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THIRTY-EIGHTH DAY

Friday, February 18, 2022

THIRTY-EIGHTH 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 Thursday, February 17, 2022, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

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

Your Committee on Finance has had under consideration:

H. B. 4344, Relating to foster care,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4344 - "A Bill to repeal §49-2-125 of the Code of West Virginia, 1931, as amended; amend and reenact §49-1-203 of said code; to amend and reenact §49-2-111a and §49-2-111c of said code; to amend said code by adding thereto two new sections, designated §49-2-111d and §49-2-111e; to amend and reenact §49-4-405, §49-4-501 and §49-4-601 of said code; to amend and reenact §49-5-101 of said code; and to amend and reenact §49-9-101, §49-9-103, §49-9-105, §49-9-106 and §49-9-107 of said code, all relating to foster care; creating new definitions; deleting outdated language; requiring bureau of social services to issue a request for proposal to incorporate into its PATH system a matching database, and to create a dashboard database; requiring study of centralized intake; requiring salaries of direct service employees be increased and the Division of Personnel to increase certain salary ranges; implementation of the pay rates and employment requirements shall not be subject to grievance procedures or private lawsuits; requiring circuit courts to enable multidisciplinary treatment team to meet monthly; including managed care case coordinator in multidisciplinary treatment team; allowing department to hire counsel; requiring sheriff's office to serve notice of hearing without additional compensation; permitting child agency or facility to disclose confidential information in certain circumstances; requiring foster care ombudsman to make recommendations in accordance with the Foster Child Bill of Rights and the Foster and Kinship Parent Bill of Rights; authorizing ombudsman to have access to kinship family; exempting foster care ombudsman from testifying about official duties; making ombudsman's records confidential and not admissible in evidence; removing circumstance for authorizing disclosure of confidential matters; making investigation of complaint confidential except when imminent risk of harm reported to foster care ombudsman; and requiring ombudsman to maintain confidentiality with respect to all matters and exceptions,"

And,

H. B. 4479, Establishing the Coalfield Communities Grant Facilitation Commission,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4479 - "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, and §5B-2K-6, all relating to establishing the Coalfield Communities Grant Facilitation Commission; providing legislative findings; establishing the Commission and providing for its membership and duties; providing for commission assistance from the Economic Development Authority and certain institutions of higher education; authorizing the Commission to provide the local match portion for local public and private entities applying for grants from federal, state and private sources; providing what constitutes a public purpose for eligibility for grant match; establishing a special revenue account; directing the creation of a special subcommittee of the Commission to assist the Commission and grant applicants with training and other technical expertise as directed by the Commission; and providing for annual electronic reports to the Legislature's Joint Committee on Government and Finance,"

With the recommendation that the committee substitutes each do pass.

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

By Delegates Capito, Queen, Westfall and Fluharty:

H. B. 4826 - "A Bill to amend and reenact §29-22D-3 of the Code of West Virginia, 1931, as amended relating to e-sports; providing a definition of e-sports; and including e-sports in the definition of a sports event or sporting event."

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

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

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

H. B. 4022 - "A Bill to amend and reenact §37B-1-4 of the Code of West Virginia, 1931, as amended, generally relating to altering the applicability of the Cotenancy Modernization and Majority Protection Act; eliminating the pre-condition for applicability of the act which requires seven or more royalty owners; and correcting internal citations."

Pursuant to House Rule 80, the Speaker referred the bill 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. 4345, Relating to motor vehicle registration cards by establishing electronic or mobile registration cards,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4345 - “A Bill to amend and reenact §17A-3-13 of the Code of West Virginia, 1931, as amended, relating to motor vehicle registration cards by establishing electronic or mobile registration cards; removing the requirement that physical registration cards be signed,”

H. B. 4691, Provide a 45 day waiting period before a water and sewer rate increase may go into effect for any locally rate regulated municipality,

And reports back a committee substitute therefor, as follows:

Com. Sub. for 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; and other technical changes,”

H. B. 4742, To provide for the full restoration of the Holly Grove Mansion,

And reports back a committee substitute therefor, as follows:

