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February 17, 2022
THIRTY-SEVENTH DAY

Thursday, February 17, 2022

THIRTY-SEVENTH DAY

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

The House of Delegates 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 Wednesday, February 16, 2022, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, Delegate Summers announced that H. J. R. 102 on Third Reading, Special Calendar, had been transferred to the House Calendar; Com. Sub. for H. B. 2910 and H. B. 4331 on Second Reading, Special Calendar, had been moved to the House Calendar; H. B. 4627 on First Reading, Special Calendar, had been transferred to the House Calendar; H. B. 4568 on Second Reading, House Calendar, had been moved to the Special Calendar; and H. B. 4264 on First Reading, House Calendar, had been moved to the Special Calendar.

Committee Reports

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

By Delegates Ellington, Clark and Longanacre:

H. B. 4019 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5G-16, relating to deadlines for public charter school contract execution and student enrollment application, lottery and enrollment for schools intending to open in school year beginning July 1, 2022, only; and delaying deadlines."

On motion for leave a bill was introduced (Originating in the Committee on Education and reported with the recommendation that it do pass, but that it first be referred to the Committee on Finance), which was read by its title, as follows:

By Delegates Horst, Clark, Tully, Toney, Longanacre, Thompson, Doyle, Bridges, Evans, Walker and Mazzocchi:

H. B. 4021 - "A Bill to amend and reenact §18C-3-1 of the Code of West Virginia, 1931, as amended, relating to the Medical Student Loan Program; defining terms; establishing programs at certain schools, authorizing medical schools to make loans; authorizing the use of special revolving funds for program use; establishing eligibility requirements; setting maximum loan amount; requiring an agreement for persons participating; requiring persons participating to select service commitment area; establishing repayment obligation for those participants who do not satisfy commitment obligation; creating procedure for person to request working less than full-time; and establishing school reporting requirements."

Pursuant to House Rule 80, the Speaker referred the bill to the Committee on Finance.

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

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

H. B. 4294, Providing income tax credit for first responders,

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. 4294) was referred to the Committee on Finance.

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

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

H. B. 4608, To require the State Fire Commission to propose minimum standards for persons to be certified as probationary status volunteer firefighters,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4608) was referred to the Committee on Government Organization.

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

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

H. B. 2292, Including three types of cancer for which rebuttable presumption of injury from employment exists for firefighters,

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. 2292) was referred to the Committee on the Judiciary.

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. 3223, Prohibit state, county, and municipal governments from dedicating or naming any public structure for a public official who is holding office at the time,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 3223 - "A Bill to amend and reenact §5-6-4 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §7-3-19; and to amend said code by adding thereto a new section, designated §8-12-22, all relating to prohibiting the dedication or naming any state, county, or municipal building or public structure for a public official who is holding office at the time of the proposed dedication or naming,"

With the recommendation that the committee substitute do pass.

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. 4511, To make numerous amendments to modernize and increase efficiencies in the administration of the West Virginia Unclaimed Property Act,

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. 4511) was referred to the Committee on the Judiciary.

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. 4463, To increase the compensation members of the State Athletic Commission may receive for their attendance and participation in the commission's public meetings,

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. 4463) was referred to the Committee on Finance.

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. 4606, Authorizing programs to assist at-risk veterans and their families with existing resources to combat suicide,

And reports the same back with the recommendation that it do pass.

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. 4644, Prohibiting the restriction, regulation, use or administration of lawn care and pest care products,

And reports back a committee substitute therefor, as follows:

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

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. 4566, Creating the Economic Enhancement Grant Fund,

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. 4591, Relating to accelerating the conversion of the state excise tax on the privilege of transferring real property into a county excise tax,

And,

H. B. 4604, Relating to abolishing the Workforce Development Initiative Program Advisory Council,

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

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

Your Committee on Finance has had under consideration:

H. B. 2096, Reinstating the film investment tax credit,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 2096 - "A Bill to amend and reenact §11-13X-3, §11-13X-4, §11-13X-5, §11-13X-6, §11-13X-8, §11-13X-11, §11-13X-12, and §11-13X-13 of the Code of West Virginia, 1931, as amended, all relating to the West Virginia Film Industry Investment Act; reinstating the film investment tax credit; providing the coordination and management by the West Virginia development office; defining development office and multi-state distribution; excluding short-term depreciation from credit; raising the minimum threshold of cumulative annual expenditures necessary to qualify for credit; establishing an annual limit in credits available; requiring the development office to develop a database of locations, music, and other resources to be made available to film production teams; providing development office discretion to determine if project negatively portrays West Virginia; providing effective date; and providing sunset provision,"

And,

H. B. 4567, Relating to business and occupation or privilege tax,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4567 - "A Bill to amend and reenact §8-13-5 of the Code of West Virginia, 1931, as amended, relating the limiting of the imposition of the municipal business and occupation or privilege tax on the business of selling automobiles to used automobiles only, and stating that any sales proceeds from the sale of new automobiles that have never been registered in the name of an individual are exempt from the municipal business and occupation or privilege tax,"

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. 2753, Provide programs to educate senior citizens,

H. B. 4102, To allow money paid to state employees to go to their estate if they pass away before their retirement date,

H. B. 4415, Establishing the Katherine Johnson Academy,

H. B. 4579, Relating to public school personnel,

And,

H. B. 4602, Relating to student suicide prevention,

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

In accordance with the former direction of the Speaker, the bills (H. B. 2753, H. B. 4102, H. B. 4415, H. B. 4579 and H. B. 4602) were each referred to the Committee on Finance.

