P.M. – ROOM 462 M**

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

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

**SELECT COMMITTEE ON TOURISM AND ECONOMIC DIVERSIFICATION
5:00 P.M. – ROOM 462 M**

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