Com. Sub. for 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,”

H. B. 4768, Relating to change hearing location and customer notice provisions,

And reports back a committee substitute therefor, as follows:

Com. Sub. for 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,”

And,

H. B. 4797, To create an EV Infrastructure Deployment Plan for West Virginia that describes how our state intends to use its share of NEVI Formula Program funds,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4797 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-11-1, relating to the economic development plan for electric vehicle infrastructure,”

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. 4636, Clarifying when business and occupation taxes owed to a city or municipality are considered to be remitted on time,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4636 - "A Bill to amend and reenact §11-13-1 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-13-32, all relating to clarifying that business and occupation taxes, as well as city service fees, that are owed to a city or municipality are considered to be remitted 'on time' when the date that they are postmarked is on or before the deadline date, rather than on the date that such taxes are physically received by a city or municipality; and clarifying that cities and municipalities may not impose a late fee or penalty for those taxes owed to them so long as they are postmarked on or before the deadline date,"

H. B. 4667, Prohibition on county, city, or municipality restrictions on advanced air mobility aircraft,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4667 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-16-3, relating generally to creating a prohibition on county, municipality, city or town restrictions on advanced air mobility aircraft and advanced air mobility systems and defining terms,"

And,

H. B. 4785, Relating to judicial vacancies,

And reports back a committee substitute therefor, as follows:

Com. Sub. for 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,"

With the recommendation that the committee substitutes 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. 4496, Allowing interest and earnings on federal COVID-19 relief moneys to be retained in the funds or accounts where those moneys are invested,

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. 4769, Eliminate the requirement to send recommended decisions by certified mail,

And reports the same back with the recommendation that it 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. 4391, Relating generally to school nurses,

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. 3082, Stabilizing funding sources for the DEP Division of Air Quality,

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

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. 4668, Relating to air bag fraud,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4668 - "A Bill to amend and reenact §17C-15-50 of the Code of West Virginia, 1931, as amended, relating to air bag fraud; prohibiting counterfeit and nonfunctional air bags; establishing penalties for prohibited activities related to air bag fraud; specifying the applicability of the section; and creating exceptions,"

With the recommendation that the committee substitute do pass.

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

Your Committee on Technology and Infrastructure has had under consideration:

H. B. 4675, Relating to autonomous delivery vehicles,

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. 4675) 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. 4645, Allowing for surplus money collected above voter approved excess levy requests to remain with specific county and placed in general fund,

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. 4645) was referred to the Committee on Finance.

Delegate Anderson, Chair of the Committee on Energy and Manufacturing, submitted the following report, which was received:

Your Committee on Energy and Manufacturing has had under consideration:

H. B. 4758, Relating to developing and maintaining a database to track reclamation liabilities in the West Virginia Department of Environmental Protection Special Reclamation Program,

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

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

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

H. B. 4647, Relating to the Board of Funeral Service Examiners,

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. 4647) was referred to the Committee on Government Organization.

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

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

H. B. 4607, To remove opioid treatment programs from requiring a certificate of need,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4607 – “A Bill to repeal §16-5Y-12 of the Code of West Virginia, 1931, as amended; and to amend and reenact §16-2D-9 and §16-2D-11; all relating to certificate of

need; removing a health services from the list of services which may not be developed; and exempting health services from certificate of need,”

With the recommendation that the committee substitute do pass.

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

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

H. B. 4643, Exempting certain health services from certificate of need,

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

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

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

H. B. 4625, To remove Medicare or Medicaid-certified facilities from COVID-19 immunization exemption requirements,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4625 – “A Bill to amend and reenact §16-3-4b of the Code of West Virginia, 1931, as amended, relating to COVID-19 immunization exemption requirements; defining terms; and specifying terminology,”

With the recommendation that the committee substitute do pass.

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

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

H. B. 4761, Authorizing the Secretary of the Department of Health and Human Resources to develop a submission procedures manual and adopt the same as a procedural rule,

And reports the same back with the recommendation that it 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. 4580, To authorize retired bus operators, cooks or aides to work in areas of critical need,

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. 4580) was referred to the Committee on Finance.