Delegate Martin, Chair of the Committee on Political Subdivisions, submitted the following report, which was received:

Your Committee on Political Subdivisions has had under consideration:

H. B. 2686, Establish a system to remediate fiscal emergencies of local governments,

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. 2686) was referred to the Committee on Finance.

Delegate Martin, Chair of the Committee on Political Subdivisions, submitted the following report, which was received:

Your Committee on Political Subdivisions has had under consideration:

H. B. 2751, Modernize the process for dissolution of municipal corporations in this State,

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. 2751) was referred to the Committee on the Judiciary.

Delegate Martin, Chair of the Committee on Political Subdivisions, submitted the following report, which was received:

Your Committee on Political Subdivisions has had under consideration:

H. B. 4516, To require medication-assisted treatment programs to have written policies concerning community relations,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4516) was referred to the Committee on Health and Human Resources.

Delegate Martin, Chair of the Committee on Political Subdivisions, submitted the following report, which was received:

Your Committee on Political Subdivisions has had under consideration:

H. B. 2324, Relating to charging fees for municipal services,

And,

H. B. 4440, Ban sanctuary cities in West Virginia,

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

In accordance with the former direction of the Speaker, the bills (H. B. 2324 and H. B. 4440) were each referred to the Committee on the Judiciary.

Delegate Kessinger, Chair of the Committee on Prevention and Treatment of Substance Abuse, submitted the following report, which was received:

Your Committee on Prevention and Treatment of Substance Abuse has had under consideration:

Com. Sub. for S. B. 431, Relating generally to Uniform Controlled Substances Act,

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 (Com. Sub. for S. B. 431) was referred to the Committee on the Judiciary.

Delegate Kessinger, Chair of the Committee on Prevention and Treatment of Substance Abuse, submitted the following report, which was received:

Your Committee on Prevention and Treatment of Substance Abuse has had under consideration:

Com. Sub. for S. B. 419, Establishing pilot project to evaluate impact of certain post-substance use disorder residential treatments,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 419) was referred to the Committee on Health and Human Resources.

Delegate Kessinger, Chair of the Committee on Prevention and Treatment of Substance Abuse, submitted the following report, which was received:

Your Committee on Prevention and Treatment of Substance Abuse has had under consideration:

H. B. 4457, Providing tax credits for hiring those in recovery for substance abuse,

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. 4457) was referred to the Committee on Finance.

Delegate Dean, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. B. 4441, The purpose of this bill is to create a Class M air rifle stamp which permits a hunter to hunt big game with an air rifle, as otherwise permitted by law.,

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. 4441) was referred to the Committee on Government Organization.

Delegate Dean, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. B. 4073, Permit lifetime hunting and fishing license for volunteer firefighters with five years of service,

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. 4073) was referred to the Committee on Finance.

Delegate Dean, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. B. 4408, Relating to contracts for construction of recreational facilities in state parks and forests,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4408) was referred to the Committee on Government Organization.

Delegate Phillips, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. B. 4570, To allow veterinary telehealth in West Virginia with out of state providers,

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. 4570) was referred to the Committee on Government Organization.

Delegate Phillips, Chair of the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration:

H. B. 2819, Exempting from the sales tax all-terrain vehicles and utility terrain vehicles used as farm equipment,

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. 2819) was referred to the Committee on Finance.

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 16th day of February, 2022, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

Com. Sub. for S. B. 279, Authorizing DEP to promulgate legislative rules,

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

And

S. B. 451, Updating definitions of WV Corporation Net Income Tax Act.

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. 35, David Allen Drake, Sr. Memorial Bridge,

H. C. R. 45, SP4 Dennis Harvey Roberts Bridge, McDowell County,

H. C. R. 54, "Mayor George Karos Bridge",

H. C. R. 62, "Raymond Jarrell Jr. Memorial Highway",

H. C. R. 63, MSGT Donald Lewis Coen Memorial Bridge,

H. C. R. 64, Robin W. Ames Memorial Road,

H. C. R. 65, Jesse Alexander Jennings Memorial Bridge,

H. C. R. 70, Calvin Hansbrough Shifflett Memorial Bridge,

H. C. R. 71, North Branch of Short Creek, "White Angel Falls",

H. C. R. 72, Dana Vaughn Perkins Memorial Bridge,

H. C. R. 73, Halstead Brothers WWII Veterans Memorial Bridge,

H. C. R. 74, Judge William Les Fury Bridge,

H. C. R. 75, "Pastor Glenn F. Lough Memorial Bridge",

And,

H. C. R. 76, U. S. Navy BM1 Farris Burton Memorial Bridge,

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

Messages from the Executive

Communications from His Excellency, the Governor, advised that on February 16, 2022, he approved **H. B. 4301**, **S. B. 435**, **S. B. 437** and **S. B. 449**.

