

West Virginia Legislature

JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Sixth Legislature  
First Regular Session

Held at Charleston  
Published by the Clerk of the House



January 30, 2023  
TWENTIETH DAY



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Monday, January 30, 2023

**TWENTIETH DAY**

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

The House of Delegates came to order with the Honorable Roger Hanshaw, Speaker, presiding.

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

The Clerk proceeded to read the Journal of Friday, January 27, 2023, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Committee Reports**

Delegate Worrell, Chair of the Committee on Workforce Development, submitted the following report, which was received:

Your Committee on Workforce Development has had under consideration:

**H. B. 2779**, To make those who fail drug test ineligible for unemployment,

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. 2779) was referred to the Committee on the Judiciary.

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

Your Committee on Jails and Prisons has had under consideration:

**H. B. 2879**, To provide a pay increase to state correctional workers in West Virginia,

And,

**S. B. 141**, Adding Division of Corrections and Rehabilitation employees working at certain institutions to WV Emergency Responders Survivor Benefits Act,

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. 2879 and S. B. 141) were each referred to the Committee on Finance.

Delegate Mazzocchi, Chair of the Committee on Senior, Children, and Family Issues, submitted the following report, which was received:

Your Committee on Senior, Children, and Family Issues has had under consideration:

**H. B. 2538**, Relating to foster care,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2538) was referred to the Committee on Health and Human Resources.

**Messages from the Executive  
and other Communications**

The Clerk announced that the following amended report of the activities of the Legislative Rule-Making Review Committee had been submitted:

West Virginia Legislature  
Legislative Rule-Making Review Committee  
State Capitol  
Charleston, West Virginia 25305

January 30, 2023

West Virginia Legislature  
State Capitol  
Charleston, West Virginia

Ladies and Gentlemen:

In accordance with the provisions of West Virginia Code, §29A-3-12, as chairpersons of the Legislative Rule-Making Review Committee we submit this report of its activities. A bill, in the form approved by the Committee, authorizing each of the proposed legislative rules below as submitted, as modified, as modified and amended, or as amended have been drafted by staff of the Legislative Rule-Making Review Committee pursuant to West Virginia Code §29A-3-11.

**The Committee submits the following proposed rules to the Legislature with the recommendation that the proposed rules be authorized for promulgation by the respective agencies as submitted:**

Accountancy, Board of  
Board Rules and Rules of Professional Conduct, 1 CSR 01

Administration, WV Department of  
Purchasing, 148 CSR 01

Auditor, Office of the State  
Standards for Voluntary Payroll Deductions, 155 CSR 03

Crime, Delinquency, and Correction  
Protocol for Law Enforcement Response to Domestic Violence, 149 CSR 03

## DEP - Air Quality

Standards of Performance for New Stationery Sources, 45 CSR 16

## DEP - Air Quality

Emission Standards for Hazardous Air Pollutants, 45 CSR 34

## DEP - Secretary's Office

Reclamation of Solar and Wind Electricity Generation Facilities, 60 CSR 11

## DEP - Water and Waste Management

Recycling Assistance Grant Program, 33 CSR 10

## Fire Commission, WV State

Certification of Home Inspectors, 87 CSR 05

## Health and Human Resources, WV Department of

Medical Cannabis Program - Grower/Processors, 64 CSR 110

## Health and Human Resources, WV Department of

Medical Cannabis Program - Dispensaries, 64 CSR 112

## Health and Human Resources, WV Department of

Financial Disclosure Rule, 65 CSR 13

## Health and Human Resources, WV Department of

Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in West Virginia, 78 CSR 03

## Health and Human Resources, WV Department of

Family Child Care Facility Licensing, 78 CSR 18

## Health and Human Resources, WV Department of

Goals for Foster Children, 78 CSR 25

## Health and Human Resources, WV Department of

Deemed Head Start Child Care Center Licenses, 78 CSR 28

## Highways, WV Division of

Construction and Reconstruction of State Roads, 157 CSR 03

## Insurance Commission, WV

Suitability in Annuity Transactions, 114 CSR 11B

## Labor, WV Division of

Supervision of Plumbing Work, 42 CSR 32

## Lottery Commission, WV

West Virginia Lottery Sports Wagering Rule, 179 CSR 09

Medicine, WV Board of

Licensing of Physicians and Podiatric Physicians and Disciplinary Procedures for Applicants, Licensees, Credential Holders, 11 CSR 01A

Medicine, WV Board of

Licensure, Practice Requirements, Disciplinary and Complaint Procedures, Continuing Education, Physician Assistants, 11 CSR 01B

