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Tuesday, February 15, 2022

THIRTY-FIFTH 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 Monday, February 14, 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 Com. Sub. for H. B. 3122, Com. Sub. for H. B. 4087, Com. Sub. for H. B. 4282 and Com. Sub. for H. B. 4418 on Third Reading, Special Calendar, had been transferred to the House Calendar; Com. Sub. for H. B. 4262 and H. B. 4568, on Second Reading, Special Calendar, had been moved to the House Calendar; and Com. Sub. for H. B. 4553 on First Reading, Special Calendar, had been transferred to the House Calendar.

Committee Reports

Delegate Storch, Chair of the Committee on Pensions and Retirement, submitted the following report, which was received:

Your Committee on Pensions and Retirement has had under consideration:

H. B. 2300, Including Family Court Judges in the Judges' Retirement System,

H. B. 4539, To amend retirement information and providing for cleanup,

H. B. 4540, To update all retirement plans to comport with federal law,

H. B. 4612, Decreasing the time period of eligibility for nonduty disability from ten to five or more years of service for Municipal Police Officers and Firefighters Retirement,

And,

H. B. 4613, Relating to increasing the multiplier for use in determining accrued benefit in the West Virginia Municipal Police Officers and Firefighters Retirement System,

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

In accordance with the former direction of the Speaker, the bills (H. B. 2300, H. B. 4539, H. B. 4540, H. B. 4612 and H. B. 4613) were each referred to the Committee on Finance.

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

Your Committee on the Judiciary has had under consideration:

H. B. 2910, To modify the allowable number of magistrate judges per county,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 2910 - "A Bill to amend and reenact §50-1-2 and §50-1-2 of the Code of West Virginia, 1931, as amended, relating to the allocation of magistrates serving in each county; setting a standardized formula for magistrate apportionment; providing for adjustment of those numbers of magistrates every 10 years following the census; removing the cap of 158 magistrates statewide; and removing obsolete language,"

H. B. 4077, Provide certain classes of property protections from creditor collections,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4077 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §46A-2-141, relating to exempting certain assets from collections by creditors,"

H. B. 4340, Relating to maximizing the opportunity to recover anatomical gifts for the purpose of transplantation, therapy, research, or education,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4340 - "A Bill to amend and reenact §16-19-9, §16-19-14 and §16-19-22 of the Code of West Virginia, 1931, as amend; and to amend and reenact §61-12-3 of said code, all relating to anatomical gifts; authorizing the Department of Health and Human Resources to be guardian to make an anatomical gift without a court order; clarifying the duties of procurement organization with regard to state medical examiner; requiring the state medical examiner to cooperate with procurement organizations to maximize the opportunity to recover anatomical gifts; authorizing procurement organizations to conduct a test to evaluate the medical suitability of the body part; requiring a prosecuting attorney who denies the release of a body or part that is the subject of an anatomical gift to consult with the procurement organization about the proposed recovery; and authorizing the state's chief medical examiner to enter into agreements with a procurement organization to facilitate the recovery of anatomical gifts,"

And,

H. B. 4583, Clarifying the definition of incapacity so that incarceration in the penal system or detention outside of the United States may not be inferred as resulting in a lack of capacity to execute a power of attorney,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4583 - “A Bill to amend and reenact §39B-1-106 of the Code of West Virginia, 1931, as amended, relating to the validity of a power of attorney; clarifying the definition of “incapacity”; and providing that criminal incarceration or detention outside of the United States may not be inferred as resulting in a lack of capacity to execute a power of attorney,”

With the recommendation that the committee substitutes each do pass.

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

Your Committee on the Judiciary has had under consideration:

H. B. 4314, Exclude Solicitor from the definition of Investment Advisor,

And reports the same back with the recommendation that it 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. C. R. 45, SP4 Dennis Harvey Roberts Bridge, McDowell County,

And,

H. C. R. 54, “Mayor George Karos 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. 45 and H. C. R. 54) were each referred to the Committee on Rules.

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. 4066, Distracted Driving Act,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4066) was referred to the Committee on the Judiciary.

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. 4335, Establishing that the Division of Motor Vehicles has jurisdiction to hear certain driver's license suspension cases and appeals are made in accordance with the Administrative Procedures Act,

And,

H. B. 4361, Relating to the suspension of driver's licenses for failure to appear in court,

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. 4335 and H. B. 4361) were each referred to the Committee on the Judiciary.

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. 4334, Relating to the bond required of license services by increasing the bond amount to one hundred thousand dollars,

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. 4334) 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. B. 4170, Authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to Dealer Licensing,

H. B. 4171, Authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to Collection of Tax on the Sale of a Vehicle,

H. B. 4172, Authorizing the Department of Transportation to promulgate a legislative rule relating to Employment Procedures,

H. B. 4343, Relating to renewal of registrations by sheriffs by establishing that registration renewal is discretionary,

H. B. 4345, Relating to motor vehicle registration cards by establishing electronic or mobile registration cards,

And,

H. B. 4563, Provide for a license plate for auto mechanics,

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. 4170, H. B. 4171, H. B. 4172, H. B. 4343, H. B. 4345 and H. B. 4563) were each referred to the Committee on Government Organization.

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. 4169, Authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to Examination and Issuance of Driver's License,

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. 4169) was referred to the Committee on Government Organization.

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

H. B. 4141, Authorizing the Governor's Committee Crime, Delinquency and Correction to promulgate a legislative rule relating to Law Enforcement Training and Certification Standards,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4141 - "A Bill to amend and reenact §64-6-1 et. seq. of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Homeland Security to promulgate legislative rules; authorizing the rules as filed, as modified, and as amended by the Legislative Rule-Making Review Committee; relating to authorizing the Governor's Committee on Crime, Delinquency and Corrections to promulgate a legislative rule relating to law enforcement training and certification standards; relating to authorizing the Fire Commission to promulgate a legislative rule relating to the Fire Code; relating to authorizing the Fire Commission to promulgate a legislative rule relating to the State Building Code; relating to authorizing the Fire Commission to promulgate a legislative rule relating to volunteer fire department equipment and training grant funding disbursement; relating to authorizing the Fire Commission to promulgate a legislative rule relating to specialized membership; relating to authorizing the Fire Commission to promulgate a legislative rule relating to junior firefighters; relating to authorizing the Fire Commission to promulgate a legislative rule relating to the certification of fire chiefs; relating to authorizing the Fire Commission to promulgate a legislative rule relating to the use of aqueous film-forming foam (AFFF) for fire training program purposes; relating to authorizing the Fire Marshal to promulgate a legislative rule relating to the regulation of fireworks and related explosive materials; and relating to authorizing the State Police to promulgate a legislative rule relating to career progression,"

H. B. 4242, Authorizing the Division of Labor to promulgate a legislative rule relating to Child Labor,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4242 - "A Bill to amend and reenact §64-10-1 et. seq. of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Commerce to promulgate legislative rules; authorizing the rules as filed, as modified, and as amended by the Legislative Rule-Making Review Committee; authorizing the Division of Labor to promulgate a legislative rule relating to child labor; authorizing the Office of Miners' Health, Safety and Training to promulgate a legislative rule relating to the safety of those employed in and around surface mines in West Virginia; authorizing the Office of Miners' Health, Safety and Training to promulgate a legislative rule relating to the first-aid training of shaft and slope employees; authorizing the Office of Miners' Health, Safety and Training to promulgate a legislative rule relating to substance abuse screening, standards, and procedures; authorizing the Division of Natural Resources to promulgate a legislative rule relating to the revocation of hunting and fishing licenses; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special motorboating; authorizing the Division of Natural Resources to promulgate a legislative rule relating to public shooting ranges; authorizing the Division of Natural Resources to promulgate a legislative rule relating to hunting; authorizing the Division of Natural Resources to promulgate a legislative rule relating to the commercial sale of wildlife; and authorizing the Division of Natural Resources to promulgate a legislative rule relating to lifetime hunting, trapping, and fishing licenses,"

And,

H. B. 4406, To establish the West Virginia Military Hall of Fame,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4406 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9A-5-1, relating to creating a West Virginia Military Hall of Fame to honor veterans of West Virginia who have distinguished themselves on the field of battle,"

With the recommendation that the committee substitutes each do pass.

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. 4556, Video and audio recordings in self-contained classrooms,

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. 4556) was referred to the Committee on Finance.

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. 4430, Relating to definitions of base salary and overtime for police and firemen pensions,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4430 - "A Bill to amend and reenact §8-22-16 of the Code of West Virginia, 1931, as amended, relating to providing definitions of "base salary" and "overtime and other remuneration" for a policemen's pension and relief fund and a firemen's pension and relief fund,"

With the recommendation that the committee substitute 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. 4433, Providing that retirement benefits are not subject to execution,

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. 4338, Reducing annual permit fee for each video lottery terminal owned or leased by a limited video lottery licensee,

H. B. 4462, Relating to Deferred Retirement Option Plan evaluations,

And,

Com. Sub. for S. B. 445, Modifying police and firemen's pension plans for trustees,

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

Delegate Storch, Chair of the Committee on Pensions and Retirement, submitted the following report, which was received:

Your Committee on Pensions and Retirement has had under consideration:

H. B. 4614, Providing optional retirement service credit for unused accrued annual or sick leave days for municipal police and firefighters,

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. 4614) was referred to the Committee on Finance.

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. 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. 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,

And,

H. C. R. 61, Timothy Wayne Farley Memorial Bridge,

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

Reports of Select Committees

Delegate Kelly, Chair of the Select Committee on Jails and Prisons, submitted the following report, which was received:

Your Select Committee on Jails and Prisons has had under consideration:

H. B. 4375, To ensure that imposition of certain sexual offenses applies to those persons working in juvenile facilities against juveniles detained or committed in juvenile facilities,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4375) was referred to the Committee on the Judiciary.

Delegate Kelly, Chair of the Select Committee on Jails and Prisons, submitted the following report, which was received:

Your Select Committee on Jails and Prisons has had under consideration:

H. B. 4371, Adding Division of Corrections and Rehabilitation employees who work at institutions managed by the Commissioner to the Survivor Benefits Act,

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. 4371) was referred to the Committee on Finance.

Delegate Kelly, Chair of the Select Committee on Jails and Prisons, submitted the following report, which was received:

Your Select Committee on Jails and Prisons has had under consideration:

H. B. 4497, Relating to the repeal of the article governing the Regional Jail and Correctional Facility Authority Board,

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. 4497) was referred to the Committee on Finance.

Delegate Kelly, Chair of the Select Committee on Jails and Prisons, submitted the following report, which was received:

Your Select Committee on Jails and Prisons has had under consideration:

H. B. 4490, Extending the expiration date of the freeze of the per diem cost for incarcerated inmates in regional jails,

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. 4490) was referred to the Committee on Finance.

Delegate Howell, Chair of the Select Committee on Tourism and Economic Diversification, submitted the following report, which was received:

Your Select Committee on Tourism and Economic Diversification has had under consideration:

H. B. 4654, To provide for downstream tax credits for companies who manufacture steel and steel products in West Virginia,

And,

H. B. 4658, Critical Mineral Reinvestment Tax Credit,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4654 and H. B. 4658) were each referred to the Committee on Finance.

Delegate Howell, Chair of the Select Committee on Tourism and Economic Diversification, submitted the following report, which was received:

Your Committee on Select Committee on Tourism and Economic Diversification has had under consideration:

H. B. 4657, The purpose of this bill is to create the Critical Mineral Investment Tax Credit Act of 2022,

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. 4657) was referred to the Committee on Finance.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 4024, Creating a cosmetology apprentice program that allows companies to train employees for practical real-world experience.

A message from the Senate, by

The Clerk of the Senate, announced concurrence by the Senate in the amendment of the House of Delegates to the amendment of the Senate, and the passage, as amended, of

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

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

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

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 5DD. COLLECTION OF DATA RELATING TO PARKINSON'S DISEASE.

§16-5DD-1. Establishing collection guidelines for Parkinson's disease data.

(a) West Virginia University may collect data on the incidence of Parkinson's disease in West Virginia and other epidemiological data as required by this article.

(b) These terms are defined:

'Parkinson's disease' means a chronic and progressive neurologic disorder resulting from deficiency of the neurotransmitter dopamine as the consequence of specific degenerative changes in the area of the brain called the basal ganglia. It is characterized by tremor at rest, slow movements, muscle rigidity, stooped posture, and unsteady or shuffling gait.

'Parkinsonisms' means related conditions that cause a combination of the movement abnormalities seen in Parkinson's disease, such as tremor at rest, slow movement, muscle rigidity, impaired speech or muscle stiffness, which often overlap with and can evolve from what appears to be Parkinson's disease. These include: Multiple System Atrophy (MSA), Dementia with Lewy Bodies (DLB), Corticobasal Degeneration (CBD), and Progressive Supranuclear Palsy (PSP).

(c) The registry and system of collection and dissemination of information shall be under the direction of West Virginia University, who may enter into contracts, grants, or other agreements as are necessary for the conduct of the program.

(d) All patients diagnosed with Parkinson's disease or related Parkinsonisms, as advised by an Advisory Committee, shall be provided a notice regarding the collection of information and patient data on Parkinson's disease. Patients who do not wish to participate in the collection of data for purposes of research in this registry shall affirmatively opt-out in writing after an opportunity to review the documents and ask questions. A patient may not be forced to participate in this registry.

(e) (1) West Virginia University shall establish a Parkinson's Disease Registry Advisory Committee to:

(A) Assist in the development and implementation of the registry which may include a system for the collection and dissemination of information determining the incidence and prevalence of Parkinson's disease and related Parkinsonisms;

(B) Determine what data shall be collected; and

(C) Generally, advise WVU.

(2) Membership of the committee may include:

(A) Neurologists from WVU, Marshall, and Charleston Area Medical Center;

(B) A movement disorder specialist;

(C) A primary care physician;

(D) A physician informaticist;

(E) Parkinson's disease patients;

(F) Public health staff;

(G) Population health researchers familiar with registries;

(H) Parkinson's disease researchers; and

(I) Anyone else West Virginia University deems necessary.

(f) Parkinson's disease and related Parkinsonisms shall be reported, but the mere incidence of a patient with Parkinson's shall be the sole required information for this registry for any patient who chooses not to participate. For the subset of patients who choose not to participate, further data may not be reported to the registry.

(g) A hospital, facility, physician, surgeon, physician assistant, and nurse practitioners, or other health care provider deemed necessary by West Virginia University diagnosing or providing treatment to Parkinson's disease or Parkinsonism patients, shall report each case of Parkinson's disease and Parkinsonisms to West Virginia University in a format prescribed by the university. West Virginia University may enter into data sharing contracts with data reporting entities and their associated electronic medical record systems vendors to securely and confidentially receive information related to Parkinson's disease testing, diagnosis, and treatment.

(h) West Virginia University may enter into agreements to furnish data collected in this registry to other states' Parkinson's disease registries, federal Parkinson's disease control agencies, local health officers, or health researchers for the study of Parkinson's disease. Before confidential information is disclosed to those agencies, officers, researchers, or out-of-state registries, the requesting entity shall agree in writing to maintain the confidentiality of the information, and in the case of researchers, shall also do both of the following:

(1) Obtain approval of their committee for the protection of human subjects established in accordance with Part 46 (commencing with Section 46.101) of Title 45 of the Code of Federal Regulations; and

(2) Provide documentation to West Virginia University that demonstrates to the university's satisfaction that the entity has established the procedures and ability to maintain the confidentiality of the information.

(i) Except as otherwise provided in this section, all information collected pursuant to this section shall be confidential. For purposes of this section, this information shall be referred to as confidential information.

(j) Notwithstanding any other law, a disclosure authorized by this section shall include only the information necessary for the stated purpose of the requested disclosure, used for the approved purpose, and not be further disclosed.

(k) Provided the security of confidentiality has been documented, the furnishing of confidential information to West Virginia University or its authorized representative in accordance with this section shall not expose any person, agency, or entity furnishing information to liability, and shall not be considered a waiver of any privilege or a violation of a confidential relationship.

(l) West Virginia University shall maintain an accurate record of all persons who are given access to confidential information. The record shall include the name of the person authorizing access; name, title, address, and organizational affiliation of persons given access; dates of access; and, the specific purpose for which information is to be used. The record of access shall be open to public inspection during normal operating hours of the university.

(m) Notwithstanding any other law, the confidential information shall not be available for subpoena, shall not be disclosed, discoverable, or compelled to be produced in any civil, criminal, administrative, or other proceeding. The confidential information shall not be deemed admissible as evidence in any civil, criminal, administrative, or other tribunal or court for any reason. This subsection does not prohibit the publication by West Virginia University of reports and statistical compilations that do not in any way identify individual cases or individual sources of information. Notwithstanding the restrictions in this subsection, the individual to whom the information pertains shall have access to his or her own information.