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. 86 - "A Bill to amend and reenact §61-2-13 of the Code of West Virginia, 1931, as amended, relating to the offenses of extortion and attempted extortion; including threats to publish images of a person's intimate body parts as a means of committing extortion or attempted extortion; defining the phrase 'anything of value, or other consideration' to include certain defined sexual acts and defining 'images of intimate body parts'; and setting forth criminal penalties"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

Com. Sub. for S. B. 146 - "A Bill to amend and reenact §18-3-6 of the Code of West Virginia, 1931, as amended, relating to requiring county boards of education, county superintendents, employees of county boards of education, and the West Virginia Public Employees' Grievance Board to give substantial deference to the State Superintendent's interpretations of school law or State Board of Education rules; and providing exceptions to substantial deference requirement"; 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. 415 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-20b, relating to severance taxes; capping severance tax collections in general revenue at a specified percentage and dedicating any excess above the specified percentage to a special revenue account; creating a special revenue account; setting out the purpose of the account and use of funds therein; setting an effective date; and providing for administration of the account"; 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. 442 - "A Bill to amend and reenact §5-10-14 and §5-10-30 of the Code of West Virginia, 1931, as amended, all relating to service credit, retroactive provisions, and the refund of accumulated contributions for certain members of the West Virginia Public Employees Retirement System"; 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 passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 443 - "A Bill to amend and reenact §8-22-18 of the Code of West Virginia, 1931, as amended, relating to including retired police officers or firefighters as electors of trustees for pension and relief funds"; 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 passage by the Senate, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 524 - "A Bill to repeal §10-1-12, §10-1-13, §10-1-14, §10-1-14a, §10-1-15, §10-1-16, §10-1-17, §10-1-18, §10-1-18a, §10-1-19, §10-1-20, §10-1-21, §10-1-22, §10-1-23, and §10-1-24 of the Code of West Virginia, 1931, as amended; to repeal §29-27-1, §29-27-2, §29-27-3, §29-27-4, §29-27-5, and §29-27-6 of said code; to amend and reenact §5F-2-1 of said code; to amend and reenact §29-1-1 of said code; and to amend said code by adding thereto two new sections, designated §29-1-8c and §29-1-8d, all relating to placing the duties and functions of certain boards and commissions under the Department of Arts, Culture, and History; repealing certain sections related to the powers and authority of the State Library Commission; creating a state library section in the Department of Arts, Culture, and History; amending the makeup of the State Library Commission; providing for appointment of state library section director; establishing powers and duties of the state library section; providing for powers and duties of State Library Commission; creating National Coal Heritage Area Commission; providing for makeup of National Coal Heritage Area Commission; setting forth powers and duties of National Coal Heritage Area Commission; and repealing article related to National Coal Heritage Area Authority"; 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 from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 542 - "A Bill to amend and reenact §31G-1-3 of the Code of West Virginia, 1931, as amended, relating to transferring the Broadband Enhancement Council from the Department of Commerce to the Department of Economic Development; removing the Secretary of Commerce from the Broadband Enhancement Council; designating the Secretary of the Department of Economic Development as a voting member; and removing archaic language"; 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

S. B. 570 - "A Bill to amend and reenact §30-29-5a of the Code of West Virginia, 1931, as amended, relating to criminal justice training for law-enforcement officers and correction officers regarding individuals with Alzheimer's and dementias; development of course instruction; defining terms; providing for training in appropriate interactions with individuals with Alzheimer's and dementias; and authorizing the Law-Enforcement Professional Standards Subcommittee to develop guidelines for law-enforcement and correction officer response to individuals experiencing Alzheimer's and dementias who are victims or witnesses to a crime, or suspected or convicted of a crime"; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

S. B. 591 - "A Bill to amend and reenact §3-10-5 of the Code of West Virginia, 1931, as amended, relating to the process for filling vacancies in the state Legislature; clarifying the process for filling a vacancy if the member was elected to a multi-county senatorial or delegate district; and authorizing the county executive committee of single-county senatorial or delegate district to fill vacancies"; which was referred to the Committee on the Judiciary.

Resolutions Introduced

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

H. R. 15 - "Amending House Rules 94 and 94b to allow unlimited joint sponsors of bills as well as unrestricted adding and deleting of joint sponsors of bills and resolutions."

Resolved by the House of Delegates:

That House Rule 94 and 94b be amended to read as follows:

Joint Sponsors of Bill

94. A bill may be introduced bearing the names of ~~not more than eleven~~ additional members as joint sponsors. ~~of the bill~~

Removal or Addition of Name as Sponsor of a Bill or Resolution

94b. Any Delegate whose name appears as a ~~cosponsor~~ joint sponsor of a bill or resolution may have his or her name removed as a sponsor of the bill or resolution by submitting a an written electronic request to the House Clerk via the delegate console not later than the day the bill or resolution is reported from its final committee: *Provided*, That the removal shall only be permitted if the member is not the last remaining sponsor of the bill or resolution.