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

Your Committee on Education has had under consideration:

H. C. R. 42, A resolution to support the relocation of university-level Chinese language immersion programs from the People's Republic of China (PRC) to Taiwan,

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

In accordance with the former direction of the Speaker, the resolution (H. C. R. 42) was referred to the Committee on Rules.

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

Your Committee on Education has had under consideration:

H. B. 4571, Modifying foundation allowance to account for transportation by electric powered buses,

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. 4571) was referred to the Committee on Finance.

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. 2364, Permit teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer,

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. 2364) was referred to the Committee on the Judiciary.

Delegate 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 17th 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.

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

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

And,

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

Reports of Select Committees

On motion for leave a bill was introduced (Originating in the Select Committee on Tourism and Economic Diversification 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 Delegate Howell:

H. B. 4827 - "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 and §5B-2K-5, all relating to the promotion of the development of public-use vertiports."

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

In the absence of objection, the Speaker subsequently changed the reference to the Committee on the Judiciary.

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. 4684, To exempt a county that has a single CVB with a hotel or motel collection of less than \$150,000 annually,

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. 4684) 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. 4652, To create the Proficient Customer Service Communications Act,

H. B. 4653, West Virginia Economic Diversification Act,

H. B. 4655, To create commercial opportunity zones to attract new businesses to West Virginia,

H. B. 4656, To create the Remote Worker Home Development Act,

H. B. 4659, West Virginia Heavy Duty Truck Excise Tax Elimination Act,

And,

H. B. 4689, Creation of a tax credit for electric vehicle manufacturing,

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. 4652, H. B. 4653, H. B. 4655, H. B. 4656, H. B. 4659 and H. B. 4689) were each 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:

Com. Sub. for H. B. 3312, Establishing a memorial to child labor and child workers who died in the course of employment in this state.

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 as follows:

Com. Sub. for S. C. R. 27 - "Requesting the Division of Highways name bridge number 39-026/00-019.09 (39A051), (39.49472, -79.64520), locally known as Albright Bridge, carrying WV 26 over Cheat River in Preston County, as the 'U.S. Army TSGT Harold William Schmidle Memorial Bridge'."

Whereas, Harold William Schmidle was born in the year 1921, to the son of Joseph and Jennie Schmidle in Albright, West Virginia, and was one of 14 children; and

Whereas, Harold William Schmidle, also called "Teen", enlisted in the Infantry as a young man to serve his country during World War II; and

Whereas, TSGT Harold William Schmidle served 37 months in the Pacific and fought against the Japanese; and

Whereas, TSGT Harold William Schmidle was killed in action during the Battle of Banzai Point on the Island of Corregidor in the Philippines on February 19, 1945, where he served as a rifle squad leader (S/SGT) in the 2nd platoon, Company "D", 503rd Parachute Infantry Regiment, when he and his squad were overrun by the Japanese; and

Whereas, TSGT Harold William Schmidle had three brothers who also served their country at the time: George Schmidle was stationed in Texas; and Williard "Woody" Schmidle and Cottrill Schmidle served in the European Theater; and

Whereas, TSGT Harold William Schmidle posthumously received the Silver Star for gallantry in action on February 19, 1945, for taking up a dangerous flank position, with utter disregard for

his own life, repulsing several enemy rushes, and holding his position until mortally wounded without asking for help. His Silver Star citation provides that his courage, initiative, and coolness under fire materially aided in the reorganization of his unit for successful attack on the enemy and constituted the finest of soldierly performance of duty; and

Whereas, TSGT Harold William Schmidle was also the recipient of a Bronze Star, Purple Heart, and various other medals and awards; and

Whereas, It is fitting that an enduring memorial be established to commemorate TSGT Harold William Schmidle and his sacrifice to our state and country will never be forgotten; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 39-026/00-019.09 (39A051), (39.49472, -79.64520), locally known as Albright Bridge, carrying WV 26 over Cheat River in Preston County, as the "U.S. Army TSGT Harold William Schmidle 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 TSGT Harold William Schmidle Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

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 as follows:

Com. Sub. for S. C. R. 38 - "Requesting the Division of Highways name bridge number 17-050/00-006.08 (EB and WB) (17A187, 17A189), (39.28925, -80.49021), locally known as Log Cabin Bridge, carrying U.S. Route 50 (EB and WB) over Tenmile Creek, Harrison County, the 'Cox Brothers Veterans Memorial Bridge'."