(n) This section does not preempt the authority of facilities or individuals providing diagnostic or treatment services to patients with Parkinson's disease to maintain their own facility-based Parkinson's disease registries."

And by amending the title of the bill to read as follows:

Com. Sub. for H. B. 4276 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-5DD-1, relating to the collection of data relating to Parkinson's Disease; defining terms; creating a Parkinson's disease registry; providing a notice requirement; allowing for West Virginia University to enter into agreements regarding this data collection; establishing an advisory committee; providing that confidential data shall not be disclosed; and allowing for the maintaining of certain records."

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. 130)**, and there were—yeas 94, nays 1, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: J. Jeffries.

Absent and Not Voting: Hamrick, Linville, Longanacre, Lovejoy and Thompson.

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. 4276) passed.

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

On this question, the yeas and nays were taken (**Roll No. 131**), 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: Hamrick, Linville, Longanacre, Lovejoy and Thompson.

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. 4276) takes effect from its passage.

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 concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 450, Updating definitions of WV Personal Income Tax Act.

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. 476 - “A Bill to amend and reenact §11-12B-3 of the Code of West Virginia, 1931, as amended, relating to the imposition of the minimum severance tax on coal; and making technical corrections to the code”; 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. 478 - “A Bill to amend and reenact §11-13J-10 of the Code of West Virginia, 1931, as amended, relating to the Neighborhood Investment Program; adding a sunset provision regarding the reporting requirement; and providing an effective date”; 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. 508 - “A Bill to amend and reenact §20-2-60 of the Code of West Virginia, 1931, as amended, relating to requiring daylight fluorescent orange attire for deer hunters hunting with a muzzleloader; creating misdemeanor offense for violation; and penalty”; which was referred to the Committee on Agriculture and Natural Resources then the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect July 1, 2023, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 509 - “A Bill to amend and reenact §18A-4-10 of the Code of West Virginia, 1931, as amended, relating to providing that county board of education employee personal leave be accrued as earned throughout the employment term at the end of each pay period or on the last workday for separating employees; adding any reason for which an employee is entitled to leave under The Parental Leave Act or the Family and Medical Leave Act as one of the causes for which personal leave can be used; allowing a county superintendent to advance an employee a limited amount of personal leave during the employee’s first year of employment in certain instances; and removing unnecessary language”; which was referred to the Committee on Education then 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. 526 - “A Bill supplementing and amending the appropriations of public moneys out of the State Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Department of Commerce – Office of the Secretary, fund 0606, fiscal year 2022, organization 0327, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; 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. 527 - “A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2022, organization 0231, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the Budget Bill for the fiscal year ending June 30, 2022”; 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

Com. Sub. for S. B. 528 - “A Bill supplementing and amending the appropriations of public moneys out of the State Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Consolidated Medical Services Fund, fund 0525, fiscal year 2022, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; 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. 537 - “A Bill to amend and reenact §15-1B-26 of the Code of West Virginia, 1931, as amended, relating to providing for additional firefighters and security guards for the West Virginia National Guard”; 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. 560 - "A Bill to amend and reenact §17C-1-70 of the Code of West Virginia, 1931, as amended; and to amend and reenact §17C-11-8 of said code, all relating to electric bicycles; defining terms; authorizing and regulating the use of electric bicycles; and setting forth requirements for electric bicycles"; which was referred to the Committee on the Judiciary.

Resolutions Introduced

Delegates Holstein, Anderson, Barnhart, Barrett, Booth, Bridges, Burkhammer, Conley, Cooper, Crouse, Dean, Ellington, Espinosa, Fast, Ferrell, Forsht, Foster, Gearheart, Graves, Hamrick, Hanna, Hardy, Haynes, Honaker, Hott, Householder, Howell, D. Jeffries, J. Jeffries, Jennings, Keaton, D. Kelly, J. Kelly, Kessinger, Kimble, Kimes, Linville, Longanacre, Mallow, Mandt, Martin, Maynard, Maynor, Mazzocchi, Miller, Nestor, Pack, Paynter, Phillips, Pinson, Pritt, Reed, Reynolds, Riley, Rohrbach, Rowan, Smith, Statler, Steele, Storch, Summers, Sypolt, Toney, Tully, Wamsley, B. Ward, G. Ward, Westfall, Worrell and Zatezalo offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. R. 14 - "Condemning calls to defund the police."

Whereas, The State of West Virginia is established on the rule of law, which upholds the founding principles of our nation; Life, Liberty, and the Pursuit of Happiness; and

Whereas, The House of Delegates of the West Virginia Legislature, recognizes the importance of the work of our law-enforcement officers across the state and nation; and

Whereas, The duties of law-enforcement officers place these individuals in harm's way and leaves them away from their family for extended periods of time; and

Whereas, The State of West Virginia recognizes there is a culture of anti-law enforcement bias in this nation that must be condemned and defunding the police would leave police departments lacking staff, underpaid, and underequipped, while also increasing the risk of unattended crime to communities throughout West Virginia; therefore, be it

Resolved by the House of Delegates:

That the State of West Virginia condemns all calls to Defund the Police across the nation, and in states, and localities.

Delegate Walker offered the following resolution, which was read by its title and referred to the Committee on Health and Human Resources then Rules:

H. C. R. 66 - "Proclaiming and declaring youth violence a public health epidemic and declaring support for statewide trauma-informed education."

Whereas, Youth violence is defined by the Centers for Disease Control and Prevention (CDC) as the intentional use of physical force or power by young people ages 10 to 24 to threaten or harm others, generally within the same age or peer group. Youth violence negatively impacts all types of communities, though the extent and types of youth violence vary. According to the CDC,

youth violence is a serious public health problem and an adverse childhood experience (ACE) that can have long-term impact on health and wellbeing; and

Whereas, Evidence shows that youth violence is relatively common in the United States. According to the CDC, nearly one in five high school students reported being bullied on school property in the last year, and about one in seven were bullied electronically. Homicide remains the third leading cause of death for people ages 10 to 24, and the leading cause of death for non-Hispanic Black or African American youth. Nationally each day, about 13 young people are victims of homicide and about 1,100 are treated in emergency departments for nonfatal assault-related injuries; and

Whereas, Some youth are at greater risk than others. Sexual minority teens are more likely to experience multiple forms of violence compared to their heterosexual peers. Youth violence disproportionately impacts Black or African American youth and young adults are at higher risk for the most physically harmful forms of violence; and

Whereas, Youth violence impacts communities across the State of West Virginia. In 2019, of 300 gun deaths in West Virginia, 20 were if children and teens ages zero to 19. Eighty-one percent of gun death victims in West Virginia in 2019 were male. Our state had the 14th highest gun death rate in the nation in 2019. In West Virginia, young Black males are disproportionately impacted by firearm homicide, with Black males aged 15 to 34 having a firearm homicide rate eight times higher than White males of the same age group; and

Whereas, Some law-enforcement agencies in West Virginia have reported an increase in violent incidents among youth since the start of the COVID-19 pandemic; and

Whereas, Youth violence can negatively impact the physical and mental health of young people. Youth violence has been shown to lead to many long-term negative health and behavioral outcomes including higher rates of smoking, substance abuse, obesity, high-risk sexual behavior, depression, academic difficulty, school drop-out, and suicide. In addition, those involved in youth violence are more likely to become both perpetrators and victims of violence in the future; and

Whereas, The negative effect of youth violence extends to the entire community. Violence generally increases healthcare costs, decreases property value, and disrupts social services by straining community resources. In addition, youth violence can impact the perceived and actual safety within a community, which can then lesson participation in community events and decrease the viability of local businesses; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature of West Virginia recognizes the magnitude of the crisis of youth violence in the state; and, be it,

Further resolved, That the Legislature of West Virginia hereby proclaims and declares youth violence a public health epidemic and declares its support for statewide trauma-informed education.

Delegate Thompson offered the following resolution, which was read by its title and referred to the Committee on Education then Rules:

H. C. R. 67 - "Requesting the Joint Committee on Government and Finance study the feasibility of the creation of a community college in Randolph County."

Whereas, Community colleges are essential to our state as they provide opportunities for learning and education and for non-traditional students; and

Whereas, Community colleges also serve to provide specialized education for local residents that address local job opportunities to provide a workforce emerging for local businesses and industry; and

Whereas, Community colleges need to be accessible to all regions of the state and the nearest community college is 90 miles east of Randolph County; and

Whereas, In rural areas, such as Randolph County, access to education often is limited by access to public transportation; and

Whereas, Establishing a community college in the greater Elkins area would give the region an institution to help educate the future local leaders in the community; and

Whereas, A community college in the Greater Elkins area can focus on training for local economic opportunities such as the hardwood industry, healthcare, and tourism; and

Whereas, A community college in the Greater Elkins area would foster a relationship and compliment local private institutions of higher education in Randolph County and provide educational opportunities not otherwise available; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance study the feasibility of the creation of a community college in Randolph County; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2023, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft any necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

Delegates Hamrick, Hanshaw (Mr. Speaker), Barach, Boggs, Clark, Dean, Doyle, Ellington, Evans, Ferrell, Griffith, Hanna, Howell, Kimble, Longanacre, Lovejoy, Mallow, Maynor, Mazzocchi, Pack, Pushkin, Skaff, Smith, Storch, Sypolt, Thompson, Toney and Walker offered the following resolution, which was read by its title and referred to the Committee on Education then Rules:

H. C. R. 68 - "Requesting the Joint Committee on Government and Finance to conduct a formal feasibility study on the viability of establishing an accredited school of veterinary medicine in West Virginia."

Whereas, Currently, there are only 33 accredited schools of veterinary medicine ("veterinary schools") in the United States, with only 27 states housing veterinary schools*; and

Whereas, “The U.S. Bureau of Labor Statistics reported in 2019 that employment for veterinarians nationwide would increase 16% over the next decade, more than double the national average occupational growth (5%-8%)” *; and

Whereas, “Throughout 2021, multiple news organizations in West Virginia published articles describing the dire veterinarian shortage” *; and

Whereas, In 2018, the American Veterinary Medical Association Economics Division identified 113,394 veterinarians living in the United States, of whom 20,000 are expected to retire within the next five to 10 years*; and

Whereas, Most counties in West Virginia have fewer veterinarians than the national average per capita and eight counties have no veterinarian at all*; and

Whereas, West Virginia does not currently have a veterinary school and, therefore, West Virginia students must leave the state and pay out-of-state tuition to pursue a Doctor of Veterinary Medicine degree*; and

Whereas, West Virginia currently spends \$1,040,520 per year to supplement the tuition of 52 West Virginia students who attend veterinary schools at Virginia Polytechnic Institute and State University (“Virginia Tech”) (six seats per class) and Mississippi State University (“Mississippi State”) (seven seats per class) *;

Whereas, In addition to the 13 West Virginia first year students who held seats at veterinary schools at Virginia Tech and Mississippi State, an additional 12 West Virginia students were identified as first year veterinary students in 2021 in an American Association of Veterinary Medical College internal data report*; and

Whereas, The West Virginia students who meet the minimum qualifications for admissions to the programs at Virginia Tech and Mississippi State has increased from 35 students in 2016-17 to 70 students in 2020-21;

Whereas, Over the last two decades, applications to veterinary schools nationally have increased by 53 percent*; and

Whereas, Establishing a veterinary school in West Virginia would enable West Virginia students to remain in West Virginia for their education; and

Whereas, Current student enrollment and interest in animal and nutritional science programs at state colleges and universities demonstrates the need for a veterinary school within the state; and

Whereas, West Virginia has a rich history of agriculture and is committed to developing a sustainable plan to maximize the agricultural sector for economic growth and prosperity, including the development and retention of large animal veterinarians to serve the state’s growing agriculture industry; and

Whereas, There exists a need for educated and experienced professionals within the state to support the long-term prosperity of the agricultural industry; and

Whereas, Having a veterinary school in West Virginia would attract students from across the nation to West Virginia, contributing to the economy and providing for the potential that the students will stay in West Virginia; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance, through the Legislative Auditor, is hereby requested to conduct a formal feasibility study on the viability of an accredited veterinary school in West Virginia, and, if necessary, is authorized to contract for the performance of such study with an outside vender; and, be it

Further Resolved, That the study shall focus on the most efficient and practical use of existing programs of study at state colleges and universities and the opportunity to incorporate these programs in a manner to prepare students for a pathway of veterinary medicine, and develop and retain veterinarians within the state; and, be it

Further Resolved, That the study shall include a report on all barriers and impediments to creating an accredited veterinary school; and, be it

Further Resolved, That pending the results of the study and in the interim period leading up to the establishment of any veterinary school, additional seats at other states' veterinary schools are necessary to ensure that the veterinary needs of West Virginia are met; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2023, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance; and, be it

Further Resolved, That the funding necessary to secure additional seats at other states' veterinary schools be paid through legislative appropriations to the state's annual budget.

* Division of Regulatory and Fiscal Affairs, *Viability of West Virginia Veterinary Medical School*, presented to West Virginia Special Committee on Viability of WV Veterinary Medicine School – Higher Education, November 15, 2021

Delegates Walker, Barach, Booth, Bridges, Brown, Crouse, Diserio, Doyle, Evans, Ferrell, Forsht, Garcia, Griffith, Hanna, Hansen, Honaker, Hornbuckle, Lovejoy, Mandt, Martin, Miller, Pack, Pushkin, Queen, Reed, Riley, Rowan, Rowe, Storch, Thompson, Wamsley, Williams, Worrell, Young, Zatezalo and Zukoff offered the following resolution, which was read by its title and referred to the Committee on Health and Human Resources then Rules:

H. C. R. 69 - "Requesting the Joint Committee on Government and Finance study the youth suicide epidemic in the United States and West Virginia."

Whereas, Suicide deaths in the United States are the 10th leading cause of death with more than 2000 14 to 18 year old's dying every year by suicide; therefore, be it.

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study the cause of teen suicide with emphasis on Black, Indigenous, and People of Color (BIPOC), lesbian, gay, bisexual, transgender, queer, and others (LGBTQ+), girls and racial minorities; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2023, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

Delegates Thompson, Nestor, Fluharty, Skaff, Griffith, Walker, Young, Garcia, Diserio, Zukoff and Pushkin offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 70 - "Requesting the Division of Highways name bridge number 42-022/00-014.01 (42A251) locally known as Bemis Truss, carrying CR 22 over Shavers Fork Cheat River in Randolph County, the 'Calvin H. Shifflett Memorial Bridge'."

Whereas, Calvin Hansbough Shifflett was born on January 4, 1933, in Bemis, Randolph County, West Virginia, the youngest of six sons to Joseph and Rosa Bella Hansbrough Shifflett; and

Whereas, Calvin H. Shifflett enlisted in the United States Army on October 15, 1948, in Elkins, West Virginia, at the age of 15, and was honorably discharged on October 22, 1951, in Fort Gordon, Georgia; and

Whereas, Calvin H. Shifflett was married to Mary Frances Hedrick, the father of seven children, and a Life Member, and one-time Post Commander of the Veterans of Foreign Wars Post 3647; and

Whereas, After his discharge, Calvin H. Shifflett and his brother Clarence went to Baltimore, Maryland, where Calvin worked as a brakeman on the B&O Railroad and at the Glenn L. Martin Aircraft Company; and

Whereas, Calvin H. Shifflett, returned to West Virginia where he opened a small family store on April 22, 1961, which is still family owned and operated, and served as Assistant Postmaster with his wife for the United States Postal Service in Gladys, Randolph County, from 1977 to 2006. While he was unable to work inside the family store in his later years, Calvin would return Memorial Day, Fourth of July, and Labor Day weekends to see campers who always stopped by to visit; and

Whereas, Calvin H. Shifflett, was married to Francis for 65 years, until her passing in 2017, and had eight grandchildren and 14 great grandchildren at the time of his death on August 13, 2019; and

Whereas, Calvin H. Shifflett, was buried with full military honors accorded by the West Virginia National Guard Honor Guard, H.W. Daniels Post 29 American Legion, and Tygart Valley Veterans of Foreign Wars Post 3647; and

Whereas, it is fitting that an enduring memorial be established to Calvin H. Shifflett and his contributions to his community, and 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 42-022/00-014.01 (42A251) locally known as Bemis Truss, carrying CR 22 over Shavers Fork Cheat River in Randolph County, the "Calvin H. Shifflett 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 "Calvin H. Shifflett 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.