Any Delegate wishing to be added as a ~~cosponsor~~ joint sponsor of a bill or resolution shall be added by the Clerk if written an electronic request is made to the Clerk via the delegate console not later than the day the bill or resolution is reported from its final committee. ~~if the lead sponsor~~

~~of the bill or resolution agrees in writing to the addition and if the bill has less than the maximum number of sponsors allowed by these rules~~

This amended rule shall not take effect earlier than the beginning of the 2023 Session and the completion of the update to the delegate console to support this amended rule. Nothing herein requires reprinting by the Clerk of paper copies of the bill to reflect the addition or removal of sponsors. Any such changes shall appear in electronic form only until reprinting of the bill is required by these rules.

Delegates Pinson and Hanshaw (Mr. Speaker) offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 79 - "Designating February 21 as the official start day to National FFA Week in West Virginia."

Whereas, The National FFA (Future Farmers of America) Organization prepares students for future career and leadership success through agricultural education in middle and high schools; and

Whereas, The West Virginia membership of the FFA organization continues to be strongly represented by agriculture education students in 83 chapters throughout the state, with 4,778 members; and

Whereas, The motto of the FFA organization, "Learning to Do, Doing to Learn, Earning to Live, Living to Serve," motivates members to be active members in their community, school, state, and nation; and

Whereas, The National FFA week is for students, educators, alumni, and supporters to celebrate the continual growth of the organization and its role in the development of the United States' future leaders; and

Whereas, The West Virginia Legislature recognizes the importance of agriculture to the economy of this state, as well as the importance of the education and training students receive through agricultural education programs that develop competent and assertive agricultural leadership; and

Whereas, National FFA Week always runs Saturday to Saturday and encompasses February 22, George Washington's birthday; therefore, be it

Resolved by the Legislature of West Virginia:

That the West Virginia Legislature declares that February 21 be the official start to National FFA Week in West Virginia; and, be it

Further Resolved, That the Legislature of West Virginia also recognizes and commends the 2021-2022 state FFA officers as follows: Gabby Wolfe, president; Shayla Bourn, secretary; Chloe Gilkerson, vice president; Allison Wickline, vice president; Kaitlyn Luikhart, vice president; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the State President of the West Virginia FFA State Association.

Delegates Boggs, Sypolt, Jennings and Phillips offered the following resolution, which was read by its title and referred to the Committee on Agriculture and Natural Resources then Rules:

H. C. R. 80 - "Declaring Blackwater Falls the official state waterfall."

Whereas, Blackwater Falls is a waterfall located in Tucker County within the Blackwater Falls State Park; and

Whereas, The earliest written account of Blackwater Falls dates to 1746. Visitors have been drawn to the "great falls" of the Blackwater since the mid-1800s. In 1853, David Hunter Strother, also known by the pen name "Porte Crayon" introduced readers to Blackwater Falls in a series of articles in the Harpers New Monthly Magazine; In the 1870s, the area around the falls would become dotted with railroad lines to transport timber and coal to the neighboring towns of Davis and Thomas. The timber was nearly all taken from Blackwater Canyon and the soil was almost destroyed; and

Whereas, In 1937, the Blackwater State Park was created on 446 acres of land leased by the West Virginia Power and Transmission Company. Through the replanting of trees by the Civilian Conservation Corp (CCC) and continued expansion of land, the park has grown to 1,688 acres and offers more recreational opportunities; and

Whereas, The treasure of the park is the 57 foot waterfall, tinted by the tannic acid of fallen hemlock and red spruce needles. The falls is one of the most photographed views in West Virginia. Blackwater Falls is listed as number one on the Best Waterfall Trails in West Virginia, with 20 miles of hiking trails. The Blackwater Falls results from the Blackwater River, which is 35 miles long, running entirely in Tucker County. After it runs past Davis, West Virginia; it drops around 62 feet over Blackwater Falls and flows into the Blackwater Canyon in Blackwater State Falls State Park; and

Whereas, From a 2015 Economic Impact Executive Summary report, 855,085 people visited Blackwater Falls and provided an estimated contribution to the economy in the amount of \$20,500,000; therefore, be it

Resolved by the Legislature of West Virginia:

That Blackwater Falls is hereby designated and declared to be the official state waterfall; and, be it

Further Resolved, That the Clerk of the House of Delegates forward a certified copy of this resolution to Braxton County Middle School.

Delegates Skaff, Barach, Barnhart, Bates, Booth, Crouse, Diserio, Doyle, Evans, Fleischauer, Fluharty, Forsht, Garcia, Gearheart, Griffith, Honaker, Hornbuckle, Longanacre, Mallow, Mandt, Martin, Miller, Pushkin, Queen, Reed, Riley, Rowan, Smith, 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. 81 - "Requesting the Division of Highways name Bridge Number: 44-013/00-007.41 (44A028), (38.63102,-81.47307) locally known as POCA TRUSS (SSTT), carrying County Route 13 over POCATALICO RIVER in Roane County, the 'U. S. Army Chief Warrant Officer Milford Arnold Cunningham Memorial Bridge'."