Whereas, The Cox Family demonstrated their utmost patriotism for the United States with 11 of 15 brothers in a family of 21 children serving in the U.S. military, including seven brothers who served during WWII; and

Whereas, Vaughn Cox was with the 101st Airborne, serving as a paratrooper on D-Day he was shot several times before hitting the ground. Thereafter, Vaughn Cox was picked up by burial crews who discovered he was still alive, after which he recovered and returned home with a glass eye having earned three Purple Hearts; and

Whereas, Glenn Cox was stationed with the Navy on Ocracoke Island at a top secret amphibious training base where he operated from the "Loop Shack" to track Nazi U-Boats. At the end of the war, as reported by his daughter, Glenn had the honor of transcribing the radio code message announcing the end of WWII to his fellow sailors; and

Whereas, Edward Cox fought during the battles for Guadalcanal and the Southern Philippines during WWII. He reenlisted and served in the Korean War, garnering multiple honors, including medals for the Asiatic-Pacific Theater Campaign with two bronze stars, Philippine Liberation Ribbon with one bronze star, and the Army of Occupation Medal, Korea; and

Whereas, Paul Loutrell Cox was a U.S. Marine, PFC-6, during WWII, serving in the Central Pacific throughout those difficult times; and

Whereas, Carlos Walter Cox was a Staff Sergeant in the Army who served in Northern France and the Rhineland during WWII, earning multiple service ribbons for valor and bravery; and

Whereas, Calvin Leco Cox served his country in the Army as Private First Class-Ordinance in Walla Walla, Washington; and

Whereas, The Cox brothers' half-brother, Kenneth Bickerstaff, was in the Army and stationed in Australia during WWII to help fight off the Japanese invasion in the Pacific; and

Whereas, All seven of the Cox brothers who served in WWII were listed on the Honor Memorial in Wolf Summit, West Virginia, dedicated in 1946, symbolizing their heroism and sacrifice for continued freedom of the United States and our democracy; and

Whereas, It is fitting that an enduring memorial be established to commemorate all seven of the Cox brothers, who served in WWII, and their 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 17-050/00-006.08 (EB and WB) (17A187, 17A189), (39.28925, -80.49021), locally known as Log Cabin Bridge, carrying U.S. Route 50 (EB and WB) over Tenmile Creek, Harrison County, the "Cox Brothers Veterans 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 "Cox Brothers Veterans Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways"; which was referred to the Committee on Rules.

Resolutions Introduced

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

H. C. R. 83 - "Requesting the Division of Highways name a portion of County Route 30/1, beginning at (38.239066), (-82.192876) and ending at (38.239066), (-82.200978), locally known as Sheridan Road, in Lincoln County, the 'U.S. Army SGT Charles L. Toppings Memorial Road'."

Whereas, Charles L. Toppings was born in Man, West Virginia, on October 13, 1930, the son of Sesco and Elva Toppings; and

Whereas, Charles L. Toppings was a graduate of Hamlin High School and entered the U.S. Army; and

Whereas, SGT Charles L. Toppings served in Company C, 72nd Tank Battalion, 2nd Infantry in Korea; and

Whereas, On May 18, 1951, SGT Charles L. Toppings distinguished himself by heroic achievement near Chaun-ni, Korea, while riding in a tank retriever attempting to run an enemy roadblock. The retriever crew saw several wounded soldiers exposed to enemy fire when SGT Charles L. Toppings, while being exposed to enemy fire, manned a machine gun and delivered heavy fire on the enemy. He then left the retriever and moved the wounded soldiers into the retriever; and

Whereas, SGT Charles L. Toppings, for his heroism on that day, was awarded the Bronze Star; and