Delegates Fluharty, Barach, Barnhart, Bates, Booth, Brown, Conley, Crouse, Diserio, Doyle, Evans, Ferrell, Fleischauer, Forsht, Garcia, Griffith, Hansen, Honaker, Hornbuckle, Jennings, Longanacre, Lovejoy, Mallow, Mandt, Martin, Maynor, Miller, Nestor, Pritt, Reed, Rowan, Rowe, Skaff, Storch, Thompson, Walker, Wamsley, 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. C. R. 71 - "Requesting the Division of Natural Resources name the waterfall located on North Branch of Short Creek across North Fork Road, County Route 9, from Short Creek United Methodist Church cemetery in Ohio County, West Virginia, 'White Angel Falls'."

Whereas, Erin Jo Brookes, was born on September 26, 1972, to parents Brian and Debbie Brookes, and died on March 24, 2009, from cancer; and

Whereas, Her gravestone has a "White Angel" beside it and is in direct line of sight to the waterfall; and

Whereas, To some, the waterfall symbolizes eternal life and hope, as everyday water either trickles or gushes over it; and

Whereas, It is fitting to name this waterfall, "White Angel Falls"; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Natural Resources is hereby requested to name the waterfall located on North Branch of Short Creek across North Fork Road, County Route 9, from Short Creek United Methodist Church cemetery "White Angel Falls"; and, be it

Further Resolved, That the Division of Natural Resources is hereby requested to have made and place a sign near the waterfall the "White Angel Falls" waterfall; and, be it

Further Resolved, That the Clerk of the House forward a copy of this resolution to the Director of the Division of Natural Resources.

Delegate Boggs offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 72 - "Requesting the Division of Highways name Bridge Number: 04-007/06-002.18 (04A031), (38.74436,-80.74051) locally known as RIFFLE BRIDGE, carrying CR 7/6 over PERKINS FORK CEDAR CREEK in Braxton county, the 'U. S. Army SP5 Dana V. Perkins Memorial Bridge'."

Whereas, Dana V. Perkins was born October 1940, in Riffle, Braxton, County, to Lee and Floda Perkins. He was married 55 years to Donna Singleton Perkins, and they had three sons, Jeff, Jerry, and Terry; and

Whereas, SP5 Dana V. Perkins enlisted in the United States Army on February 26, 1962, and served until February 5, 1965. After military service, Dana and his family lived in Ireland, West Virginia for several years where they participated in the annual Irish Spring Festival. Returning to Braxton County, he operated a Gulf Service Station. He also worked for Owens Corning and Bi-Con Services which kept him on the road. Upon retirement he was active in his community helping neighbors by plying his carpentry remodeling talents. Dana was loving and caring family man and Christian; and

Whereas, Dana V. Perkins in died March 9, 2021, succumbing to Parkinson's disease; and

Whereas, It is fitting that an enduring memorial be established to commemorate SP5 Dana V. Perkins 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 Bridge Number: 04-007/06-002.18 () (04A031), (38.74436,-80.74051) locally known as RIFFLE BRIDGE, carrying CR 7/6 over PERKINS FORK CEDAR CREEK in Braxton county, the "U. S. Army SP5 Dana V. Perkins Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and placed signs identifying the bridge as the "U. S. Army SP5 Dana V. Perkins 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.

Delegate Pinson offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 73 - "Requesting the Division of Highways name a set of twin bridges, number 11349, carrying US Route 35 over County Route 78 and 16-Mile Creek in Mason County, West Virginia as the 'Halstead Brothers WWII Veterans Memorial Bridge'."

Whereas, James Norton Halstead, U.S. Army Corporal, was born at Page, Fayette County, West Virginia, on June 18, 1919, to John and Bertha Wolford Halstead; and

Whereas, Eugene Paul Halstead, T/5 U.S. Army, was born in Montcoal, Raleigh County, West Virginia on September 24, 1921, to John and Bertha Wolford Halstead; and

Whereas, Herman Lee Halstead, U.S. Army Cpl., was born in Montcoal, Raleigh County, West Virginia, on September 4, 1923, to John and Bertha Wolford Halstead; and

Whereas, Samuel Edward Halstead, U.S. Army Sgt., was born in Montcoal, Raleigh County, West Virginia on September 16, 1925, to John and Bertha Wolford Halstead; and

Whereas, James was the eldest child, but John and Bertha's large family would come to consist of four brothers in addition to James—Eugene Paul, Herman Lee, Samuel Edward, and Millard William; and

Whereas, In the household were also three sisters—Mary Madeline Halstead (married name: Bocook), Florence Louise Halstead (married name: Taylor), and Elizabeth Lucille Halstead (married name: Bauer); and

Whereas, U.S. Army Enlistment Records, 1938-1946, indicate that James's education consisted of grammar school, and his entry in Young American Patriots notes that the school he attended was Sebrell; and

Whereas, The family attended the United Brethren Church in Point Pleasant; and

Whereas, With the advent of World War II, Bertha would see four of her sons enlist in the U.S. Army, and ultimately, she would become a Gold Star Mother; and

Whereas, T/5 Eugene Paul Halstead entered service on July 30, 1942, and served in North Africa, Sicily, and Italy; Cpl. Herman Lee Halstead entered service on March 15, 1943, and served in India; Sgt. Samuel Edward Halstead entered service on January 12, 1944, and served in England, France, and Italy; and after the war, Herman Halstead continued his service with the West Virginia National Guard; and

Whereas, It was the oldest, Corporal James Norton Halstead, who was the first to enlist, signing up at Huntington on March 30, 1942, and became a medical corpsman in the 325th Glider Infantry Regiment, 82nd Airborne Division; and

Whereas, The 325th's first battle was reached not by air, but by sea. By September, the regiment was sent to Salerno from Sicily to reinforce units already there. They were attached to the 2nd Battalion and intended to relieve Ranger units on Mount St. Angelo di Cava. German artillery barrages attempted to throw the glidermen off the mountain, but the Americans held their ground. It was here the Regiment met their first casualties. Service in Salerno is consistent with Cpl. Halstead's war record; Young American Patriots indicates he was there; and

Whereas, The Regiment landed in Normandy on D-Day plus one (June 7, 1944). According to the unit history, "As soldiers of the 325th Glider Infantry Regiment swooped down to Normandy, other elements of the 82nd Airborne were in the process of capturing the town of St. Mere Eglise on an airborne operation behind enemy lines. It was for the success of their effort that the soldiers of the 82nd Airborne Division were awarded the red and green braided French Fourregerre." ("The 325th Glider Infantry Regiment," *The 82nd Airborne: World War II*, accessed 23 October 2020, <https://www.ww2-airborne.us/units/325/325.html>.); and

Whereas, Twenty-one of the 850 gliders carrying infantrymen were wrecked in landing. Of the roughly 4,000 men who participated in the initial airborne assault phase of Operation Overlord, 10 percent became casualties, either killed or maimed. ("Glider Phase of D-Day Begins," *World War II Day by Day: The Daily Chronicles of World War II, 2012-2020*, accessed 23 October 2020, <https://ww2days.com/glider-phase-of-d-day-begins-2.html>.); and

Whereas, Sadly, Cpl. James Halstead was one of those 10 percent; he was wounded on June 15 during his landing, he died of wounds in France on June 16, 1944, just two days shy of his 25th birthday; and

Whereas, The 325th persisted, minus their fallen brothers, and the glidermen-turned-infantrymen soldiered on Cpl. Halstead's 325th would become embroiled in the Battle of the Bulge (December 1944-January 1945), where, ironically, his brother Samuel became a participant; and

Whereas, Sergeant Samuel Edward Halstead, the youngest family member to enter World War II, was drafted in January of 1944; trained at Camp Blanding, Florida; and saw service in England, France, and Italy, and

Whereas, It was not unusual for groups of brothers to enlist for World War II; and

Whereas, On March 15, 1945, Sgt. Samuel Halstead was shot while serving near Strasbourg, France. He always believed that he was very lucky as German snipers were renowned as highly accurate shots. He believed that he got excellent medical attention. He was transported to a field hospital, to a traditional hospital in France, and finally to a hospital in England. His ultimate destination was the U.S.; and

Whereas, He emphasized the importance of letter-writing during the war. According to Samuel's biographer, although he never saw his three brothers while at war, he could write them. One day, he wrote to his oldest brother, James Norton Halstead, and sadly the letter was returned with the word "Deceased." This was how [Samuel] Halstead discovered that James had been killed while a member of the 82nd Airborne in France; and

Whereas, James Norton Halstead (1919-1944), Eugene Paul Halstead (1921-1981), Herman Lee Halstead (1923-1986), and Samuel Edward Halstead (1925-2016) served their country well in World War II, with James paying the ultimate sacrifice; and

Whereas, James was awarded the Purple Heart, the Bronze Star, the Good Conduct Medal, and the Combat Infantry Badge; and

Whereas, In fact, all four brothers received the latter medal, T/5 Paul Eugene Halstead, with two battle stars. Additionally, Samuel Edward Halstead was awarded the Combat Infantryman Badge, the Presidential Unit Citation, the Purple Heart, the Bronze Star, the World War II Victory Medal, the Marksman Badge and Rifle Bar, and the European-Africa-Middle Eastern Campaign Medal; and

Whereas, The Halstead family must certainly be one of the most decorated in the history of World War II; and

Whereas, Samuel's family (he and his wife Helen Louise Zuspan Halstead, to whom he was married for 69 years, had four sons: Samuel Edward Jr. [Ed]; Steve; Michael Bruce, who lived for only two days; and Tim) continued the Halstead military legacy with his son Sam Jr. serving in the U.S. Navy in Vietnam and his granddaughter Shonna Rae Halstead Miller (Tim's daughter) serving in Kuwait as a member of the West Virginia National Guard; and

Whereas, James Norton Halstead was originally buried in the Normandy American Cemetery in France, but Cpl. James Norton Halstead's remains were returned to the States in 1949, and he was buried in the Suncrest Cemetery at Point Pleasant, West Virginia; and

Whereas, For these reasons it is fitting and proper that the bridge be named in honor of the Halstead Brothers; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways name a bridge built in 2018 bearing the number NHPP-035(202)(11349)(35-19.01) carrying U.S. Route 35 in Mason County, crossing over Black Oak Road, County Route 78, as the "Halstead Brothers WWII Veterans Memorial Bridge;" and, be it

Further Resolved, That the commissioner of the Division of Highways is requested to erect signs at both ends of the bridge containing bold and prominent letters proclaiming the bridge as the "Halstead Brothers WWII Veterans Memorial Bridge"; and, be it

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

Delegate Burkhammer offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 74 - "Requesting the Division of Highways name bridge number 21-033/00-018.34 (21A215), locally known as Hardees Boxbeam, carrying US Route 33 over Stonecoal Creek in Lewis County, the 'Judge Les Fury Memorial Bridge'."

Whereas, William L. "Les" Fury was born in Clarksburg, West Virginia, on June 21, 1917, was a graduate of the former Weston High School; attended West Virginia Wesleyan College and Potomac State College, and went on to obtain a law degree from Washington and Lee University; and

Whereas, On November 7, 1942, he married Elizabeth Aspinall, his beloved wife, who became a teacher with the Lewis County school system for over 25 years; and

Whereas, Les Fury entered the United States Army in 1942 and served in the European Theater during World War II, earning the rank of captain, and he served until 1946. After his discharge from active duty in the Army, Les Fury went on to serve in the United States Army Organized Reserves, eventually attaining the rank of major; and

Whereas, After World War II, Les Fury moved back to Weston, West Virginia, to practice law. In 1952, he began the first of four terms as the prosecuting attorney for Lewis County. In 1968, he successfully ran for judge of the 26th judicial circuit, a post in which he served with distinction for 16 years; and

Whereas, In 1985, Judge Fury retired from the bench and dedicated his subsequent years to serving the people of Lewis County in many other ways. He had a lifelong dedication to the congregation of St. Paul's Episcopal Church. He also was active in the Lions Club, Rotary Club, American Legion, Veterans of Foreign Wars, Moose Lodge, Masonic Lodge, Central WV Shrine Club, Shrine Nemesis Temple; Lewis County Chamber of Commerce, and the Reserve Officers Association of the United States. Judge Lewis and his wife also participated in programs serving the youth of their county and Judge Lewis was a coach for the Lewis County Little League Baseball program; and

Whereas, Judge Fury created a scholarship, named in honor of his wife, Elizabeth, through a bequest in his will, which has aided several Lewis County high school students the opportunity to further their educations at West Virginia University; and

Whereas, William L. Les Fury, World War II veteran, prosecuting attorney, and circuit judge, passed from this world on November 24, 2010; and

Whereas, It is fitting that an enduring memorial be established to commemorate Judge Les Fury 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 21-033/00-018.34 (21A215), locally known as Hardees Boxbeam, carrying US Route 33 over Stonecoal Creek in Lewis County, the "Judge Les Fury 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 "Judge Les Fury 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.

Delegate Burkhammer offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 75 - "Requesting the Division of Highways name bridge number 21-1/25-0.01 (11671) (39°2'50' North latitude, 80°27'54' West longitude), which will serve as a replacement for the bridge locally known as the Fourth Street Arch, carrying Fourth Street over the West Fork River in Weston, Lewis County, West Virginia, the 'Pastor Glenn F. Lough Memorial Bridge'."

Whereas, Glenn F. Lough was born June 20, 1970, in Lewis County, West Virginia, the son of Mr. Nelson Lough and Mrs. Joyce Money Penny Lough; and

Whereas, Glenn F. Lough graduated from Lewis County High School, from West Virginia Institute of Technology with a Bachelor of Science in Civil Engineering, and from Liberty University with a Master of Arts in Religion; and

Whereas, Glenn F. Lough served his country as a veteran of the 1st Brigade of the 119th Engineering Battalion of the Army National Guard of Buckhannon; and

Whereas, Glenn F. Lough served as a youth pastor for 10 years from 1994 through 2004 at Broad Run Baptist Church in Jane Lew, West Virginia where he directed the junior and senior high youth group, led over 40 teenagers to Christ, and led bi-monthly youth rallies for the Broad Run Association. Two youth he disciplined later became pastors; and

Whereas, Glenn F. Lough led a contemporary Christian praise band named Persuaded for many years beginning in 2004 through which he would perform and preach at various churches and local venues in Central West Virginia; and

Whereas, Glenn F. Lough served as the Music Minister at Broad Run Baptist Church on February 6, 2005; and

Whereas, Glenn F. Lough served as the Association Youth Pastor from 2006 to 2007 for the Broad Run Association where he assembled and directed a ministry team to budget, plan and lead 3 youth camps, through which 30 children professed faith in Christ; and

Whereas, Glenn F. Lough served as the Senior Pastor from 2007 to 2008 at Valley Bend Baptist Church in Belington, West Virginia where he performed 11 baptisms in 9 months; and

Whereas, Glenn F. Lough served from 2008 to 2010 as an Associate Pastor of Worship and Church Planter at Real Life Church in Weston, West Virginia where he oversaw Worship and Discipleship and preached sermons regularly; and

Whereas, Glenn F. Lough planted Real Life Church with two other pastors and their families where numerous people were led to Christ and baptized and at one point was the fastest growing Southern Baptist Church plant in West Virginia; and

Whereas, Glenn F. Lough was ordained at Real Life Church on January 21, 2010; and

Whereas, Glenn F. Lough served the State of West Virginia as a highway engineer for the West Virginia Division of Highways for 25 years. After leaving his job at the bridge department in Weston, West Virginia, where he had worked for 20 years designing, maintaining, repairing, and replacing bridges, he moved to another WVDOH engineering job in Charleston, West Virginia, and also became the Associate Worship Pastor at Good Shepherd Church in Scott Depot, West Virginia from 2012 to 2017; and

Whereas, On June 27, 2017, Glenn F. Lough tragically lost his life at the age of 47 on I-79 in the line of work in a vehicular accident and left behind his wife Debbie and two daughters, Lindsey and Courtney, along with many other family members and close friends who all miss him dearly; and

Whereas, Glenn F. Lough was a man of many talents including preaching, music, art, engineering, mechanics, and carpentry, just to mention a few, but his greatest gift was his ability to make friends with people almost immediately and build a relationship with them which often became a discipling relationship where he would lead them to Christ and help them grow. He had an uncanny way of making people feel comfortable around him and finding ways to encourage others in every possible way. He was a humble man who used all of his talents to help others in any way he could, always teaching and encouraging; and

Whereas, Just prior to his death, Glenn F. Lough made recommendations about where the new Fourth Street Arch replacement bridge in Weston should be located, which was very near the final location that was decided; and

Whereas, Glenn F. Lough grew up in the Haleville Union Mission Church located right next to this bridge location where he became known by elderly ladies of the church as "the little preacher boy"; and

Whereas, Glenn F. Lough served God and so many people in the city of Weston and elsewhere for many days of his life and it is fitting that an enduring memorial be established to Glenn F. Lough for his contributions to our state; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 21-1/25-0.01 (11671) (39°2'50" North latitude, 80°27'54" West longitude), which will serve as a replacement for the bridge locally known as the Fourth Street Arch, carrying Fourth Street over the West Fork River in Weston, Lewis County, West Virginia, the "Pastor Glenn F. Lough 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 "Pastor Glenn F. Lough 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.