Whereas, Chief Warrant Officer Milford Arnold Cunningham was born February 4, 1931, at Prenter, West Virginia, and raised in Walton, Roane County, West Virginia. He preferred the name “Bill” to Milford; and

Whereas, Chief Warrant Officer “Bill” Arnold Cunningham enlisted in the United States Army, serving from 1948 to 1968. During his army career, he was stationed at Fort Belvoir, Virginia, and then served in Germany, Japan, Vietnam, and Korea. He was awarded three Purple Hearts; and

Whereas, Upon his retirement from active military duty, Bill Cunningham was transferred to the Kennedy Space Center (NASA) where he worked as a transport specialist moving the rockets from the hanger to the launch pad for all spacecraft; and

Whereas, Chief Warrant Officer Milford “Bill” Arnold Cunningham passed on February 11, 1998; and

Whereas, It is fitting that an enduring memorial be established to commemorate U. S. Army Chief Warrant Officer Milford Arnold Cunningham 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: 44-013/00-007.41 (44A028), (38.63102, -81.47307) locally known as POCA TRUSS (SSTT), carrying County Route 13 over POCATALICO RIVER in Roane county, the “U. S. Army Chief Warrant Officer Milford Arnold Cunningham Memorial Bridge”; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the “U. S. Army Chief Warrant Officer Milford Arnold Cunningham 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 Brown, Lovejoy and Dean offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 82 - “Requesting the Division of Highways name Bridge Number: 30-003/05-002.58 (30A012), (37.81677, -82.25903) locally known as Canterbury Box Beam, carrying County Road 3/5 over Laurel Creek, in Mingo County, the ‘Alleen Ledson Memorial Bridge’.”

Whereas, Alleen Ledson was born on August 31, 1928, in Lenore, Mingo County; she was married for 69 years to Marion C. Ledson; together, she and her husband had seven children; and

Whereas, When Alleen Ledson was a young mother, she and other women on Laurel Creek beat up rocks and put them in holes in the road, which led to having a blacktop road on Laurel Creek; and

Whereas, Alleen Ledson enjoyed shopping with her four daughters and often prepared food for fish fries at Laurel Lake, welcoming all to come; and

Whereas, Alleen Ledson began working when her children were little, cleaning peoples' houses, being a teacher's aid at Laurel Grade School and started working for JCPenney in Williamson when she was 45 years old, where she worked for 21 years; and

Whereas, Alleen Ledson was a member of Bethany Church, often referred to as the "Old Regular Baptist Church"; and

Whereas, Alleen Ledson and her husband lived all of their lives together at the end of the bridge over Laurel Fork; and

Whereas, Alleen Ledson died April 30, 2015, after having faithfully served her family, her neighbors, her church, and her community at large virtually all of her life; and

Whereas, It is fitting that an enduring memorial in honor of Alleen Ledson be established near her lifelong home and community to commemorate her contributions to her family, church, and community, 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: 30-003/05-002.58 (30A012), (37.81677, -82.25903) locally known as Canterbury Box Beam, carrying County Route 3/5 over Laurel Creek, in Mingo County, the "Alleen Ledson 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 "Alleen Ledson 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.

Special Calendar

Third Reading

Com. Sub. for H. B. 4025, Providing exemption to severance tax for severing rare earth elements and other critical minerals; 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. 158**), and there were—yeas 94, nays 4, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Doyle, Fluharty, Pushkin and Zukoff.

Absent and Not Voting: Boggs and Wamsley.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4025) 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. 4329, To clarify the definition of an “interested person” for purposes of the West Virginia Small Estate Act; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 159**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Boggs and Wamsley.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4329) 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. 4562, Relating generally to the suspension and dismissal of school personnel by board and the appeals process; 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. 160**), and there were—yeas 94, nays 4, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Fleischauer, Griffith, Thompson and Walker.

Absent and Not Voting: Boggs and Wamsley.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4562) 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. 4578, Relating to authorizing the Superintendent of the State Police to administer the Handle with Care program; 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. 161**), 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: Boggs, Fleischauer, Horst and Wamsley.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4578) passed.

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

Second Reading

Com. Sub. for S. B. 445, Modifying police and firemen’s pension plans for trustees; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for H. B. 4077, Provide certain classes of property protections from creditor collections; on second reading, coming up in regular order, was read a second time.

Delegates Westfall and Williams moved to amend the bill on page one, immediately following the enacting section by inserting the following new section, to read as follows:

“CHAPTER 38. LIENS.

ARTICLE 10. FEDERAL TAX LIENS; ORDERS AND DECREES IN BANKRUPTCY.

§38-10-4. Exemptions of property in bankruptcy proceedings.

Any person who files a petition under the federal bankruptcy law may exempt from property of the estate in a bankruptcy proceeding the following property:

(a) The debtor’s interest, not to exceed \$35,000 in value, in real property or personal property that the debtor or a dependent of the debtor uses as a residence, in a cooperative that owns property that the debtor or a dependent of the debtor uses as a residence, or in a burial plot for the debtor or a dependent of the debtor: *Provided*, That when the debtor is a physician licensed to practice medicine in this state under §30-3-1 *et seq.* or §30-14-1 *et seq.* of this code, and has commenced a bankruptcy proceeding in part due to a verdict or judgment entered in a medical professional liability action, if the physician has current medical malpractice insurance in the amount of at least \$1 million for each occurrence, the debtor physician’s interest that is exempt under this subdivision may exceed \$35,000 in value but may not exceed \$250,000 per household.