Whereas, SGT Charles L. Toppings worked for the C&O Railroad in West Virginia for over 30 years; and

Whereas, SGT Charles L. Toppings passed away on April 5, 2017, survived by three sons: Charles Toppings and wife, Sheila; William (Bill) Toppings and wife, Vicki; and Steve Toppings and wife, Karen; and

Whereas, It is fitting that an enduring memorial be established to commemorate SGT Charles L. Toppings 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 a portion of County Route 30/, beginning at (38.239066), (-82.192876) and ending at (38.239066), (-82.200978), locally known as Sheridan Road, in Lincoln County, the "U.S. Army SGT Charles L. Toppings Memorial Road"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the portion of road as the "U.S. Army SGT Charles L. Toppings Memorial Road"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

Delegates Booth, Martin, Nestor, Mallow, Griffith, Sypolt, Barnhart, Mandt and Linville offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 84 - "Requesting the Division of Highways informally name Keyser Street in Wayne, in Wayne County, the 'U. S. Navy, Water Tender 3rd Class, V-6, Lewis Glenn Mills Memorial Boulevard'."

Whereas, Lewis Glenn Mills was born on October 24, 1922, in a log cabin on Ed's Branch in East Lynn, West Virginia. He was the ninth born of the 11 Mills children in his family. His father passed away when he was just seven years old. When he was 14 years old, he left school and home to work in the Civilian Conservation Corps to support his family during the Great

Depression. He worked on Black Mountain, in Pocahontas County, WV, and helped cut timbers for the railroad until he enlisted in the United States Navy at the age of 21; and

Whereas, In 1943, Lewis Glenn was stationed on the U.S.S. Sims where he served as a gunner to a 40 caliber machine gun, and a Water Tender when his ship was not in duress. His ship escorted supply ships from New York to Derry, Ireland for almost two years. During this time, his boat protected the supply ships against Nazi submarines (U-Boats). His ship was then reassigned to the Pacific when the theater of war shifted from Europe to Asia in 1944. He spent over one year in the hospital recovering from his wounds and extreme exposure, after he was severely wounded in 1944; and

Whereas, Lewis Glenn was honorably discharged from the U.S. Navy on April 28, 1945, and returned home to Wayne, West Virginia. He mined coal in East Lynn, but soon decided to go back to school to make a better living. He attended Marshall College where he obtained a bachelor's degree in elementary education then his master's degree in School Administration. He taught elementary school at Hobbs Elementary, Dunlow Elementary, Genoa Elementary and East Lynn Elementary. He then became principal at Dunlow Elementary and Genoa Elementary; and

Whereas, Lewis Glenn served in the West Virginia House of Delegates from 1961 to 1964 and was a member of West Virginia's Centennial House. One of his accomplishments included cosponsoring of the bill that made Marshall College, Marshall University. He then ran for Assessor for Wayne County and won his next six elections, serving a total of 24 years as the Assessor of Wayne County. During those years, Lewis Glenn also served as an EMT for Wayne County 911, was a member of the Odd Fellows, served as Chairman of the Board of Prestera, and was designated a Silver Leader of the Disabled American Veterans or D.A.V. On June 12, 1982, he was appointed by A. James Manchin as West Virginia's Ambassador of Humanitarianism. Lewis Glenn was an avid supporter of mental health and the working class during his entire tenure as a public servant; and

Whereas, Lewis Glenn Mills retired with over 40 years of public service in 1988 and enjoyed being with his wife Erma Ferguson Mills and family until he passed away February 11, 2010, at the age of 87, at his home on Keyser Street where he resided for nearly six decades; and

Whereas, It is fitting that an enduring memorial be established to commemorate U.S. Navy, Water Tender 3rd Class V-6 Lewis Glenn Mills 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 informally name Keyser Street, in Wayne, in Wayne County, the "U. S. Navy, Water Tender 3rd Class, V-6, Lewis Glenn Mills Memorial Boulevard"; and, be it

Further Resolved, That the Division of Highways is hereby requested to erect signs containing bold and prominent letters identifying the street as the "U. S. Navy, Water Tender 3rd Class, V-6, Lewis Glenn Mills Memorial Boulevard"; 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**Unfinished Business**

The following resolutions, coming up in regular order as unfinished business, were, in the absence of objection, considered en masse, and adopted:

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,

And,

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

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

Third Reading

Com. Sub. for S. B. 445, Modifying police and firemen's pension plans for trustees; 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. 162**), 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: Boggs, Ellington, Hamrick, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 445) passed.