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

Delegates Kimble, McGeehan, Phillips, J. Jeffries and G. Ward:

H. J. R. 110 - "Proposing an amendment to the Constitution of the State of West Virginia, amending section one, article VI thereof; amending section two, article XIV thereof; and amending said Constitution by adding a new article, designated article XV, all relating to the legislative powers held by the people of the state and the Legislature; the power of the registered voters and the power of the Legislature to propose amendments to this Constitution; and the reservation by and to the people and registered voters of this state the powers of initiative, referendum, and recall at all levels of government in this state; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

Bills Introduced

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

By Delegates Skaff and Hanshaw (Mr. Speaker):

H. B. 4678 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18B-21-1, §18B-21-2, §18B-21-3, §18B-21-4, §18B-21-5, §18B-21-6, §18B-21-7, §18B-21-8, §18B-21-9, and §18B-21-10, all relating to improving the mental health of higher education students; providing legislative findings; defining terms; developing the necessary training, peer support and local assistance collaboration within colleges and universities; directing the West Virginia Higher Education Policy Commission and the Community and Technical College System of West Virginia to collaborate in establishing resources with the responsibility of collecting, analyzing, and disseminating data related to mental health in higher education; and providing funding recommendations"; to the Committee on Education then Finance.

By Delegate Williams:

H. B. 4679 - "A Bill to amend and reenact §60-1-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §60-6-27, all relating to authorizing municipalities to establish outdoor refreshment areas for consumption of alcoholic beverages and non-intoxicating beer; granting authority and oversight to municipalities to permit these areas; requiring municipal authorization of permitted areas; providing definitions; placing limitations and conditions on the establishment of such areas; requiring permit holders to have valid licenses from the state; requiring public notice; providing the alcoholic beverage control commissioner to regulate the areas; allowing municipality and zoning limitations; establishing limitations on sizes of approved areas; allowing for revocation and periodic renewal requirements

for designated areas; and requiring compliance with all state and municipal laws, permits and limitations in permitted areas”; to the Committee on Political Subdivisions then the Judiciary.

By Delegate Haynes:

H. B. 4680 - “A Bill to amend and reenact §7-1-1b of the Code of West Virginia, 1931 as amended, relating to modifying qualifications for county commissioners”; to the Committee on Political Subdivisions then the Judiciary.

By Delegates Skaff, Williams, Zukoff, Boggs, Thompson, Westfall, Ferrell, Storch, Graves and Kimble:

H. B. 4681 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-15-1, relating to establishing an animal abuser registry; establishing requirements for registration; directing the State Police to establish and maintain a state registry; providing what crimes require registration; requiring each law-enforcement agency to submit information relating to convicted animal abusers; and establishing a criminal penalty for failure to register”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Hornbuckle:

H. B. 4682 - “A Bill to amend and reenact §15A-3-4 of the Code of West Virginia, 1931, as amended, relating to requiring correctional facilities to assist juvenile and adult offenders to obtain a Social Security number and card, a birth certificate, and a driver’s license”; to the Select Committee on Jails and Prisons then the Judiciary.

By Delegates Pinson, Kimble, Lovejoy, Keaton, Pack, B. Ward, D. Kelly, Bates, Westfall, Honaker and Reed:

H. B. 4683 - “A Bill to amend and reenact §7-14D-7 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto an new section, designated §7-14D-11a, all relating to the Deputy Sheriff Retirement System Act; permitting the board to set the employer contribution rate; setting a maximum employer contribution rate upon payment of the first annual annuity adjustment; and providing an annual annuity adjustment of 1 percent for eligible deputy sheriff retirants and surviving spouses”; to the Committee on Pensions and Retirement then Finance.

By Delegates Howell, Rowan, Hott, Summers, Linville, Maynard, Hamrick, Statler, Graves, Sypolt and Wamsley:

H. B. 4684 - “A Bill to amend and reenact §7-18-13a of the Code of West Virginia, 1931, as amended, relating to a convention and visitor’s bureau’s eligibility for hotel occupancy tax proceeds; and exempting from eligibility requirements a county with a single convention and visitor’s bureau and hotel occupancy tax proceeds of less than \$150,000 annually”; to the Select Committee on Tourism and Economic Diversification then Finance.

By Delegates Hamrick, Dean, Haynes and Cooper:

H. B. 4685 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §19-39-1, establishing the livestock guaranty program, establishing the Livestock Guaranty Program Fund, and providing for legislative rules”; to the Committee on Agriculture and Natural Resources then Finance.

By Delegates Walker, Thompson and Young:

H. B. 4686 - “A Bill to repeal §21-1A-1, §21-1A-2, §21-1A-3, §21-1A-4, §21-1A-5, §21-1A-6, §21-1A-7, and §21-1A-8 of the Code of West Virginia, 1931, as amended, all relating to the Labor-

Management Relations Act For The Private Sector”; to the Committee on Workforce Development then the Judiciary.

By Delegates Walker, Evans and Young:

H. B. 4687 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §22-33-1, relating to creating a quasi-public corporation to be known as the Wild and Wonderful Restoration Task Force Corporation; purposes; duties; and providing for legislative rules to prescribe the organization, powers and duties of the corporation”; to the Committee on Agriculture and Natural Resources then Government Organization.

By Delegates Barrett, Hardy, Storch, Graves, Householder and Criss:

H. B. 4688 - “A Bill to amend and reenact §16-5V-2 and §16-5V-9 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §16-5V-6a, all relating to transferring employed county firefighters from the Public Employees Retirement System to the Emergency Medical Services Retirement System; defining and declaring county firefighters as a member of the Emergency Medical Services Retirement System; requiring notice to be given to covered firefighters; providing for persons not currently employed as firefighter to elect to transfer upon rehire; providing for transfer of assets pertaining to county firefighters; requiring certain computations to be made by the Consolidated Public Retirement Board; terminating liability of the Public Employees Retirement System; and providing for purchase of service time through payment”; to the Committee on Finance.

By Delegate Hamrick:

H. B. 4689 - “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, and §11-13MM-4, all relating to the creation of the ‘EV Manufacturers Investment Credit,’ providing for definitions; establishing tier 1 eligibility, credits, and exemptions; establishing tier 2 eligibility, credits, and exemptions; providing for the forfeiture of unused tax credits; and providing for the redetermination of credit allowed”; to the Select Committee on Tourism and Economic Diversification then Finance.

By Delegate Hornbuckle:

H. B. 4690 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-29-15, relating to the establishment of the Police Partnering With Communities Act; providing for a short title; providing for legislative findings; defining a ‘distressed area;’ providing for the establishment of the Police Partnering With Communities Fund; and providing for an effective date”; to the Committee on the Judiciary then Finance.

By Delegate Capito:

H. B. 4691 - “A Bill to amend and reenact §8-11-4 of the Code of West Virginia, 1931, as amended, relating to providing for a 45 day waiting period before a water and/or sewer rate increase may go into effect for any locally rate regulated municipality”; to the Committee on Government Organization.

By Delegate Householder:

H. B. 4692 - “A Bill to amend and reenact §7-11B-3, §7-11B-7, §7-11B-8, §7-11B-9, and §7-11B-10 of the Code of West Virginia, 1931, as amended, all relating generally to property tax increment financing districts; modifying the existing authorization for a county commission or municipality to extend the termination time of certain districts; providing clarification as to the timing of the notice required to be given to other levying bodies prior to a new project plan or

project plan amendment for a property tax district being considered for approval and making other clarifications”; to the Committee on Finance.

By Delegate Young:

H. B. 4693 - “A Bill to amend and reenact §3-2-3 of the Code of West Virginia, 1931, as amended, relating to registration of voters; and requiring the Secretary of State to utilize the Electronic Registration Information Center”; to the Committee on Government Organization then the Judiciary.

By Delegates Kimble, Pinson, Graves, Pritt, G. Ward, Conley, Burkhammer, Mazzocchi, Kessinger, Phillips and Keaton:

H. B. 4694 - “A Bill to amend and reenact §61-8B-9a of the Code of West Virginia, 1931, as amended; to amend and reenact §61-8C-2 of said code; and to amend and reenact §61-14-2 of said code, all relating to dangerous crimes against children; and ensuring that stronger criminal penalties are associated with crimes against children”; to the Committee on the Judiciary.

By Delegate Keaton:

H. B. 4695 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-97, relating to creating a personal refundable credit against personal income taxes”; to the Committee on Finance.

By Delegates Fleischauer, Kessinger, Steele, Pack, Garcia, Walker, Williams, Hansen, Statler, Brown and Lovejoy:

H. B. 4696 - “A Bill to amend and reenact §49-2-803 and §49-2-812 of the Code of West Virginia, 1931, as amended, all relating to reporting of suspected abuse and neglect; providing notice to the child’s parent or guardian under certain circumstances; requiring annual statement of reporting obligations to be provided to, and acknowledged by, public and private school employees; establishing the duty of a prosecutor to notify a licensing or regulatory board of a licensee’s failure to notify; and making it professional negligence and a departure from professional conduct for professional licensees and registrants to fail to report suspected abuse or neglect”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Dean:

H. B. 4697 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-5-37, relating to permitting pharmacists to dispense ivermectin by means of a standing order; creating definitions; providing for guidelines; clarifying the role of the West Virginia Board of Medicine; and providing for an effective date”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Pushkin:

H. B. 4698 - “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 West Virginia Medicaid program; requiring West Virginia Medicaid managed care organizations to contract with any otherwise qualified provider”; to the Committee on Health and Human Resources then Finance.

By Delegate Householder:

H. B. 4699 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-10-6, relating to creating the Learning Loss Mitigation Program; providing for legislative findings; providing for the establishment of the program; providing eligibility for grant funds; specifying the use of grant funds; providing for the availability and

expenditure of grant funds; providing for the administration of the fund; and providing for funding”; to the Committee on Education then Finance.

By Delegate Zukoff:

H. B. 4700 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §3-5-6f and §3-5-6g, all relating to making certain officers of the courts elected as non-partisan; providing that the election of county prosecutors be non-partisan; and providing that the election of circuit clerks be non-partisan”; to the Committee on the Judiciary.

By Delegate Maynard:

H. B. 4701 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §56-4-72, relating to providing compensation to victims of abusive lawsuits; and providing that a party in a civil action is entitled to recover attorney’s fees and costs after a court dismisses a claim as lacking any basis in law or fact”; to the Committee on the Judiciary.

By Delegate Lovejoy:

H. B. 4702 - “A Bill to amend the Code of West Virginia, 1931, as amended, by creating thereto a new article, designated §5-1F-1, §5-1F-2, §5-1F-3, §5-1F-4 and §5-1F-5, all relating to establishing a state office to promote community food security; establishing the office within the Governor’s Office; providing that that office coordinate all state recourses and any federal and private grants for promoting food security in the state; providing findings for creation of the office; providing directives for the office relating to enhancing food security in this state; creating an advisory board; providing for county offices to coordinate local resources; and providing for the creation of a special revenue account”; to the Committee on Government Organization then Finance.

By Delegates Griffith, Bates, Zukoff, Storch, B. Ward and Kimble:

H. B. 4703 - “A Bill to amend and reenact §46A-6F-112 of the Code of West Virginia, 1931, as amended, relating to telemarketing; and requiring that telemarketers telephone calls include the area code and correct point of origin”; to the Committee on the Judiciary.

By Delegates Griffith, B. Ward and Zukoff:

H. B. 4704 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-8-19d, relating to the restraint of dogs”; to the Committee on the Judiciary.

By Delegates Young, Williams, Walker, Thompson, Zukoff, Lovejoy and Hornbuckle:

H. B. 4705 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18B-21-1, §18B-21-2, §18B-21-3, §18B-21-4, §18B-21-5, §18B-21-6, §18B-21-7, §18B-21-8, §18B-21-9, and §18B-21-10, all relating to the Student Basic Needs Campus Initiative; establishing the Student Basic Needs Campus Initiative; authorizing the creation of the Student Basic Needs Campus Program office; establishing the duties of the Hunger Free Campus Program office; authorizing the Student Basic Needs Campus Program office to administer and advise the Chancellor on the Student Basic Needs Campus Grant Program; establishing the requirement for designation as a Student Basic Needs Campus; setting requirements for awarding Student Basic Needs grants; addressing Student Basic Needs Campus grant administration; creating the Student Basic Needs Campus Program and Grant Fund; setting forth reporting requirements; and authorizing legislative rules”; to the Committee on Education then Finance.

By Delegates Walker and Young:

H. B. 4706 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §31A-8B-6, relating to requiring an audit to be made of the compliance of Commissioner of Banking and the Board of Banking and Financial Institutions to assess their compliance with the West Virginia Community Reinvestment Act; requiring the Legislative Auditor to conduct the audit; specifying essential issues to review; and requiring report to be submitted to the Joint Committee on Government and Finance"; to the Committee on Government Organization then Finance.

By Delegates Walker, Thompson and Young:

H. B. 4707 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §21-3-23, relating to prohibiting employers and agents from requiring an employee or applicant to provide any information about the person's salary history or prior compensation; and providing criminal penalties"; to the Committee on the Judiciary.

By Delegates Walker, Fleischauer, Zukoff and Young:

H. B. 4708 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-5DD-1, relating to requiring primary care physicians to provide disclosures to patients regarding triple negative breast cancer"; to the Committee on Health and Human Resources.

By Delegate Bates:

H. B. 4709 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-4g; to amend and reenact §11B-2-20 of said code; and to amend said code by adding thereto a new section, designated §11B-2-33, all relating to reducing personal income tax rates generally; reducing rates by certain amounts after December 31, 2022; creating stabilization and future economic reform fund from which expenditures may be made only upon appropriation of the Legislature and solely for the purpose of reducing the rates of personal income tax in accordance with this and future Acts of the Legislature; and directing the secretary of revenue to annually cause to be deposited into the stabilization and future economic reform fund the first 50 percent of all surplus revenues, if any, determined to have accrued during the fiscal year just ended instead of directing the secretary of revenue to annually of causing those surplus revenues to be deposited into the revenue shortfall reserve fund."; to the Committee on Finance.

By Delegates Mallow, Pinson, Haynes, Mandt, Holstein, Reynolds, Honaker and B. Ward:

H. B. 4710 - "A Bill to amend and reenact §37-6-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §37-6-31, all relating to termination of leaseholds, requiring law enforcement participation in eviction notice service and requiring eviction notices expressly state tenant rights under this section"; to the Committee on the Judiciary then Finance.

By Delegate Young:

H. B. 4711 - "A Bill to amend and reenact §18-20-11 of the Code of West Virginia, 1931, as amended, relating to providing video cameras in every classroom in which there is a nonverbal student"; to the Committee on Education then Finance.

By Delegate D. Kelly:

H. B. 4712 - "A Bill to amend and reenact §50-3-2a of the Code of West Virginia, 1931, as amended; and to amend and reenact §62-4-17 of said code, all relating to reducing the time period

allowed for enrollment in magistrate court and circuit court payment plans and limiting the maximum length of payment plans”; to the Committee on the Judiciary.

By Delegates Evans, Walker, Fleischauer, Thompson, Griffith, Barach and Hornbuckle:

H. B. 4713 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25e, relating to requiring athletic associations and sports entities of West Virginia to adopt and implement a ‘Heat and Humidity Practice Policy’ for all outdoor organized athletic and competitive events held within the state”; to the Committee on Health and Human Resources then Education.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 4714 - “A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Education, State Board of Education – Vocational Division, fund 0390, fiscal year 2022, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 4715 - “A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Consolidated Medical Services Fund, fund 0525, fiscal year 2022, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 4716 - “A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Health and Human Resources, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations, fund 5156, fiscal year 2022, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 4717 - “A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, West Virginia Office of Tax Appeals, fund 0593, fiscal year 2022, organization 0709, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegates Kimble, McGeehan, G. Ward, Sypolt, Mazzocchi and Linville:

H. B. 4718 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §4-2D-1, §4-2D-2, §4-2D-3, and §4-2D-4, all relating to the creation of the Privacy Protection Act; establishing definitions; defining the role of the State Auditor’s Office

in collaboration with the State Privacy Officer; creating the State Privacy Officer; and creating the Personal Privacy Oversight Committee”; to the Committee on the Judiciary then Finance.