(b) The debtor’s interest, not to exceed \$7,500 in value, in one motor vehicle.

(c) The debtor’s interest, not to exceed \$400 in value in any particular item, in household furnishings, household goods, wearing apparel, appliances, books, animals, crops, or musical instruments that are held primarily for the personal, family, or household use of the debtor or a dependent of the debtor: *Provided*, That the total amount of personal property exempted under this subdivision may not exceed \$8,000.

(d) The debtor’s interest, not to exceed \$1,000 in value, in jewelry held primarily for the personal, family, or household use of the debtor or a dependent of the debtor.

(e) The debtor’s interest, not to exceed in value \$800 plus any unused amount of the exemption provided under subdivision (a) of this subsection in any property.

(f) The debtor’s interest, not to exceed \$1,500 in value, in any implements, professional books, or tools of the trade of the debtor or the trade of a dependent of the debtor.

(g) Any unmeasured life insurance contract owned by the debtor, other than a credit life insurance contract.

(h) Any and all life insurance proceeds paid to the debtor as a beneficiary.

(i) The debtor’s interest, not to exceed in value \$8,000 less any amount of property of the estate transferred in the manner specified in 11 U.S.C. § 542(d), in any accrued dividend or interest under, or loan value of, any unmeasured life insurance contract owned by the debtor under which the insured is the debtor or an individual of whom the debtor is a dependent.

(~~h~~) (j) Professionally prescribed health aids for the debtor or a dependent of the debtor.

(~~h~~) (k) The debtor's right to receive:

(1) A Social Security benefit, unemployment compensation, or a local public assistance benefit;

(2) A veterans' benefit;

(3) A disability, illness, or unemployment benefit;

(4) Alimony, support, or separate maintenance, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

(5) A payment under a stock bonus, pension, profit sharing, annuity, or similar plan or contract on account of illness, disability, death, age, or length of service, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor, and funds on deposit in an individual retirement account, including a simplified employee pension regardless of the amount of funds, unless:

(A) The plan or contract was established by or under the auspices of an insider that employed the debtor at the time the debtor's rights under the plan or contract arose;

(B) The payment is on account of age or length of service;

(C) The plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408, or 409 of the Internal Revenue Code of 1986; and

(D) With respect to an individual retirement account, including a simplified employee pension, the amount is subject to the excise tax on excess contributions under Section 4973 and/or Section 4979 of the Internal Revenue Code of 1986, or any successor provisions, regardless of whether the tax is paid.

(~~k~~) (l) The debtor's right to receive or property that is traceable to:

(1) An award under a crime victim's reparation law;

(2) A payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

~~(3) A payment under a life insurance contract that insured the life of an individual of whom the debtor was a dependent on the date of the individual's death, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;~~

(4) A payment, not to exceed \$15,000 on account of personal bodily injury, not including pain and suffering or compensation for actual pecuniary loss, of the debtor or an individual of whom the debtor is a dependent;

(~~5~~) (4) A payment in compensation of loss of future earnings of the debtor or an individual of whom the debtor is or was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

~~(6)~~ (5) Payments made to the prepaid tuition trust fund or to the savings plan trust fund, including earnings, in accordance with §18-30-1 *et seq.* of this code on behalf of any beneficiary.

~~(†)~~ (m) Solely for the purpose of applying the provisions of 11 U.S.C. § 522(b)(2) in a federal bankruptcy proceeding and only to the extent otherwise allowed by applicable federal law, an individual debtor domiciled in this state may exempt from property of the debtor's bankruptcy estate the property specified under 11 U.S.C. § 522(d).

~~(¶)~~ (n) The amendments made to this section during the 2021 regular session of the Legislature, as amended during the first extraordinary session of the Legislature, 2021, shall apply to bankruptcies filed on or after the effective date of those amendments.

CHAPTER 46A. WEST VIRGINIA CONSUMER CREDIT AND PROTECTION ACT."

Delegate Fast arose to inquire of the Chair regarding the germaneness of the amendment.

The Speaker ruled that the amendment was not germane to the bill.

The bill was then ordered to engrossment third reading.

Com. Sub. for H. B. 4141, Authorizing the Governor's Committee on Crime, Delinquency and Corrections to promulgate a legislative rule relating to Law Enforcement Training and Certification Standards; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4242, Authorizing the Division of Labor to promulgate a legislative rule relating to Child Labor; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4314, Exclude Solicitor from the definition of Investment Advisor; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4338, Reducing annual permit fee for each video lottery terminal owned or leased by a limited video lottery licensee; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4340, Relating to maximizing the opportunity to recover anatomical gifts for the purpose of transplantation, therapy, research, or education; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4406, To establish the West Virginia Military Hall of Fame; on second reading, coming up in regular order, was read a second time.