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

Com. Sub. for H. B. 4077, Provide certain classes of property protections from creditor collections; 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. 163**), 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: Boggs, Ellington, Hamrick, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4077) 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. 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 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. 164**), and there were—yeas 92, nays 2, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: McGeehan and Paynter.

Absent and Not Voting: Boggs, Dean, Ellington, Hamrick, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4141) passed.

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

On this question, the yeas and nays were taken (**Roll No. 165**), 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: Paynter.

Absent and Not Voting: Boggs, Ellington, Hamrick, Westfall and Young.

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. 4141) takes effect from its passage.

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

Com. Sub. for H. B. 4242, Authorizing the Division of Labor to promulgate a legislative rule relating to Child Labor; 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. 166**), 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: J. Jeffries and Paynter.

Absent and Not Voting: Boggs, Ellington, Hamrick, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4242) passed.

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

On this question, the yeas and nays were taken (**Roll No. 167**), and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Boggs, Ellington, Graves, Hamrick, Mallow, Westfall and Young.

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. 4242) 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. 4314, Exclude Solicitor from the definition of Investment Advisor; on third reading, coming up in regular order, was read a third time.

Delegate Summers asked unanimous consent that further action on the bill be postponed one day, which consent was not given, objection being heard.

Delegate Summers then moved that further action on the bill be postponed one day.

On this motion, the yeas and nays were demanded, which demand was sustained.

Having been ordered, the yeas and nays were taken (**Roll No. 168**), and there were—yeas 77, nays 17, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Brown, Diserio, Doyle, Evans, Fleischauer, Fluharty, Garcia, Hansen, Hornbuckle, Lovejoy, McGeehan, Pethtel, Pushkin, Thompson, Walker, G. Ward and Zukoff.

Absent and Not Voting: Boggs, Ellington, Hamrick, Mallow, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the motion prevailed.

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

Delegates Martin and Steele requested to be excused from voting under the provisions of House Rule 49.

The Speaker ruled that the Delegates were members of a class of persons possibly to be affected and directed the Members to vote.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 169**), and there were—yeas 69, nays 24, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Barnhart, Burkhammer, Conley, Fast, Ferrell, Hanna, Honaker, D. Jeffries, Jennings, Keaton, D. Kelly, J. Kelly, Kessinger, Kimble, Kimes, Longanacre, Mandt, Mazzocchi, Pack, Pinson, Sypolt, B. Ward, G. Ward and Worrell.

Absent and Not Voting: Boggs, Ellington, Hamrick, Mallow, Wamsley, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4338) passed.

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 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. 170**), and there were—yeas 89, nays 4, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Fast, Howell, Martin and Mazzocchi.

Absent and Not Voting: Boggs, Diserio, Ellington, Hamrick, Mallow, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4340) 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. 4406, To establish the West Virginia Military Hall of Fame; on third reading, coming up in regular order, was reported by the Clerk.

Unanimous consent was obtained to permit amendment of the bill on third reading, and the rule was suspended to permit the offering and consideration of an amendment.

On motion of Delegate Howell, the bill was amended on page 1, section 1, line 8, after the word “for” by striking “25 years or more” and inserting in lieu thereof the words “10 years or a majority of their lives”;

On page 1, section 1, line 9, after the word “application” by inserting a comma;

And,

On page 1, section 1, line 9, after the word “DD214” by inserting the following: “and/or other supporting Department of Defense personnel records, or national or state archive records.”

There being no further amendments, and having been engrossed, the bill was then read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 171**), 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: Boggs, Ellington, Hamrick, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4406) passed.