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

H. B. 4719 - “A Bill supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Motor Vehicles, fund 9007, fiscal year 2022, organization 0802, for the fiscal year ending June 30, 2022”; to the Committee on Finance.

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

H. B. 4720 - “A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Governor’s Office – Civil Contingent Fund, fund 0105, fiscal year 2022, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

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

H. B. 4721 - “A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Higher Education Policy Commission, Higher Education Policy Commission – Administration – Control Account, fund 0589, fiscal year 2022, organization 0441, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegate Walker:

H. B. 4722 - “A Bill to amend the Code of West Virginia, 1931, amended, by adding thereto a new section, designated §19-16A-28, relating to restricting the use of neonicotinoid pesticides”; to the Committee on Agriculture and Natural Resources then Government Organization.

By Delegates Statler, Howell, Hamrick, Hanshaw (Mr. Speaker) and Skaff:

H. B. 4723 - “A Bill to repeal §18B-2A-7a of the Code of West Virginia, 1931, as amended; to amend and reenact §18B-1-2 of said code; to amend and reenact §18B-1B-6 of said code; to amend and reenact §18B-2A-1 of said code; to amend and reenact §18B-3C-8 and §18B-3C-13 of said code, and to amend said code by adding thereto a new section, designated §18B-3C-13a, all relating to public higher education governance; making Pierpont Community and Technical College a fully integrated division of Fairmont State University known as the Pierpont College of Community and Technical Education on July 1, 2023; increasing the number of members of the Fairmont State Board of Governors to fifteen persons; requiring the appointment by the Governor of at least one member on the Fairmont State University Board of Governors who has knowledge and practical experience in community and technical education; providing for two faculty members on the Fairmont State University Board of Governors at least one of which shall be from the faculty of the Pierpont College of Community and Technical Education elected by the faculty senate; providing that the administrative head of the Pierpont College of Community and Technical Education shall be a dean appointed by the President of Fairmont State University; providing that the chairman of the Fairmont State University Board of Governors shall appoint an advisory board to advise the Fairmont State University Board of Governors on matters relating to the community and technical college curriculum; providing that the members of the advisory board shall elect a

chairperson on or after July 1, 2023, who shall be an ex-officio, voting member of the Fairmont State University Board of Governors; providing that the operating budget of Pierpont Community and Technical College is integrated under the authority and jurisdiction of the Fairmont State University Board of Governors; transferring all financial assets and liabilities from the authority of Pierpont Community and Technical College Board of Governors to the authority of the Fairmont State University Board of Governors; satisfying existing outstanding deficits or financial obligations prior to the unification of Fairmont State University and Pierpont Community and Technical College; continuing any capital debt service payment of Pierpont Community and Technical College and making it the responsibility of the Fairmont State University Board of Governors; transferring titles to all real property, facilities, and equipment of, as well as each valid agreement undertaken by Pierpont Community and Technical College to the Fairmont State University Board of Governors; vesting title of all property purchased for the use of Pierpont Community and Technical College in the Fairmont State University Board of Governors; making faculty, classified employees, and nonclassified employees of Pierpont Community and Technical College employees of Fairmont State University; providing for a transition period to achieve full accreditation by the Higher Learning Commission; requiring reports to the Council for Community and Technical College Education and the Legislative Oversight Commission on Education Accountability; clarifying that the Council for Community and Technical College Education shall retain jurisdiction over the academic programming offered by the Pierpont College of Community and Technical Education; providing for transition team oversight with a sunset date, authorizing Fairmont State University to begin the change of control accreditation review process with the Higher Learning Commission on July 1, 2022; updating certain state institution of higher education names; repealing outdated language; and deleting obsolete language”; to the Committee on Education then Finance.

By Delegates Walker, Thompson, Griffith, Fleischauer, Pushkin and Young:

H. B. 4724 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-65-1, relating to establishing a program to provide a CARE FOR ALL telephone referral number and website access to provide public access to resources for medical care, including resources and providers that are LGBTQ+, Black, and POC-friendly”; to the Committee on Health and Human Resources then Finance.

By Delegate Pritt:

H. B. 4725 - “A Bill to amend and reenact §11-1A-3 of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-3-1 of said code, all relating to providing definitions for ‘market value’ and ‘true and actual value’; and that property taxes may not be appraised and assessed higher than the value in 2019”; to the Committee on Finance.

By Delegate Pritt:

H. B. 4726 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-11-26b, relating to providing for the automatic expungement of certain criminal convictions and records that are eligible for expungement”; to the Committee on the Judiciary.

By Delegates Pritt and Hanna:

H. B. 4727 - “A Bill to amend and reenact §6-9A-3 of the Code of West Virginia, 1931, as amended, relating to publication of notice of a public meeting and meeting agenda at least three days prior to the date of the meeting for by governing bodies of county and local government entities”; to the Committee on Government Organization then the Judiciary.

By Delegate Pritt:

H. B. 4728 - "A Bill to amend and reenact §49-4-701 of the Code of West Virginia, 1931, as amended, relating to authorizing family courts to certify a juvenile to the jurisdiction of a circuit court for proceedings"; to the Committee on the Judiciary.

By Delegates Pritt, Steele and Foster:

H. B. 4729 - "A Bill amend and reenact §48-5-701 and §48-5-704 of the Code of West Virginia, 1931, as amended, all relating to modifications to child support or alimony shall be made retroactive to the date of a change of income or circumstances"; to the Committee on the Judiciary.

By Delegates G. Ward, Phillips, Ferrell and Barnhart:

H. B. 4730 - "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, and §11-13LL-4, all relating to establishing a tax credit for contributions made by an employer to a state higher education institution; definitions; requirements; establishing the amount of credit allowed; providing for Legislative rules; and setting the effective date"; to the Committee on Finance.

By Delegate Kessinger:

H. B. 4731 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-28A-1, §30-28A-2, §30-28A-3, §30-28A-4, §30-28A-5, §30-28A-6, §30-28A-7, §30-28A-8, §30-28A-9, §30-28A-10, §30-28A-11, §30-28A-12, §30-28A-13, and §30-28A-14, all relating to enacting and adopting an interstate Occupational Therapy Licensure Compact; stating purposes of the compact; defining terms, providing requirements for compact participation and responsibilities of the state licensing board; establishing reciprocal privileges for licensees of one state to practice in other member states and setting requirements therefor; setting requirements when a licensee changes state of residence; authorizing licensees on active military duty or with a spouse on active duty to designate a home state; describing the powers, procedures, and relative responsibilities of the licensing boards of the home state and remote states; establishing a representative, multi-state Occupational Therapy Compact Commission to establish rules for member state participation in the compact, establish a code of ethics, develop uniform rules for licensure and disciplinary procedures; and implement the provisions of the compact; describing the powers, duties, organization, financing, and legal liabilities of the compact commission and its members; authorizing the development, maintenance, and utilization of a coordinated database and reporting system for information regarding licensees or potential licensees; establishing a process for rulemaking within the compact commission; defining legal responsibilities of member states for participation in the compact and providing for redress if a member state fails to comply; establishing conditions for the compact to take effect; providing for construction and severability of provisions of the compact to be consistent with state law; and providing resolution for differences between the requirements of the compact and of state law"; to the Committee on Government Organization.

By Delegates Young and Zukoff:

H. B. 4732 - "A Bill to amend and reenact §18-5-44 of the Code of West Virginia, 1931, as amended, relating to expanding permissive early childhood education programs to children who are three years old beginning in the 2022-2023 school year; providing counties with the authority to implement three-year-old early childhood education programs; and clarifying that the state board rules should take into consideration curriculum appropriate for three-year-old children in such programs"; to the Committee on Education then Finance.

By Delegates Haynes, Dean and Cooper:

H. B. 4733 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-4-21; and to amend and reenact §18-5-7 of said code, all relating to relinquishing ownership of school properties within one year of the closure of a school; requiring county boards of education to relinquish ownership through sale or lease; and requiring assessment and collection of taxes for properties that are vacant or unused for more than two years"; to the Committee on Education.

By Delegates Haynes, Pinson, Ferrell, Mallow, Holstein, Honaker, Longanacre, Toney, Lovejoy, Boggs and Rowan:

H. B. 4734 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-1-10, relating to creating the misdemeanor criminal offense of filing a false complaint against a law-enforcement official; and providing a penalty"; to the Committee on the Judiciary.

By Delegates Kessinger, Hardy and Steele:

H. B. 4735 - "A Bill to amend and reenact §59-3-3 of the Code of West Virginia, 1931, as amended, relating to reducing rates for legal advertising"; to the Committee on Finance.

By Delegates Mallow, Tully, Haynes, Mandt and Holstein:

H. B. 4736 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5B-20, relating to requirements for smoke evacuation systems for health care facilities; defining terms; and creating penalties for violation of requirement"; to the Committee on Health and Human Resources.

By Delegates Walker, Young, Zukoff, Lovejoy, Williams and Hansen:

H. B. 4737 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-3-7, relating to establishing a tip line to the Department of Health and Human Resources for citizens to report instances of food insecurity and requiring appropriate personnel to follow up on tips to provide assistance to those individuals"; to the Committee on Health and Human Resources.

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

H. B. 4738 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Health and Human Resources, Division of Health - The Vital Statistics Account, fund 5144, fiscal year 2022, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022"; to the Committee on Finance.

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

H. B. 4739 - "A Bill supplementing, amending, and increasing an existing item of appropriation from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2022, organization 0803, for the fiscal year ending June 30, 2022"; to the Committee on Finance.

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

H. B. 4740 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State

Fund, General Revenue, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2022, organization 0310, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegates Walker, Thompson, Pushkin, Young, Fleischauer, Hornbuckle, Bates, Hansen and Williams:

H. B. 4741 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-11-22, relating to discrimination, prohibiting discrimination on the basis of hairstyle or texture”; to the Committee on Government Organization then the Judiciary.

By Delegates Steele, Criss, Rowan, Rohrbach, Skaff, Capito and Howell:

H. B. 4742 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-1-15, relating to the restoration of the Holly Grove Mansion; providing for legislative findings and the background of the Holly Grove Mansion; explaining the restoration; providing for funding in a separate appropriations bill; providing for the establishment of a commission to oversee the restoration and designating representatives; providing for the disbanding of the commission upon completion of the project; and shifting control of the Holly Grove Mansion from General Services to the Division of Arts, Culture, and History upon completion of the restoration”; to the Committee on Government Organization.

By Delegates Westfall, Barrett, Householder, Capito, Steele, Pack, Queen, Bates, Storch, Skaff and Statler:

H. B. 4743 - “A Bill to amend and reenact §16A-6-3 of the Code of West Virginia, 1931, as amended, all relating to security and surveillance requirements of medical cannabis organization facilities”; to the Committee on the Judiciary.

By Delegates Westfall, Barrett, Householder, Capito, Steele, Bates, Queen, Storch, Skaff, Statler and Riley:

H. B. 4744 - “A Bill to amend and reenact §16A-3-2 and §16A-3-3 of the Code of West Virginia, 1931, as amended, all relating to permitting medical cannabis to be dispensed in edible form; removing the restrictions that prevent medical cannabis from being incorporated into edible form; and providing restrictions related to the shape of the edible product”; to the Committee on the Judiciary.

By Delegate Walker:

H. B. 4745 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16A-17-1, §16A-17-2, §16A-17-3, §16A-17-4, §16A-17-5, and §16A-17-6, all relating to the decriminalization and legalization of cannabis; providing for a legislative purpose and findings; defining certain terms; legalizing the possession of one ounce or less of cannabis and cannabis products by adults; authorizing a special excise tax on cannabis; creating a new fund and dedicating proceeds of the fund, including funding for PEIA, for orphan roads, and for the Herbert Henderson Office of Minority Affairs; providing current laws relating to employment, vehicle operation, underage use or private property use preserved; and that the operation of this article is not intended to alter the West Virginia Medical Cannabis Act”; to the Committee on Health and Human Resources then the Judiciary then Finance.

By Delegates Walker, Hansen, Young, Thompson and Griffith:

H. B. 4746 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-6-18; and to amend and reenact §17-2A-21 of said code, all relating to requiring sharps containers in all state buildings and facilities where the public is allowed and

at welcome centers and rest areas on public highways”; to the Committee on Health and Human Resources then Finance.

By Delegates Walker, Hansen, Zukoff, Young, Fleischauer, Pushkin, Thompson, Rowe, Barrett, Fluharty and Hornbuckle:

H. B. 4747 - “A Bill to amend and reenact §2-2-1a of the Code of West Virginia, 1931, as amended, relating to the establishment of a special memorial day to be known as Juneteenth honoring human rights and the end of slavery in the United States; and encouraging all counties and municipalities in the state to do the same”; to the Committee on Government Organization.

By Delegates Walker, Hansen and Thompson:

H. B. 4748 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-97, relating to providing an exemption for state income tax for West Virginia public school teachers and personnel; and providing for guidelines”; to the Committee on Finance.

By Delegate Keaton:

H. B. 4749 - “A Bill to amend and reenact §11-21-14 of the Code of West Virginia, 1931, as amended, all relating to reinstating the standard deduction”; to the Committee on Finance.

By Delegates Skaff, Hornbuckle, Lovejoy, Cooper, Ferrell, Walker, Linville, Barrett, Toney, Capito and Hanna:

H. B. 4750 - “A Bill to amend and reenact §18C-7-6 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18C-7-8, all relating to the creation and administration of a scholarship program for college students who remain in-state after graduation; providing for awards upon agreement for repayment of an amount of the grant only if the recipient chooses not to live in the state after graduation; establishing eligibility requirements; providing program requirements; granting rulemaking authority; and creating a new special revenue account”; to the Committee on Education then Finance.

By Delegates Foster and Young:

H. B. 4751 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-2-18, relating to in-state food service permit reciprocity”; to the Committee on Health and Human Resources.

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

H. B. 4752 - “A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Health and Human Resources, Division of Health – Laboratory Services Fund, fund 5163, fiscal year 2022, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegate Skaff:

H. B. 4753 - “A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-12-24, relating to prohibiting locating certain homeless facilities near schools and certain daycares; declaring it a public nuisance as a health and safety hazard; and providing a private cause of action for enforcement”; to the Committee on the Judiciary.

By Delegates Hamrick, Howell, Haynes and Ellington:

H. B. 4754 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2K-1, §5B-2K-2, §5B-2K-3, §5B-2K-4, §5B-2K-5, §5B-2K-6, and §5B-2K-7, all relating to establishing a Workforce Improvement Partnership program to provide assistance to employers to train employees in critical or advanced skills; specifying purposes of program; establishing program and administrative responsibilities; specifying forms of assistance and eligibility requirements; creating Partnership for Workforce Quality Fund and specifying the nature of the Fund and its allowed uses; establishing grant program and grant criteria; authorizing use of Fund moneys to develop training programs when critical programs do not exist"; to the Committee on Finance.

By Delegates Graves, D. Jeffries, Ferrell, Bridges and Pack:

H. B. 4755 - "A Bill to amend and reenact §31-15A-17c of the Code of West Virginia, 1931, as amended, all relating to the critical needs and failing systems sub account; increasing the maximum loan balance for each congressional district from \$4 million to \$6 million; and increasing the cap relating to providing extensions to a water facility or wastewater facility from \$1 million to \$1.5 million"; to the Committee on Finance.

By Delegate Storch:

H. B. 4756 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-12-24; to amend and reenact §8-22-19 and §8-22-20 of said code; to amend and reenact §8-33-4 of said code; to amend said code by adding thereto two new sections, designated §8-33-4a and §8-33-4b; and to amend and reenact §33-3-14d of said code, all relating to authorizing Class I, Class II and Class III municipalities to create pension funding programs to reduce the unfunded liability of policemen's pension and relief funds and firemen's pension and relief funds; authorizing a municipality's allocable portion of funds from the Municipal Pensions Security Fund created in §8-22-18b to be paid to the trustee of an issue of pension funding revenue bonds to be used for the purpose of paying debt service on such bonds until such bonds are paid in full; authorizing municipal building commissions to use the proceeds from pension funding revenue bonds to fund the costs of a municipality's pension funding program; authorizing a municipal building commission to use rentals from real property owned or leased by such commission to pay debt service and administrative expenses associated with outstanding pension funding revenue bonds; authorizing a municipal building commission to issue pension funding revenue bonds to fund a municipality's pension funding program; requiring that each issuance of pension funding revenue bonds provide for a contingency reserve fund in an amount equal to at least 10 percent of the original principal amount of such bonds; requiring that an issue of pension funding revenue bonds be in a principal amount at least equal to the then unfunded liability of such applicable policemen's or firemen's pension and relief fund; providing for the use of excess moneys held by a bond trustee upon the payment in full of pension funding revenue bonds; requiring the approval of the Municipal Pension Oversight Board of the issuance of certain pension funding revenue bonds and requiring the submission of information relating to such bonds to the Joint Committee on Government and Finance"; to the Committee on Finance.