Medicine, WV Board of

Collaborative Pharmacy Practice, 11 CSR 08

Medicine, WV Board of

Prohibiting Sexual Misconduct by Health Care Practitioners, 11 CSR 16

Motor Vehicles, WV Division of

Administrative Due Process, 91 CSR 01

Natural Resources, WV Division of

Special Motorboating Regulations, 58 CSR 27

Osteopathic Medicine, WV Board of

Osteopathic Physician Assistants, 24 CSR 02

Psychologists, WV Board of

Code of Conduct, 17 CSR 06

Registered Professional Nurses, WV Board of Examiners for

Requirements for Registration and Licensure and Conduct Constituting Professional Misconduct, 19 CSR 03

Registered Professional Nurses, WV Board of Examiners for

Telehealth Practice; Requirements; Definitions., 19 CSR 16

Tax Department, WV State

Farm-To-Food Bank Tax Credit, 110 CSR 13DD

Tax Department, WV State

Property Transfer Tax, 110 CSR 22

Tax Department, WV State

Personnel Rule for the Tax Division, 110 CSR 42

**The Committee submits to the Legislature the following proposed rules which were modified by the agency in accordance with the provisions of West Virginia Code, §29A-3-14, and which were approved by the Committee with the modifications with the recommendation that the proposed rules be authorized for adoption by the respective agencies as modified:**

Acupuncture, WV Board of

Advertising by Licensed Acupuncturists, 32 CSR 05

- Acupuncture, WV Board of  
Standards of Practice of Acupuncture by Licensed Acupuncturists, 32 CSR 06
- Acupuncture, WV Board of  
Continuing Education Requirements, 32 CSR 09
- Agriculture, WV Department of  
WV Apiary Law, 61 CSR 02
- Agriculture, WV Department of  
Schedule for Charges for Inspection Services: Fruit, 61 CSR 08B
- Agriculture, WV Department of  
Rules Dealing With Noxious Weeds, 61 CSR 14A
- Agriculture, WV Department of  
Grade A Pasteurized Milk, 61 CSR 15
- Agriculture, WV Department of  
Inspection of Nontraditional Domesticated Animals, 61 CSR 23D
- Agriculture, WV Department of  
Hemp Products, 61 CSR 30
- Agriculture, WV Department of  
Livestock Care Standards, 61 CSR 31
- Agriculture, WV Department of  
Farm-To-Food Bank Tax Credit, 61 CSR 36
- Agriculture, WV Department of  
Farmers Market, 61 CSR 38
- Athletic Commission, WV State  
Regulation of Boxing, 177 CSR 01
- Athletic Commission, WV State  
Regulation of Mixed Martial Arts, 177 CSR 02
- Conservation Agency, WV  
Operation of West Virginia State Conservation Committee and Conservation Districts, 63 CSR 01
- Conservation Agency, WV  
Conservation District Accounting and Auditing Standards, 63 CSR 04
- Dental Examiners, WV Board of  
Dental Recovery Networks, 5 CSR 15
- DEP - Air Quality  
Control of Ozone Season Nitrogen Oxides Emissions, 45 CSR 40
- DEP - Mining and Reclamation  
Rules For Quarrying and Reclamation, 38 CSR 03

## DEP - Water and Waste Management

Reclamation of Abandoned and Dilapidated Properties Grant Program, 33 CSR 13

## Development Office, WV

Small Business Innovation Research and Small Business Technology Transfer Matching Funds Program, 145 CSR 15

## Division of Financial Institutions

Rule Pertaining to Money Transmission Services, 106 CSR 23

## Emergency Management

National Flood Insurance Program, 170 CSR 07

## Fire Commission, WV State

Hazardous Substance Emergency Response Training Programs, 87 CSR 03

## Fire Commission, WV State

Volunteer Firefighters' Training, Equipment, and Operating Standards, 87 CSR 08

## Fire Marshal, WV State

Certification of Electrical Inspectors, 103 CSR 01

## Fire Marshal, WV State

Supervision of Fire Protection Work, 103 CSR 03

## Fire Marshal, WV State

Electrician Licensing Rules, 103 CSR 05

## Fire Marshal, WV State

Certification of Home Inspectors, 103 CSR 07

## Funeral Service Examiners, WV Board of

Funeral Director, Embalmer, Apprentice, Courtesy Card Holders and Funeral Establishment Requirements, 6 CSR 01