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

In the absence of objection, **H. B. 4338**, Reducing annual permit fee for each video lottery terminal owned or leased by a limited video lottery licensee, was taken up for further consideration.

Delegate Summers moved that the bill take effect May 1, 2022.

On this question, the yeas and nays were taken (**Roll No. 172**), and there were—yeas 86, nays 9, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Conley, Fast, Jennings, Kimble, Mallow, Mandt, G. Ward and Worrell.

Absent and Not Voting: Boggs, Ellington, Hamrick, Westfall and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 4338) takes effect May 1, 2022.

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. 4430, Relating to definitions of base salary and overtime for police and firemen pensions; 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. 173**), 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: Boggs, Ellington, Hamrick, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4430) 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. 4433, Providing that retirement benefits are not subject to execution; 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. 174**), 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: Boggs, Ellington, Hamrick, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4433) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

H. B. 4433 – “A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-22-25b, relating to the protection of benefits and assets of members of a policemen’s pension and relief fund or a firemen’s pension and relief fund from execution, assignment or other process and certain taxes; and providing exceptions.”

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

H. B. 4462, Relating to Deferred Retirement Option Plan evaluations; on third reading, coming up in regular order, was, at the request of Delegate Summers, and by unanimous consent, postponed one day.

H. B. 4568, To allow phased rehabilitations of certified historic structures ; 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. 175**), 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: Fluharty and Foster.

Absent and Not Voting: Boggs, Ellington, Hamrick, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4568) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

H. B. 4568 – “A Bill to amend and reenact §11-24-23a of the Code of West Virginia, 1931, as amended, relating to tax credits for qualified rehabilitation expenditures for certified historic structures; elimination of certain limitations on and allocations of tax credits allowed against corporation net income tax and personal income tax per year and per rehabilitation of a certified historic structure; elimination of allocation of portion of limited tax credits for certified rehabilitation projects with proposed tax credits of \$500,000; authorizing phased rehabilitations of certified historic structures; authorizing tax credit certificates for completed phases of a phased rehabilitation; providing for recapture of tax credits; removing provisions providing for guarantee of tax credits; and requiring issuance of tax credit certificates based on issuance of Phase Advisory Determination in certain circumstances.”

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. 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 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. 176**), 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: Boggs, Ellington, Hamrick, Westfall and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4583) passed.

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

Second Reading

Com. Sub. for H. B. 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 second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4348, Relating to Pharmacy Technicians; 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. 4488, Relating to coal mining and changing fees for permitting actions; 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. 4559, Providing for legislative rulemaking relating to the disposition of unidentified and unclaimed remains in the possession of the Chief Medical Examiner; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Capito, the bill was amended on page 10, immediately following section 15, line 23, by inserting a new section, to read as follows:

“§61-12-16. Disposition of unidentified or unclaimed remains pursuant to legislative rule.

The Office of the Chief Medical Examiner shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code which provide for the disposition of unidentified or unclaimed remains in the possession of the Office of the Chief Medical Examiner, in a manner which does not conflict with the provisions of this article.

Further, the Office of the Chief Medical Examiner shall promulgate emergency rules pursuant to §29A-3-15 of this code providing for the disposition of unidentified or unclaimed remains in their possession, in a manner which does not conflict with the provisions of this article.”

The bill was then ordered to engrossment and third reading.

Com. Sub. for H. B. 4585, Relating to controlled substance monitoring; and removing a dispensing prohibition; 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. 4596, Relating generally to additional persons qualifying for the provisions of the Law-Enforcement Officers Safety Act; 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. 4631, Establishing a bone marrow and peripheral blood stem donation awareness program; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

And,

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

First Reading

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

Com. Sub. for H. B. 2096, Reinstating the film investment tax credit,

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,

H. B. 4019, Relating to deadlines for public charter schools,

H. B. 4264, Change name of Glenville State College to "Glenville State University",

H. B. 4566, Creating the Economic Enhancement Grant Fund,

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

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,

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

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

And,

Com. Sub. for H. B. 4644, Prohibiting the restriction, regulation, use or administration of lawn care and pest care products.