By Delegates Fluharty, Storch, Barrett, Riley and McGeehan:

H. B. 4757 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12n, relating to taxation of gambling and lottery winnings; providing those winnings are taxable income; allowing taxpayers to deduct certain losses incurred the same year; and providing for recordkeeping of those losses"; to the Committee on Finance.

By Delegates Anderson, Cooper, Zatezalo, J. Kelly, Westfall and Ferrell:

H. B. 4758 - "A Bill to amend and reenact §22-3-11 of the Code of West Virginia, 1931, as amended, relating to developing and maintaining a database to track reclamation liabilities in the West Virginia Department of Environmental Protection Special Reclamation Program in order to better quantify the potential liability of the Special Reclamation Program for forfeited coal mining permits"; to the Committee on Energy and Manufacturing.

By Delegates Young, Riley, Hansen, Anderson, J. Kelly, Zatezalo, Capito, Evans and Wamsley:

H. B. 4759 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5D-2-1, §5D-2-2, §5D-2-3, §5D-2-4, and §5D-2-5, all relating to establishing a Legislative Commission on Energy Storage Resources; declaring legislative findings and a statement of purpose; creating the commission as an advisory body to the Legislature; providing for administrative services to the commission; listing membership; providing compensation and reimbursement for expenses of members; establishing the powers and duties of the commission; requiring reports to the Legislature; and setting a sunset date for the termination of the commission"; to the Committee on Energy and Manufacturing then Government Organization.

By Delegates Kessinger, Barrett, Capito, Storch, Pack, Espinosa, Maynor, Wamsley, Hanna and Longanacre:

H. B. 4760 - "A Bill to amend and reenact §11-21-71 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-24-44, all relating to providing a tax credit against the state corporate net income tax to for-profit corporations or a tax credit against payroll withholdings for nonprofit corporations for expenditures related to the establishment and operation of employer-provided child-care facilities"; to the Committee on Finance.

By Delegate Rohrbach:

H. B. 4761 - "A Bill to amend and reenact §33-4A-8 of the Code of West Virginia, 1931, as amended, relating to authorizing the Secretary of the Department of Health and Human Resources to develop a submission procedures manual for the all-payer claims database and adopt the same as a procedural rule"; to the Committee on Health and Human Resources.

By Delegate Hott:

H. B. 4762 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12n, relating to allowing a personal income tax exemption for first Responders"; to the Committee on Finance.

By Delegates Walker and Zukoff:

H. B. 4763 - "A Bill to amend and reenact §21-6-3 of the Code of West Virginia, 1931 as amended, relating to authorizing children age 12 or older to referee youth sporting events; and establishing conditions for eligibility"; to the Committee on Education.

By Delegates Howell, Miller, Zatezalo, Dean, Hamrick, Hornbuckle, Storch, Smith and Paynter:

H. B. 4764 - "A Bill to repeal §11-14C-1, §11-14C-2, §11-14C-3, §11-14C-4, §11-14C-5, §11-14C-6, §11-14C-6a, §11-14C-7, §11-14C-8, §11-14C-9, §11-14C-9a, §11-14C-10, §11-14C-11, §11-14C-12, §11-14C-13, §11-14C-14, §11-14C-15, §11-14C-16, §11-14C-17, §11-14C-18, §11-14C-19, §11-14C-20, §11-14C-21, §11-14C-22, §11-14C-23, §11-14C-24, §11-14C-25, §11-14C-26, §11-14C-27, §11-14C-28, §11-14C-29, §11-14C-30, §11-14C-31, §11-14C-32, §11-14C-33,

§11-14C-34, §11-14C-35, §11-14C-36, §11-14C-37, §11-14C-38, §11-14C-39, §11-14C-40, §11-14C-41, §11-14C-42, §11-14C-43, §11-14C-44, §11-14C-45, §11-14C-46, §11-14C-47, and §11-14C-48 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §11-14D-1, §11-14D-2, and §11-14D-3, all relating to the elimination of the motor fuel excise tax; providing legislative findings in support of the elimination of the motor fuel excise tax; establishing the elimination of the motor fuel excise tax and implementing an equivalent increase in sales tax collected; and providing for an effective date for the article”; to the Committee on Finance.

By Delegate Hornbuckle:

H. B. 4765 - “A Bill to amend and reenact §61-2-15a of the Code of West Virginia, as amended, relating to increasing the fines for conviction of assault or battery of athletic officials”; to the Committee on the Judiciary.

By Delegate Capito:

H. B. 4766 - “A Bill to amend and reenact §24D-1-1, §24D-1-13, §24D-1-14, §24D-1-16, §24D-1-17, and §24D-1-18 of the Code of West Virginia, 1931, as amended, all relating to establishing uniform customer service and technical standards for the provision of cable service; including uniform customer service and technical standards in the purpose of the Cable Television Systems Act; requiring review and approval by the Public Service Commission prior to the imposition of special surcharges, costs, and fees on cable subscribers; adding additional customer service standards for cable operators, including the adoption of the FCC customer service and technical standards; clarifying when a refund or credit is due a cable subscriber; setting requirements for business offices, including requiring business offices to be located in the county seat of each county in which the cable operator provides cable service and requiring an in-state customer call center; and requiring annual reports to be provided to franchise authorities”; to the Committee on the Judiciary.

By Delegate Conley:

H. B. 4767 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-20-1, §16-20-2, and §16-20-3, all relating to prohibiting discrimination in eligibility for organ transplantation based upon an individual’s COVID-19 vaccine status”; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Capito:

H. B. 4768 - “A Bill to amend and reenact §24-2H-6b of the Code of West Virginia, 1931, as amended, relating to utility hearings, changing hearing location and customer notice provisions”; to the Committee on Government Organization.

By Delegate Capito:

H. B. 4769 - “A Bill to amend and reenact §24-1-9 of the Code of West Virginia, 1931, as amended, relating to eliminating the requirement to send recommended decisions by certified mail”; to the Committee on Government Organization.

By Delegate Linville:

H. B. 4770 - “A Bill to amend and reenact §48-7-103 of the Code of West Virginia, 1931, as amended, relating to domestic violence convictions and the division of marital property without a valid agreement”; to the Committee on the Judiciary.

By Delegate Hornbuckle:

H. B. 4771 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9-11-1, §9-11-2, and §9-11-3, all relating to creating the Fair Chance Act; establishing eligibility; providing services to eligible persons, and establishing that benefits are prospective only"; to the Committee on the Judiciary.

By Delegates Kimble, Pinson, Evans, Pritt, G. Ward, Conley, Burkhammer, Mazzocchi, Kessinger, Phillips and Keaton:

H. B. 4772 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-24-7x, relating to requiring hospitals without an American Sign Language (ASL) interpreter on staff to provide technology to assist with communication for hearing or speech impaired patients and visitors"; to the Committee on Health and Human Resources.

By Delegate Steele:

H. B. 4773 - "A Bill to amend and reenact §24D-1-14 and §24D-1-17 of the Code of West Virginia, 1931, as amended, all relating to the Public Service Commission; the Cable Television Systems Act; adoption of the FCC customer service and technical standards and requiring certain cable operators to operate an in-state customer call center"; to the Committee on the Judiciary.

By Delegate Statler:

H. B. 4774 - "A Bill to amend and reenact §31B-3-303 of the Code of West Virginia, 1931, as amended; and to further amend said code by adding thereto a new article, designated §55-7L-1, §55-7L-2, and §55-7L-3, all relating to liability and standard of proof in certain civil actions against business organizations and their owners, members, managers, directors, officers or other representatives; 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 a limited liability company under certain circumstances; defining terms; standards of proof in civil actions where business structure sought to be disregarded; making findings; establishing clear and convincing evidence as standard for personal liability of business debts; adopting standards for determining personal liability for business debts; defining terms; and establishing safe harbor requirements"; to the Committee on the Judiciary.

By Delegate Kimble:

H. B. 4775 - "A Bill to repeal §17C-15-44 of the Code of West Virginia, 1931, as amended, relating to safety equipment and requirements for motorcyclists"; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Capito, Young, Kessinger, Pack, Storch and Bates:

H. B. 4776 - "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 Health and Human Resources then Finance.

By Delegates Hornbuckle, Lovejoy, Capito, Burkhammer, Cooper, Rohrbach, Zukoff, Fluharty, Skaff, Griffith and Graves:

H. B. 4777 - "A Bill to amend and reenact §33-13-25 of the Code of West Virginia, 1931, as amended, to amend and reenact §33-14-8 of said code; to amend and reenact §33-15A-6 of said code; to amend and reenact §33-15-1b of said code; to amend said code by adding thereto new section, designated §33-16-11a; and to amend and reenact §33-25-8 of said code, all relating to prohibiting an insurer from declining or limiting coverage on a person under any life insurance policy, major medical coverage policy, disability insurance policy, or long-term care insurance policy solely due to the status of that person as a living organ donor"; to the Committee on Banking and Insurance then Health and Human Resources.

By Delegate Criss:

H. B. 4778 - "A Bill to amend and reenact §31A-4-33 of the Code of West Virginia, 1931, as amended, all relating to establishing duties of financial institutions with regard to multiple-fiduciary accounts and payments of multiple fiduciary accounts; and defining terms"; to the Committee on the Judiciary.

By Delegate Criss:

H. B. 4779 - "A Bill to amend and reenact §7-6-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §8-13-22a of said code; and to amend and reenact §12-1-4 of said code, all relating to county depositories; relating to the bonds of depositories; and relating to the investment of municipal funds for municipal corporations and bonds to be given by state depositories"; to the Committee on the Judiciary.

By Delegate Westfall:

H. B. 4780 - "A Bill to amend and reenact § 22-6-2 of the Code of West Virginia, 1931, as amended, relating to bankruptcy, excluding all of proceeds from life insurance policy from creditors in bankruptcy proceeding"; to the Committee on Banking and Insurance then the Judiciary.

By Delegate Westfall:

H. B. 4781 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17-30-1, §17-30-2, §17-30-3, and §17-30-4; all relating to responsible driving, providing that a person who was an uninsured motorist and who sustained bodily injury or property damage as the result of a motor vehicle accident may not recover noneconomic damages for the person's bodily injury or property damage"; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Walker, Young, Hansen, Zukoff, Fleischauer, Pushkin, Thompson, Griffith and Fluharty:

H. B. 4782 - "A Bill to amend and reenact §16-54-8 of the Code of West Virginia, 1931, as amended, relating to increasing the number of pain management visits insurance companies must

cover under the opioid reduction act”; to the Committee on Banking and Insurance then the Judiciary.

By Delegate Hornbuckle:

H. B. 4783 - “A Bill to amend and reenact §31-15-6 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Economic Development Authority; and its obligation to provide effective technical and business advisory services to African-Americans and minority-owned and-operated enterprises that are available under the Community Development and Financial Institutions Act of 1994 and the Federal emergency Capital Investment Program (ECIP) established by the Consolidated Appropriations Act of 2021”; to the Committee on Small Business, Entrepreneurship and Economic Development then the Judiciary.

By Delegate Kimble:

H. B. 4784 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-4G-1, §16-4G-2, §16-4G-3, and §16-4G-4, all relating to protecting the genetic privacy of newborn infants; defining terms; requiring consent of parent or guardian for genetic screening, retention of blood samples, and retention of test results; mandating the proposal of legislative rules to limit the amount of blood that may be sampled or taken from newborn infants; limiting the purposes for which blood samples and test results may be used; and declaring that the requirement for informed, voluntary consent may not be abrogated”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates Steele, Householder, Criss, Westfall, Riley, Pinson, Keaton, Burkhammer, Foster and Queen:

H. B. 4785 - “A Bill to amend and reenact §3-10-3 of the Code of West Virginia, 1931, as amended, relating to judicial vacancies; providing that a vacancy occurring in the offices of Justice of the Supreme Court of Appeals, judge of the Intermediate Court of Appeals, judge of a circuit court, or judge of a family court is filled by the Governor of the state by appointment if the unexpired term be for a period of not more than three years; and clarifying that the amendment shall apply to judicial vacancies existing at the date of passage”; to the Committee on the Judiciary.

By Delegates Kimble, Phillips, McGeehan, G. Ward, Sypolt and Mazzocchi:

H. B. 4786 - “A Bill to amend §18B-20-1, §18B-20-3, §18B-20-5, §18B-20-6, §18B-20-7, and §18B-20-9 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto two new sections, designated §18B-20-10 and §18B-20-11, all relating to establishing the Forming Open and Robust University Minds (FORUM) Act through strengthening existing free expression on campus laws; providing for legislative findings regarding the exercise of First Amendment rights on public university campuses in this state as being critical components of the education experience for students; clarifying the definition of public forums; modifying certain time, place, and manner restrictions; strengthening development of policies and procedures; ensuring a reporting requirement and establishing the framework for reporting requirements; clarifying the statute of limitations; providing for immunity; and providing for severability”; to the Committee on Education then the Judiciary.

By Delegate Capito:

H. B. 4787 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17H-1-1, §17H-1-2, §17H-1-3, §17H-1-4, §17H-1-5, §17H-1-6, §17H-1-7, §17H-1-8, §17H-1-9, §17H-1-10, §17H-1-11, §17H-1-12, §17H-1-13, §17H-1-14, §17H-1-15, §17H-1-16, and §17H-1-17, all relating to establishing the Highly Automated Motor Vehicle Act; defining terms; providing purpose; allowing for the operation of highly automated motor vehicles

(HAMV) with or without a highly automated driver on board, highly automated motor carrier vehicles, and HAMV transportation network services; establishing licensing and insurance requirements; requiring description of HAMV in title; providing monetary penalties for violations; providing rulemaking authority; setting equipment standards for HAMV; and for the creation of the Highly Automated Vehicle Advisory Committee”; to the Committee on the Judiciary.

By Delegate Longanacre:

H. B. 4788 - “A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §17B-2C-1, §17B-2C-2, §17B-2C-3, §17B-2C-4, §17B-2C-5, and §17B-2C-6, all relating to establishing a special plate with a medical condition diagnosis for persons with medical conditions affecting speech, mobility, or other motor functions; providing for a short title; providing for obtaining a medical condition designated driver’s license, providing for obtaining a medical condition designated license plate; providing for confidentiality of medical records; providing for rule-making authority; and providing for an effective date”; to the Committee on Technology and Infrastructure then Government Organization.

By Delegates Reynolds, Pinson, Steele, Ferrell, Hott, Mallow, Toney and Barnhart:

H. B. 4789 - “A Bill to amend and reenact §8-10-2b of the Code of West Virginia, 1931, as amended; and to amend and reenact §17B-3-3a of said code, all relating to providing a municipal court clerk the ability to suspend the driver’s license if a person has failed to enter into a payment plan or pay towards his or her of costs, fines, forfeitures, restitution, or penalties in a certain time period following judgment”; to the Committee on Government Organization.

By Delegates Young and Pinson:

H. B. 4790 - “A Bill to amend and reenact §17C-6-1 and §17C-6-7a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §17C-6-7b, all relating to establishing a program for camera assisted speed enforcement in active school zones in this state; authorizing the Commissioner of Highways to set speed limits in school zones on public highways; establishing use of school zone speed control systems as an exception to the prohibition against photo monitoring devices for traffic law enforcement; establishing duty of vehicle owners to ensure lawful operation of their vehicles on public highways; defining terms; authorizing the use of school zone speed control systems for enforcement of speed restrictions in active school zones; specifying lawful uses of equipment and setting conditions upon their operation; specifying qualifications of system operators; establishing specification and restrictions for machine functions; providing for administration of enforcement program by contractor; requiring written notice of violations to be provided to vehicle owners, with specification for contents and manner of delivery; establishing civil penalties for violations and limiting the effect and use of admissions and assessments; establishing response options for owner and the owner’s obligation to respond; providing for default for owner’s failure to respond and suspension of vehicle registration; authorizing collection of delinquent penalties; providing for administrative hearing, notice of hearing, and judicial review of decisions; restricting the use of images and providing an exception from the Freedom of Information Act; requiring the proposal and acceptance of legislative rules; correcting references to other sections; and requiring the submission of annual reports”; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegate Walker:

H. B. 4791 - “A Bill amend and reenact §31G-1A-2 of the Code of West Virginia, 1931, as amended relating to powers and duties of the Office of Broadband; and requiring broadband operators to offer reduced rates to persons receiving social security supplemental security income

(SSI), aid to families with dependent children (AFDC), aid to families with dependent children—unemployed (AFDC-U), or food stamps, if such food stamp recipients are 60 years of age or older”; to the Committee on Technology and Infrastructure then Finance.