Delegate Mandt moved to amend the bill, on page one, section one, line two, by striking out the word "and", and inserting in lieu thereof the word "or".

And,

On page one, section one, line three, by striking out the words "valor for".

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

The bill was ordered to engrossment and third reading.

Com. Sub. for H. B. 4430, Relating to definitions of base salary and overtime for police and firemen pensions; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4433, Providing that retirement benefits are not subject to execution; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4462, Relating to Deferred Retirement Option Plan evaluations; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4568, To allow phased rehabilitations of certified historic structures; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Householder, the bill was amended on page three, section twenty-three-a, line sixty, following the word "taxpayer", by inserting a comma and the words "including, but not limited to, the applicant or a third-party transferee of the tax credit, as applicable,"

And,

On page three, section twenty-three-a, line sixty-three, following the word "Work" and the comma, by inserting the words "for the rehabilitation".

The bill was then ordered to engrossment and third reading.

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; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

First Reading

Com. Sub. for H. B. 2798, Relating to requiring the Health Department to mandate mucopolysaccharidosis type 1 (MPS1) test for newborn babies, to be known as Embie's Law; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 4264, Change name of Glenville State College to "Glenville State University"; on first 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. 4348, Relating to Pharmacy Technicians; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 4488, Relating to coal mining and changing fees for permitting actions; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 4559, Providing for legislative rulemaking relating to the disposition of unidentified and unclaimed remains in the possession of the Chief Medical Examiner; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 4585, Relating to controlled substance monitoring; and removing a dispensing prohibition; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 4596, Relating generally to additional persons qualifying for the provisions of the Law-Enforcement Officers Safety Act; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Com. Sub. for H. B. 4631, Establishing a bone marrow and peripheral blood stem donation awareness program; on first reading, coming up in regular order, was read a first time and ordered to second reading.

H. B. 4649, Transferring the operations of the West Virginia Children's Health Insurance Program to the Bureau for Medical Services; on first reading, coming up in regular order, was read a first time and ordered to second reading.

Leaves of Absence

At the request of Delegate Summers, and by unanimous consent, leaves of absence for the day were granted Delegates Boggs and Wamsley.

Miscellaneous Business

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

- Delegate Mazzocchi during Remarks by Members on February 16, 2022

Delegate Hanna noted to the Clerk that he was absent when the vote was taken on Com. Sub. for H. B. 2257 on February 14, 2022, and had he been present, he would have voted "Yea" thereon.

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

H. B. 4566: Delegate Hott;

H. B. 4558: Delegate Linville;

H. B. 4675: Delegates Criss, Espinosa, Fast, Hardy and Keaton;

H. B. 4689: Delegates Holstein and Hornbuckle;

H. B. 4718: Delegate Young;

H. B. 4742: Delegate Young;

H. B. 4770: Delegate Lovejoy;

H. B. 4787: Delegate Linville;

H. B. 4792: Delegate Summers;

H. B. 4813: Delegate Young;

H. B. 4814: Delegate Young;

And,

H. B. 4819: Delegate Young.

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

H. B. 4020: Delegate Summers.

At 12:23 p.m., the House of Delegates adjourned until 11:00 a.m., Friday, February 18, 2022.

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

SPECIAL CALENDAR

Friday, February 18, 2022

38th Day

11:00 A. M.

UNFINISHED BUSINESS

- | | |
|---------------|---|
| H. C. R. 35 - | David Allen Drake, Sr. Memorial Bridge |
| H. C. R. 45 - | U.S. Army SP4 Dennis Harvey Roberts Memorial Bridge |
| H. C. R. 54 - | Mayor George Karos Bridge |
| H. C. R. 62 - | Raymond Jarrell, Jr., Memorial Road |
| H. C. R. 63 - | U.S. Army MSGT Donald Lewis Coen Memorial Bridge |
| H. C. R. 64 - | Robin W. Ames Memorial Road |
| H. C. R. 65 - | U.S. Army Major Jesse A. Jennings Memorial Bridge |
| H. C. R. 70 - | Calvin H. Shifflett Memorial Bridge |
| H. C. R. 71 - | White Angel Falls waterfall |
| H. C. R. 72 - | U.S. Army SP5 Dana V. Perkins Memorial Bridge |
| H. C. R. 73 - | Halstead Brothers WWII Veterans Memorial Bridge |
| H. C. R. 74 - | Judge Les Fury Memorial Bridge |
| H. C. R. 75 - | Pastor Glenn F. Lough Memorial Bridge |
| H. C. R. 76 - | U. S. Navy BM1 Farris Burton Memorial Bridge |

THIRD READING

- | | |
|----------------------------|---|
| Com. Sub. for S. B. 445 - | Modifying police and firemen's pension plans for trustees
(HOUSEHOLDER) (REGULAR) |
| Com. Sub. for H. B. 4077 - | Provide certain classes of property protections from creditor
collections (CAPITO) (REGULAR) |
| Com. Sub. for H. B. 4141 - | Authorizing the Governor's Committee on Crime, Delinquency and
Corrections to promulgate a legislative rule relating to Law
Enforcement Training and Certification Standards (STEELE)
(EFFECTIVE FROM PASSAGE) |
| Com. Sub. for H. B. 4242 - | Authorizing the Division of Labor to promulgate a legislative rule
relating to Child Labor (STEELE) (EFFECTIVE FROM PASSAGE) |