Leaves of Absence

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

Miscellaneous Business

Prior to Unfinished Business, Delegates Clark and Horst asked and obtained unanimous consent to be added as cosponsors of H. C. R. 65.

During the XII Order of Business, Delegate Mandt asked and obtained unanimous consent to be added as a cosponsor of Com. Sub. for H. B. 3223.

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

H. B. 4558: Delegate Hott;

H. B. 4636: Delegate Fast;

H. B. 4667: Delegate Fast;

H. B. 4668: Delegate Fast;

And,

H. B. 4826: Delegate Riley.

At 12:37 p.m., the House of Delegates adjourned until 11:00 a.m., Monday, February 21, 2022.

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

SPECIAL CALENDAR

Monday, February 21, 2022

41st Day

11:00 A. M.

THIRD 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)
- H. B. 4314 - Exclude Solicitor from the definition of Investment Advisor (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4348 - Relating to Pharmacy Technicians (ROHRBACH) (REGULAR)
- H. B. 4462 - Relating to Deferred Retirement Option Plan evaluations (HOUSEHOLDER) (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)

SECOND 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” (ELLINGTON) (EFFECTIVE FROM PASSAGE)
- 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)

FIRST READING

- H. B. 3082 - Stabilizing funding sources for the DEP Division of Air Quality [FINANCE COMMITTEE TITLE AMENDMENT PENDING] (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4344 - Relating to foster care (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4345 - Relating to motor vehicle registration cards by establishing electronic or mobile registration cards (STEELE) (REGULAR)
- H. B. 4391 - Relating generally to school nurses [FINANCE COMMITTEE TITLE AMENDMENT PENDING] (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4479 - Establishing the Coalfield Communities Grant Facilitation Commission (HOUSEHOLDER) (REGULAR)
- H. B. 4496 - Allowing interest and earnings on federal COVID-19 relief moneys to be retained in the funds or accounts where those moneys are invested (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 4607 - To remove opioid treatment programs from requiring a certificate of need (ROHRBACH) (REGULAR)
- Com. Sub. for H. B. 4625 - To remove Medicare or Medicaid-certified facilities from COVID-19 immunization exemption requirements (ROHRBACH) (EFFECTIVE FROM PASSAGE)

- Com. Sub. for H. B. 4636 - Clarifying when business and occupation taxes owed to a city or municipality are considered to be remitted on time (CAPITO) (REGULAR)
- H. B. 4643 - Exempting certain health services from certificate of need (ROHRBACH) (REGULAR)
- Com. Sub. for H. B. 4667 - Prohibition on county, city, or municipality restrictions on advanced air mobility aircraft (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4668 - Relating to air bag fraud (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4691 - Provide a 45 day waiting period before a water and sewer rate increase may go into effect for any locally rate regulated municipality (STEELE) (REGULAR)
- Com. Sub. for H. B. 4742 - To provide for the full restoration of the Holly Grove Mansion (STEELE) (REGULAR)
- H. B. 4758 - Relating to developing and maintaining a database to track reclamation liabilities in the West Virginia Department of Environmental Protection Special Reclamation Program (ANDERSON) (REGULAR)
- H. B. 4761 - Authorizing the Secretary of the Department of Health and Human Resources to develop a submission procedures manual and adopt the same as a procedural rule (ROHRBACH) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 4768 - Relating to change hearing location and customer notice provisions (STEELE) (REGULAR)
- H. B. 4769 - Eliminate the requirement to send recommended decisions by certified mail (STEELE) (REGULAR)
- Com. Sub. for H. B. 4785 - Relating to judicial vacancies (CAPITO) (REGULAR)
- Com. Sub. for H. B. 4797 - To create an EV Infrastructure Deployment Plan for West Virginia that describes how our state intends to use its share of NEVI Formula Program funds (STEELE) (REGULAR)

HOUSE CALENDAR

Monday, February 21, 2022

41st 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**

MONDAY, FEBRUARY 21, 2022

HOUSE CONVENES AT 11:00 A.M.

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

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

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

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

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