By Delegate Young:

H. B. 4792 - “A Bill to amend and reenact §49-2-121 of the Code of West Virginia, 1931, as amended, relating to rule-making by the Secretary of the Department of Health and Human Resources; and requiring a rule for child subsidies to be based on monthly enrollment rather than daily attendance”; to the Committee on Health and Human Resources then Finance.

By Delegate Young:

H. B. 4793 - “A Bill to amend the code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13MM-1, all relating to providing tax credits for employer provided and employer sponsored child care facilities; defining terms; setting amount of credit; establishing terms for the credit; requiring certain actions when a recapture event occurs; and providing rulemaking”; to the Committee on Finance.

By Delegate Foster:

H. B. 4794 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §6-9B-5, relating to requiring counties to provide certain information to the State Auditor for inclusion in the financial transparency website”; to the Committee on Government Organization.

By Delegate Foster:

H. B. 4795 - “A Bill to repeal §19-2C-1, §19-2C-2, §19-2C-3, §19-2C-3a, §19-2C-3b, §19-2C-4, §19-2C-5, §19-2C-5a, §19-2C-5b, §19-2C-6, §19-2C-6a, §19-2C-6b, §19-2C-6c, §19-2C-7, §19-2C-8, §19-2C-8a, §19-2C-9, §19-2C-9a, and §19-2C-10 of the Code of West Virginia, 1931, as amended, relating to requiring the licensing of auctioneers”; to the Committee on Government Organization.

By Delegate Foster:

H. B. 4796 - “A Bill to amend and reenact §62-1-5 of the Code of West Virginia, 1931, as amended, relating to criminal procedure; preliminary procedure; and when a mug shot of an accused person may be made public”; to the Committee on the Judiciary.

By Delegate Toney:

H. B. 4797 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §58-11-1, relating to the economic development plan for electric vehicle infrastructure”; to the Committee on Government Organization.

By Delegates Miller, Zatezalo, Reynolds, Smith, Westfall, Ferrell, Mallow, Crouse, Householder, Booth and J. Jeffries:

H. B. 4798 - “A Bill to amend and reenact §18-7A-38 of the Code of West Virginia, 1931, as amended, relating to permitting retirees under the state Teachers Retirement System to work as substitute teachers for up to 180 days without loss of the payment of monthly retirement benefits; adding a legislative finding; changing the allowed period of employment; and providing that no additional retirement system contributions will be made from such employment”; to the Committee on Education then Finance.

By Delegates Anderson and J. Kelly:

H. B. 4799 - “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 to amend said code by adding thereto a new section, designated §24-2A-1, all relating to providing a senior citizen and low-income residential electric customer tax credit; establishing legislative findings; authorizing Tax Commissioner to direct state portion of severance taxes to fund modifications to coal-fired electric generating plants; defining qualifying modifications; authorizing Tax Commissioner to determine amount of credit; providing eligibility for tax credit; requiring annual reports; and authorizing Public Service Commission and Public Energy Authority to determine and approve all qualifying modifications”; to the Committee on Finance.

By Delegates Pritt, Haynes, Reed, Keaton, Martin and Phillips:

H. B. 4800 - “A Bill to amend and reenact §51-9-1a of the Code of West Virginia, 1931, as amended, relating to including family court judges in the Judges’ Retirement System”; to the Committee on Pensions and Retirement then Finance.

By Delegate Holstein:

H. B. 4801 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-2D-1, §20-2D-2, §20-2D-3, §20-2D-4, and §20-2D-5, all relating to establishing the Hunting and Fishing Access to Private Lands Act; short title; Legislative intent; establishing a program within the Division of Natural Resources to allow public access onto private lands for hunting and fishing; conditions and requirements of program participants; limitation of duties and liability of participating landowners; and providing for legislative rulemaking”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Young:

H. B. 4802 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-19-1, §20-19-2, and §20-19-3, all relating to energy storage, establishing legislative intent, defining terms, establishing mechanisms for procurement, and providing for legislative rules”; to the Committee on Energy and Manufacturing.

By Delegate Young:

H. B. 4803 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-15F-1, §33-15F-2, §33-15F-3, §33-15F-4, §33-15F-5, §33-15F-6, and §33-15F-7, all relating to requiring medical insurance providers to include infertility services in their policies; making findings; providing for determination of infertility; providing prohibited and permissible limitations on coverage; requiring rule-making; establishing an effective date; providing for severability; and defining terms”; to the Committee on Banking and Insurance then Health and Human Resources.

By Delegate Young:

H. B. 4804 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-19-1 and §20-19-2, all relating to energy storage systems, and providing for energy storage system access”; to the Committee on Energy and Manufacturing.

By Delegate Walker:

H. B. 4805 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-65-1, relating to a state of emergency lasting more than 6 months, providing the department of highways will reimburse any vehicle damages without including auto insurance deductibles”; to the Committee on Banking and Insurance then Finance.

By Delegate Walker:

H. B. 4806 - “A Bill to amend and reenact §7-1-3 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §8-11-3a; to amend

said code by adding thereto a new section, designated §19-20-3a; and to amend and reenact §33-6-14 of said code, all relating to prohibiting the enactment or enforcement of any statute, ordinance, legislative rule, policy or law that applies specifically to a particular dog breed or dog breed mix”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegate Walker:

H. B. 4807 - “A Bill to amend and reenact §19-1-4a of the Code of West Virginia, 1931, as amended, relating to requiring the Commissioner of Agriculture to provide grant money for pollinator friendly gardening and horticulture habitats”; to the Committee on Agriculture and Natural Resources then Finance.

By Delegate Young:

H. B. 4808 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-30, relating to creating the Men’s Equality Act; and requiring 100 percent coverage under the West Virginia Public Employees Insurance plan for voluntary male sterilization”; to the Committee on Health and Human Resources then Finance.

By Delegate Young:

H. B. 4809 - “A Bill to amend and reenact §17B-2-15 of the Code of West Virginia, 1931, as amended, relating to authorizing the commissioner to promulgate a legislative rule to develop a driver’s license permit process for parolees under supervision by the West Virginia Division of Corrections and parole services”; to the Select Committee on Jails and Prisons then the Judiciary.

By Delegate Young:

H. B. 4810 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-17-1, all related to providing Covid-19 supplemental sick leave; defining terms; establishing entitlement to Covid-19 supplemental sick leave”; to the Committee on Finance.

By Delegate Rowe:

H. B. 4811 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2K-1, §5B-2K-2, §5B-2K-3, §5B-2K-4, §5B-2K-5, §5B-2K-6, and §5B-2K-7, all relating to establishing a program to facilitate the recovery of areas of the state that have been impacted by the reduction of coal production and consumption; providing legislative findings; authorizing the Department of Commerce to administer the program; providing for a Just Transition Advisory Committee to study and advise the department; defining terms; requiring submission of plans to the Legislature; providing that certain coal operations and electric utilities provide information to the department relating to job losses when a facility is closing; and providing for expiration of the article”; to the Select Committee on Coalfield Communities then Government Organization.

By Delegates Hornbuckle and Pack:

H. B. 4812 - “A Bill to amend and reenact §18-2-7c of the Code of West Virginia, 1931, as amended, relating to allowing the State Board of Education to establish a Prevention of Youth Problem Gambling and Gaming pilot program to be implemented in at least five public high schools, for the duration of three years”; to the Committee on Education then Finance.

By Delegate Walker:

H. B. 4813 - “A Bill to amend the Code of West Virginia, 1931, amended, by adding thereto a new section, designated §37-6-31, relating to creating a Renter’s Bill of Rights and Tenant

Protection Act; limiting rental rate increases under certain circumstances; setting forth exclusions; providing definitions; and providing an effective date”; to the Committee on the Judiciary.

By Delegate Walker:

H. B. 4814 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-21A-1, all related to creating a state youth advisory council”; to the Committee on Education.

By Delegate Walker:

H. B. 4815 - “A Bill to repeal §17C-17-11 of the Code of West Virginia, 1931, as amended, relating to permits for excess size and weight”; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegate Walker:

H. B. 4816 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-5A-1, §21-5A-2, §21-5A-3, §21-5A-4, §21-5A-5, §21-5A-6, §21-5A-7, §21-5A-8, and §21-5A-9, all relating to reestablishing prevailing wages for certain state government contracts; declaring policy; defining terms; requiring contractors to ascertain rates and to include rates in contract specifications; requiring annual determinations of prevailing wage rates; establishing procedures to file objections to prevailing wage rate determinations; providing for hearings, judicial review and appeal; requiring mandatory provisions in contracts and sub-contracts; providing for posting of rates and record-keeping; establishing criminal penalties for violations of the act; and limiting the scope of the law to post-enactment contracts”; to the Committee on Workforce Development then Government Organization then the Judiciary.

By Delegate Walker:

H. B. 4817 - “A Bill to amend and reenact §48-18-108 of the Code of West Virginia, 1931, as amended, relating to fees for collection of child support; and providing that fees may not be assessed to an employer of an obligor, whether transfer by the employer is electronic or by check”; to the Committee on Senior, Children, and Family Issues then the Judiciary.

By Delegate Walker:

H. B. 4818 - “A Bill to amend and reenact §51-1-4a of the Code of West Virginia, 1931, as amended, relating to authorize the Supreme Court of Appeals to promulgate rules defining legal apprenticeships and designing and approving a plan for legal apprentices to work and study as apprentices in a law office with the goal to allow the apprentices to qualify to take the bar exam without attending law school”; to the Committee on Government Organization then the Judiciary.

By Delegate Walker:

H. B. 4819 - “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, and §11-13MM-4, relating to school personnel, providing for a housing tax credit for teachers residing in West Virginia for five years or greater”; to the Committee on Education then Finance.

By Delegate Walker:

H. B. 4820 - “A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to excluding income from West Virginia retirement systems and social security from inclusion in adjusted gross income or resident individuals”; to the Committee on Pensions and Retirement then Finance.

By Delegate Walker:

H. B. 4821 - "A Bill to amend and reenact §18C-7-6 of the Code of West Virginia, 1931, as amended, relating to increasing the PROMISE scholarship award to include all tuition costs regardless of the major, double majors, or courses of interest"; to the Committee on Education then Finance.

By Delegate Walker:

H. B. 4822 - "A Bill to amend the Code of West Virginia, 1931, amended, by adding thereto a new section, designated §15A-4-22, relating to restricting the use of solitary confinement or administrative segregation to discipline inmates incarcerated with the division of corrections"; to the Select Committee on Jails and Prisons then the Judiciary.

Special Calendar**Third Reading**

Com. Sub. for H. B. 2598, Modifying the inspection requirements and the definition of an above ground storage tank; 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. 132**), and there were—yeas 77, nays 22, absent and not voting 1, with the nays and the absent and not voting being as follows:

Nays: Barach, Barrett, Capito, Diserio, Doyle, Evans, Fleischauer, Fluharty, Garcia, Griffith, Hansen, Hornbuckle, Nestor, Pack, Pushkin, Rowe, Skaff, Thompson, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Lovejoy.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2598) passed.

On motion of Delegate J. Kelly, the title of the bill was amended to read as follows:

Com. Sub. for H. B. 2598 - "A Bill to amend and reenact §22-30-3, §22-30-5, and §22-30-6 of the Code of West Virginia, 1931, as amended, relating to modifying an exception to the definition of an aboveground storage tank to also except out certain tanks in zones of peripheral concern which used for transportation and storage of hydrocarbons; providing that the secretary may not, as part of the regulatory program, require any regulated tanks to be lifted, moved, or otherwise physically altered in connection with a visual leak detection program in the absence of a confirmed release; and providing that tanks used for hydrocarbon production, transportation, and storage activities and tanks used for roadway snow and ice pretreatment, as identified under §22-30-3(1)(M) and (N) that are located in a zone of critical concern are exempt from inspection and certification by a third party, but must be self-inspected and self-certified by its owner or operator at least once per year; and tanks used for roadway snow and ice pretreatment, as identified under §22-30-3(1)(M) and (N) that are located in a zone of critical concern are required to have secondary containment inspections performed by the owner or operator at least once per month."

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. 4004, Relating to limiting an abortion to fifteen weeks' gestation; on third reading, coming up in regular order, with amendment pending, was reported by the Clerk.

Delegates Zukoff and Fleischauer moved to amend the bill on page two, section one, lines twenty and twenty-six, following the words "medical emergency", by inserting the words "or if the pregnancy was the result of a rape or incest,".

During debate on the amendment, an inquiry of the Chair was made regarding the germaneness of the question Delegate Fluharty addressed to Delegate Rohrbach.

The Speaker ruled that the question was germane but that it was up to the Delegate whether or not he wished to answer it.

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. 133**), and there were—yeas 21, nays 78, absent and not voting 1, with the yeas and the absent and not voting being as follows:

Yeas: Barach, Capito, Diserio, Doyle, Evans, Fleischauer, Fluharty, Garcia, Griffith, Hansen, Hornbuckle, Pethtel, Pushkin, Rowe, Skaff, Storch, Thompson, Walker, Williams, Young and Zukoff.

Absent and Not Voting: Lovejoy.

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

Having been engrossed, the bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 134**), and there were—yeas 81, nays 18, absent and not voting 1, with the nays and the absent and not voting being as follows:

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

Absent and Not Voting: Lovejoy.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4004) passed.

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

At 1:24 p.m., on motion of Delegate Summers, the House of Delegates recessed until 4:00 p.m.

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Afternoon Session

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The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

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. 33 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-6O-1, §46A-6O-2, §46A-6O-3, §46A-6O-4, §46A-6O-5, and §46A-6O-6, all relating to automatic purchase renewal offers and continuous service offers; stating legislative intent; defining terms; setting notice and disclosure requirements for automatic purchase renewal offers and continuous service offers; providing that a business may not charge the consumer for an automatic renewal or continuous services without first obtaining the consumer's affirmative consent; providing acknowledgement requirements; providing that a business shall disclose how to cancel the automatic renewal or continuous service before the consumer pays, if the offer includes a free gift or trial; providing that a business shall provide certain mechanisms for cancellation of the automatic renewal or continuous offer in the acknowledgement; requiring a business to provide contact information to the consumer; providing means for terminating the automatic renewal or continuous service offer online; providing notice requirements in the case of material changes in the terms of the automatic renewal or continuous service; providing that a business shall provide to the consumer a reminder of the recurring charge and information on how the consumer may cancel at least 30 days prior to the charge in the case of automatic renewal or continuous service offers of certain frequency; providing a period of application; providing that goods, wares, merchandise, or products shall be deemed an unconditional gift to the consumer when the business sends any goods, wares, merchandise, or products to a consumer without first obtaining the consumer's affirmative consent under a continuous service agreement or automatic renewal of a purchase; providing a civil cause of action; providing statutory penalties; providing that no action may be brought until written notice is provided by the consumer, or his or her representative, to the business; providing written notice requirements; providing mailing requirements; providing the business an opportunity to cure the alleged violation; providing for expiration of the cure offer and cure period; providing a period for the business to remit payment, if any, as specified in the accepted cure offer; providing that a claim may be brought for failure of the business to timely effect the accepted cure offer; providing that the written notice is a jurisdictional prerequisite to bringing a cause of action; prohibiting certification of certain class action litigation; providing the court discretion to award plaintiff costs of the action, including reasonable attorney's fees; providing that plaintiff is not entitled to costs and attorney's fees under certain circumstances; providing a statute of limitations; providing for tolling of the statute of limitations; and providing exemptions"; 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. 330 - "A Bill to amend and reenact §64-8-1 *et seq.* of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Transportation to promulgate legislative rules; authorizing the rules as modified and amended by the Legislative Rule-Making Review Committee and as amended by the Legislature; relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to the examination and issuance of driver's license; relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to dealer licensing; relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to the collection of tax on

the sale of a vehicle; and relating to authorizing the Department of Transportation to promulgate a legislative rule relating to employment procedures”; 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, to take effect July 1, 2022, and requested the concurrence of the House of Delegates in the passage, of

S. B. 531 - “A Bill to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §18A-4-2 of said code; and to amend and reenact §18A-4-8a of said code, all relating to increasing annual salaries of certain employees of the state; increasing the salaries of members of the West Virginia State Police and certain personnel thereof; increasing annual salaries of public school teachers; increasing annual salaries of school service personnel; and providing an effective date for these increases”; 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. 532 - “A Bill to amend and reenact §8-22-25a of the Code of West Virginia, 1931, as amended, relating to requiring actuarial reports to be prepared and presented to the Legislature’s Joint Committee on Pensions and Retirement regarding active deferred retirement option plans every five years”; which was referred to the Committee on Pensions and Retirement then Finance.