- H. B. 4314 - Exclude Solicitor from the definition of Investment Advisor (CAPITO) (REGULAR)
- H. B. 4338 - Reducing annual permit fee for each video lottery terminal owned or leased by a limited video lottery licensee (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4340 - Relating to maximizing the opportunity to recover anatomical gifts for the purpose of transplantation, therapy, research, or education (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4406 - To establish the West Virginia Military Hall of Fame (STEELE) (REGULAR)
- Com. Sub. for H. B. 4430 - Relating to definitions of base salary and overtime for police and firemen pensions (HOUSEHOLDER) (REGULAR)
- H. B. 4433 - Providing that retirement benefits are not subject to execution [FINANCE COMMITTEE TITLE AMENDMENT PENDING] (HOUSEHOLDER) (REGULAR)
- H. B. 4462 - Relating to Deferred Retirement Option Plan evaluations (HOUSEHOLDER) (REGULAR)
- H. B. 4568 - To allow phased rehabilitations of certified historic structures [FINANCE COMMITTEE TITLE AMENDMENT PENDING] (HOUSEHOLDER) (REGULAR)
- 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 (CAPITO) (REGULAR)

SECOND READING

- Com. Sub. for H. B. 2798 - Relating to requiring the Health Department to mandate mucopolysaccharidosis type 1 (MPS1) test for newborn babies, to be known as Embie's Law (ROHRBACH) (REGULAR)
- Com. Sub. for H. B. 4348 - Relating to Pharmacy Technicians (ROHRBACH) (REGULAR)
- Com. Sub. for H. B. 4488 - Relating to coal mining and changing fees for permitting actions (ANDERSON) (REGULAR)
- Com. Sub. for H. B. 4559 - Providing for legislative rulemaking relating to the disposition of unidentified and unclaimed remains in the possession of the Chief Medical Examiner (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4585 - Relating to controlled substance monitoring; and removing a dispensing prohibition (ROHRBACH) (REGULAR)

- Com. Sub. for H. B. 4596 - Relating generally to additional persons qualifying for the provisions of the Law-Enforcement Officers Safety Act (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4631 - Establishing a bone marrow and peripheral blood stem donation awareness program (ROHRBACH) (REGULAR)
- H. B. 4649 - Transferring the operations of the West Virginia Children's Health Insurance Program to the Bureau for Medical Services (ROHRBACH) (REGULAR)

FIRST READING

- Com. Sub. for H. B. 2096 - Reinstating the film investment tax credit (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 3223 - Prohibit state, county, and municipal governments from dedicating or naming any public structure for a public official who is holding office at the time (STEELE) (REGULAR)
- H. B. 4019 - Relating to deadlines for public charter schools (ELLINGTON) (EFFECTIVE FROM PASSAGE)
- H. B. 4264 - Change name of Glenville State College to "Glenville State University"
- H. B. 4566 - Creating the Economic Enhancement Grant Fund [FINANCE COMMITTEE TITLE AMENDMENT PENDING] (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4567 - Relating to business and occupation or privilege tax (HOUSEHOLDER) (REGULAR)
- H. B. 4591 - Relating to accelerating the conversion of the state excise tax on the privilege of transferring real property into a county excise tax (HOUSEHOLDER) (REGULAR)
- H. B. 4604 - Relating to abolishing the Workforce Development Initiative Program Advisory Council (HOUSEHOLDER) (REGULAR)
- H. B. 4606 - Authorizing programs to assist at-risk veterans and their families with existing resources to combat suicide (STEELE) (REGULAR)
- Com. Sub. for H. B. 4644 - Prohibiting the restriction, regulation, use or administration of lawn care and pest care products (STEELE) (REGULAR)

HOUSE CALENDAR

Friday, February 18, 2022

38th Day

11:00 A. M.

THIRD 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 (CAPITO)
- 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. 2910 - To modify the allowable number of magistrate judges per county (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4262 - Relating to licensure for polygraph examiners (STEELE) (REGULAR)
- H. B. 4331 - West Virginia's Urban Mass Transportation Authority Act (CAPITO) (REGULAR)

FIRST READING

- 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)
- H. B. 4627 - To provide for no more than two licensed laboratories for medical cannabis testing in this state (CAPITO) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

FRIDAY, FEBRUARY 18, 2022

HOUSE CONVENES AT 11:00 A.M.

**SELECT COMMITTEE ON JAILS AND PRISONS
8:00 A.M. – ROOM 410 M**

**SENIOR, CHILDREN, AND FAMILY ISSUES
9:00 A.M. – ROOM 215 E**

**COMMITTEE ON EDUCATION
9:00 A.M. – ROOM 434 M**

**COMMITTEE ON THE JUDICIARY
1:00 P.M. – ROOM 410 M**

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