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 Rules:

S. C. R. 46 “Supporting North Central West Virginia’s aviation and aerospace industries as critical to the economy and further economic development of the State of West Virginia.”

Whereas, The Mid-Atlantic Aerospace Complex in Bridgeport, West Virginia, along with the other aviation and aerospace companies located across the region, are a significant economic engine for North Central West Virginia and the surrounding region and have created thousands of good-paying jobs for West Virginians; and

Whereas, The Harrison County Commission and the Marion County Commission have worked collaboratively to support and promote the success and expansion of these industries in North Central West Virginia; and

Whereas, The Robert C. Byrd National Aerospace Education Center, a component of Fairmont State University, Pierpont Community, and Technical College, offers associate and bachelor’s degree programs in aviation technology, creating the skilled labor force necessary to successfully manage the needs of these growing industries in West Virginia; and

Whereas, Aviation and aerospace programs are growing and increasing in West Virginia’s institutions of higher education, including pilot training, aviation maintenance technician training, and aerospace and mechanical engineering programs; and

Whereas, Regardless of whether a West Virginia student wants to design an airplane, fly an airplane, or work on an airplane, all the training and jobs are right here in the state, and this highly trained and skilled workforce never has to leave West Virginia; and

Whereas, The North Central West Virginia Airport, and the businesses that call it home, have a total estimated annual regional economic output of \$1.1 billion and is one of the largest employers in the region; and

Whereas, The continued growth of the aviation and aerospace industries in North Central West Virginia has resulted in the economic development of billions of dollars in this region of West Virginia; and

Whereas, North Central West Virginia's aviation and aerospace industries will continue to be integral to supporting economic development across the region and the state for years to come; and

Whereas, The United States Bureau of Labor Statistics projects overall employment of aircraft and avionics equipment mechanics and technicians is projected to grow 11 percent from 2020 to 2030, faster than the average for all occupations, and the aviation and aerospace industries in North Central West Virginia are on pace to meet or exceed those projections; and

Whereas, The North Central West Virginia Airport and the air service-related employment associated with it provides over 100 jobs with \$13.4 million in annual payroll; and

Whereas, The aviation and aerospace industries and their related businesses and educational components have a positive effect on multiple economic drivers, including tourism, hospitality, and industrial development; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby fully supports North Central West Virginia's aviation and aerospace industries and the post-secondary programs offered at the region's institutions of higher education as critical to West Virginia's successful economic future; and, be it

Further Resolved, That the Legislature recognizes the importance to the state's economy of the continued development of North Central West Virginia's aerospace and aviation industries, as well as the importance of the post-secondary programs offered in the region to the continued growth and success of those industries; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Harrison County Commission, the Marion County Commission, the Higher Education Policy Commission, the Benedum Airport Authority, and the Mid-Atlantic Aerospace Complex.

Special Calendar

Third Reading

- continued -

Com. Sub. for H. B. 4005, Relating to fetal body parts; on third reading, coming up in regular order, with the right to amend, was reported by the Clerk.

On motion of Delegate Young, the bill was amended on page two, section seventeen, line thirty-three, by striking out the period, inserting in lieu thereof a semi colon, and the following:

“and

(4) The reimbursement or payment associated with collection, processing, preservation, storage, quality control, or transportation of fetus tissues for the purposes authorized by this subsection.”

Having been engrossed, the bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 135**), and there were, including pairs—yeas 82, nays 15, absent and not voting 3, 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: Brown Nay: Pushkin

Yea: McGeehan Nay: Garcia

Nays: Diserio, Doyle, Evans, Fleischauer, Fluharty, Hansen, Hornbuckle, Pethtel, Rowe, Thompson, Walker, Williams and Young.

Absent and Not Voting: Ellington, Howell and Lovejoy.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4005) 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. 4008, Relating to Higher Education Policy Commission funding formula; on third reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Summers, and by unanimous consent, the bill was postponed one day.

Com. Sub. for H. B. 4126, Authorizing certain agencies of the Department of Health and Human Resources 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. 136**), and there were—yeas 93, nays 2, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Paynter and Pushkin.

Absent and Not Voting: Brown, Ellington, Howell, Lovejoy and McGeehan.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4126) passed.

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

On this question, the yeas and nays were taken (**Roll No. 137**), and there were—yeas 94, nays 2, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Fleischauer and Pushkin.

Absent and Not Voting: Brown, Ellington, Lovejoy and McGeehan.

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. 4126) takes effect from its passage.

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

H. B. 4307, Increase some benefits payable from Crime Victims Compensation Fund; 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. 138**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Brown, Ellington, Lovejoy and McGeehan.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4307) 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. 4396, Reducing federal adjusted gross income relating to tolls for travel on West Virginia toll roads paid electronically; on third reading, coming up in regular order, was read a third time.

Delegate Gearheart requested to be excused from voting under the provisions of House Rule 49.

The Speaker ruled that the Delegate was a member of a class of persons possibly to be affected and directed the Member to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 139**), and there were—yeas 75, nays 21, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Barach, Barrett, Bates, Dean, Diserio, Evans, Fleischauer, Fluharty, Garcia, Gearheart, Hansen, Kimes, Martin, Paynter, Storch, Thompson, Toney, Walker, G. Ward, Young and Zukoff.

Absent and Not Voting: Brown, Ellington, Lovejoy and McGeehan.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4396) 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. 4410, Specifying allocation, apportionment and treatment of income of flow-through entities; 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. 140**), and there were—yeas 95, nays 1, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Fast.

Absent and Not Voting: Brown, Ellington, Lovejoy and McGeehan.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4410) 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. 4461, Relating to the consolidation of all administrative fees collected by the agency into the existing "Tax Administration Services Fund"; 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. 141**), and there were—yeas 95, nays 1, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Linville.

Absent and Not Voting: Brown, Ellington, Lovejoy and McGeehan.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4461) 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. 4484, Declaring certain claims against agencies of the state to be moral obligations of the state; on third reading, coming up in regular order, was read a third time.

Delegate Summers requested to be excused from voting under the provisions of House Rule 49.

The Speaker replied that if the Delegate had an actual claim covered by the bill, she would be directly impacted by the bill and excused the Lady from voting.

Delegate Summers subsequently announced that the payments actually come from the Senate bill.

Whereupon,

The Speaker replied that the Lady would not be excused from voting and directed the Delegate to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 142**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Brown, Ellington, Lovejoy and McGeehan.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4484) passed.

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

On this question, the yeas and nays were taken (**Roll No. 143**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Brown, Ellington, Lovejoy and McGeehan.

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. 4484) takes effect from its passage.

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

Second Reading

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

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

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

Com. Sub. for H. B. 4351, Relating to the implementation of an acuity-based patient classification system,

H. B. 4352, Decreasing federal taxable income,

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

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,

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

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

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,

And,

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

First Reading

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

H. J. R. 102, Clarifying that the policy-making and rule-making authority of the State Board of Education is subject to legislative review, approval, amendment, or rejection,

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

Com. Sub. for H. B. 4329, To clarify the definition of an "interested person" for purposes of the West Virginia Small Estate Act,

H. B. 4331, West Virginia's Urban Mass Transportation Authority Act,

Com. Sub. for H. B. 4562, Relating generally to the suspension and dismissal of school personnel by board and the appeals process,

And,

H. B. 4578, Relating to authorizing the Superintendent of the State Police to administer the Handle with Care program.

Leaves of Absence

At the request of Delegate Summers, and by unanimous consent, leave of absence for the day was granted Delegate Lovejoy.

Miscellaneous Business

Delegate Howell noted to the Clerk that he was absent when the votes were taken on the passage of Com. Sub. for H. B. 4005 and Com. Sub. for H. B. 4126, and had he been present, he would have voted "Yea" thereon.

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

- Delegate Barnhart regarding Com. Sub. for H. B. 2598
- Delegates Burkhammer, D. Kelly and Zukoff regarding Com. Sub. for H. B. 4004

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: Delegate Toney;
H. B. 3068: Delegate Holstein;
H. B. 2908: Delegate Sypolt;
H. B. 4042: Delegate Sypolt;
H. B. 4104: Delegate Holstein;
H. B. 4462: Delegate Espinosa;
H. B. 4508: Delegate Holstein;
H. B. 4519: Delegate Holstein;
H. B. 4595: Delegate Haynes;
H. B. 4626: Delegate Holstein;
H. B. 4657: Delegate Holstein;
H. B. 4662: Delegates Crouse and Tully;
H. B. 4753: Delegate Pack;
H. B. 4695: Delegate Bates;
And,
H. C. R. 69: Delegate Holstein.

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

H. B. 4033: Delegate Zatezalo;
And,
H. B. 4082: Delegate Haynes.

At 5:00 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, February 16, 2022.

SPECIAL CALENDAR

Wednesday, February 16, 2022

36th Day

11:00 A.M.

UNFINISHED BUSINESS

- | | |
|---------------|---|
| H. C. R. 1 - | Alex Perdue Memorial Bridge. |
| H. C. R. 4 - | John B. Short Memorial Bridge |
| H. C. R. 7 - | Daniel Edward Kohlton "Red" Haney Memorial Bridge |
| H. C. R. 9 - | U.S. Army SSG James C. Vickers Silver Star Highway |
| H. C. R. 13 - | The Doctor Enrique Aguilar Memorial Bridge |
| H. C. R. 14 - | Colonel Ronald John "Ron" Chiccehitto Memorial Road |
| H. C. R. 25 - | SP5 Terry Lee McClanahan Memorial Bridge. |
| H. C. R. 26 - | Charleston Police Officer Cassie Johnson - Fallen Heroes Memorial Bridge. |
| H. C. R. 36 - | John Calvin "J.C." Baker Memorial Bridge. |
| H. C. R. 46 - | U.S. Navy Seaman Donald Homer Wheeler Memorial Bridge |
| H. C. R. 47 - | U.S. Army CPL Billy Earl Duty Memorial Bridge |
| H. C. R. 48 - | WVSP Sergeant John S. Syner Memorial Road |
| H. C. R. 49 - | Charles M. "Charlie" Biggs Memorial Highway |
| H. C. R. 50 - | John Ellison Road |
| H. C. R. 52 - | U.S. Army SGT Roy E. Givens Memorial Road |
| H. C. R. 61 - | Timothy Wayne Farley Memorial Bridge |

THIRD READING

- | | |
|----------------------------|---|
| Com. Sub. for H. B. 4002 - | Creating the Certified Sites and Development Readiness Program |
| Com. Sub. for H. B. 4008 - | Relating to Higher Education Policy Commission funding formula |
| Com. Sub. for H. B. 4259 - | Creating the West Virginia Small Business Jumpstart Act |
| Com. Sub. for H. B. 4351 - | Relating to the implementation of an acuity-based patient classification system |
| H. B. 4352 - | Decreasing federal taxable income |

- Com. Sub. for H. B. 4426 - Repeal article 33-25G-1 *et seq.* creating provider sponsored networks
- 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
- H. B. 4460 - Relating to authorizing application of the manufacturing investment tax credit and the manufacturing property tax adjustment credit against personal income tax
- Com. Sub. for H. B. 4465 - Relating to the tax credit for apprenticeship training
- 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
- Com. Sub. for H. B. 4489 - Require counties to post open positions on statewide job bank

SECOND READING

- H. J. R. 102 - Clarifying that the policy-making and rule-making authority of the State Board of Education is subject to legislative review, approval, amendment, or rejection
- Com. Sub. for H. B. 4025 - Providing exemption to severance tax for severing rare earth elements and other critical minerals
- Com. Sub. for H. B. 4329 - To clarify the definition of an “interested person” for purposes of the West Virginia Small Estate Act
- H. B. 4331 - West Virginia’s Urban Mass Transportation Authority Act
- Com. Sub. for H. B. 4562 - Relating generally to the suspension and dismissal of school personnel by board and the appeals process
- H. B. 4578 - Relating to authorizing the Superintendent of the State Police to administer the Handle with Care program

FIRST READING

- Com. Sub. for S. B. 445 - Modifying police and firemen’s pension plans for trustees
- Com. Sub. for H. B. 2910 - To modify the allowable number of magistrate judges per county
- Com. Sub. for H. B. 4077 - Provide certain classes of property protections from creditor collections
- Com. Sub. for H. B. 4141 - Authorizing the Governor’s Committee Crime, Delinquency and Correction to promulgate a legislative rule relating to Law Enforcement Training and Certification Standards
- Com. Sub. for H. B. 4242 - Authorizing the Division of Labor to promulgate a legislative rule relating to Child Labor

- H. B. 4314 - Exclude Solicitor from the definition of Investment Advisor
- H. B. 4338 - Reducing annual permit fee for each video lottery terminal owned or leased by a limited video lottery licensee
- Com. Sub. for H. B. 4340 - Relating to maximizing the opportunity to recover anatomical gifts for the purpose of transplantation, therapy, research, or education
- Com. Sub. for H. B. 4406 - To establish the West Virginia Military Hall of Fame
- Com. Sub. for H. B. 4430 - Relating to definitions of base salary and overtime for police and firemen pensions
- H. B. 4433 - Providing that retirement benefits are not subject to execution
- H. B. 4462 - Relating to Deferred Retirement Option Plan evaluations
- Com. Sub. for H. B. 4583 - Clarifying the definition of incapacity so that incarceration in the penal system or detention outside of the United States may not be inferred as resulting in a lack of capacity to execute a power of attorney

HOUSE CALENDAR

Wednesday, February 16, 2022

36th Day

11:00 A. M.

THIRD READING

- 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. 4087 - Allowing variance in state fire code for certain buildings used solely for emergency equipment storage (STEELE) (REGULAR)
- Com. Sub. for H. B. 4105 - Relating to service employees with National Association for Pupil Transportation Certifications (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 4282 - Relating to establishing next generation 911 services in this state (STEELE) (REGULAR)
- Com. Sub. for H. B. 4418 - Relating to the Small Business Supplier Certification Assistance Program (STEELE) (REGULAR)

SECOND READING

- H. B. 2882 - Relating to repealing a ban on construction of nuclear power plants (STEELE) (REGULAR)
- Com. Sub. for H. B. 4262 - Relating to licensure for polygraph examiners (STEELE) (REGULAR)
- H. B. 4568 - To allow phased rehabilitations of certified historic structures [FINANCE COMMITTEE TITLE AMENDMENT PENDING] (HOUSEHOLDER) (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)
- Com. Sub. for H. B. 4553 - To clarify the application of zoning requirements to exempt wholesale generators (CAPITO) (REGULAR)

WEST VIRGINIA HOUSE OF DELEGATES

WEDNESDAY, FEBRUARY 16, 2022

HOUSE CONVENES AT 11:00 A.M.

**AGRICULTURE AND NATURAL RESOURCES
8:00 A.M. – ROOM 215 E**

**BANKING AND INSURANCE
9:00 A.M. – ROOM 462 M**

**POLITICAL SUBDIVISIONS
9:30 A.M. – ROOM 410 M**

**PREVENTION AND TREATMENT OF SUBSTANCE ABUSE
9:30 A.M. – ROOM 434 M**

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

**WORKFORCE DEVELOPMENT
1:00 P.M. – ROOM 215 E**

**FIRE DEPARTMENTS AND EMERGENCY MEDICAL SERVICES
1:00 P.M. – ROOM 434 M**

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

**COMMITTEE ON THE JUDICIARY
3:00 P.M. – ROOM 410 M**

**COMMITTEE ON EDUCATION
3:30 P.M. – ROOM 434 M**

**TECHNOLOGY AND INFRASTRUCTURE
5:00 P.M. – ROOM 410 M**

THURSDAY, FEBRUARY 17, 2022

**PUBLIC HEARING
COMMITTEE ON THE JUDICIARY
9:00 A.M. – HOUSE CHAMBER**

H. B. 4394, TO REAFFIRM AND ENHANCE THE WORKERS COMPENSATION EXCLUSIVE REMEDY RULE OR DOCTRINE.

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