## Funeral Service Examiners, WV Board of

Crematory Requirements, 6 CSR 02

## Funeral Service Examiners, WV Board of

Fee Schedule, 6 CSR 07

## Health and Human Resources, WV Department of

Procedures Pertaining to the Dangerousness Assessment Advisory Board, 64 CSR 26

## Health and Human Resources, WV Department of

Standards for Local Boards of Health, 64 CSR 73

## Health and Human Resources, WV Department of

Medical Examiner Requirements for Postmortem Inquiries, 64 CSR 84

## Health and Human Resources, WV Department of

Methodologies to Examine Needs for Substance Use Disorder Treatment Facilities Within the State, 69 CSR 13



Health and Human Resources, WV Department of  
Core Behavioral Health Crisis Services System, 69 CSR 19

Health and Human Resources, WV Department of  
Child Care Centers Licensing, 78 CSR 01

Health and Human Resources, WV Department of  
Family Child Care Home Registration, 78 CSR 19

Health and Human Resources, WV Department of  
Informal and Relative Family Child Care Home Registration, 78 CSR 20

Health and Human Resources, WV Department of  
Out Of School Time Child Care Center Licensing, 78 CSR 21

Health Care Authority, WV  
Uniform Bill Database, 65 CSR 34

Highways, WV Division of  
Disposal, Lease and Management of Real Property and Appurtenant Structures and  
Relocation Assistance, 157 CSR 02

Insurance Commission, WV  
Pharmacy Auditing Entities and Pharmacy Benefit Managers, 114 CSR 99

Labor, WV Division of  
Board of Manufactured Housing Construction and Safety Rule, 42 CSR 19

Labor, WV Division of  
Regulation of HVAC Work, 42 CSR 34

Labor, WV Division of  
Registration of Service Persons and Service Agencies, 42 CSR 35

Labor, WV Division of  
Registration of Weighing and Measuring Devices Used by Businesses in Commercial  
Transactions, 42 CSR 36

Landscape Architects, Board of  
Registration of Landscape Architects, 9 CSR 01

Motor Vehicles, WV Division of  
Examination and Issuance of Driver's License, 91 CSR 04

Motor Vehicles, WV Division of  
Denial, Suspension, Revocation, Disqualification, Restriction, Non-Renewal, Cancellation,  
Administrative Appeals and Reinstatement of Driving Privilege's, 91 CSR 05

Optometry, WV Board of  
Optometric Telehealth Practice, 14 CSR 12

Pharmacy, WV Board of  
Licensure and Practice of Pharmacy, 15 CSR 01

Pharmacy, WV Board of  
Rule of the Board of Pharmacy for the Uniform Controlled Substances Act, 15 CSR 02

Pharmacy, WV Board of  
Board of Pharmacy Rules for Registration of Pharmacy Technicians, 15 CSR 07

Pharmacy, WV Board of  
Regulations Governing Pharmacy Permits, 15 CSR 15

Pharmacy, WV Board of  
West Virginia Board of Pharmacy Inspections, 15 CSR 19

Pharmacy, WV Board of  
Donated Drug Repository Program, 15 CSR 20

Registered Professional Nurses, WV Board of Examiners for  
Advanced Practice Registered Nurse Licensure Requirements, 19 CSR 07

Registered Professional Nurses, WV Board of Examiners for  
Limited Prescriptive Authority for Nurses in Advanced Practice, 19 CSR 08

Registered Professional Nurses, WV Board of Examiners for  
Continuing Education and Competence, 19 CSR 11

Registered Professional Nurses, WV Board of Examiners for  
Fees for Services Rendered by the Board, 19 CSR 12

Registered Professional Nurses, WV Board of Examiners for  
Practitioner Requirements for Accessing the West Virginia Controlled Substances Monitoring,  
19 CSR 14

Secretary of State  
Early Voting In-Person Satellite Precincts, 153 CSR 13

Secretary of State  
Combined Voter Registration and Driver Licensing Fund, 153 CSR 25

Secretary of State  
Administrative Procedures for the Nonpublic Funding for Election Administration Fund, 153  
CSR 54

State Police, WV  
West Virginia State Police Professional Standards Investigations, 81 CSR 10

Tax Department, WV State  
Valuation of Producing and Reserve Oil, Natural Gas Liquids, and Natural Gas for Ad Valorem  
Property Tax Purposes, 110 CSR 01J

Tax Department, WV State  
West Virginia Film Industry Investment Act, 110 CSR 13X

Tax Department, WV State  
Municipal Sales and Use Tax Administration, 110 CSR 28

Treasurer's Office, WV State  
Enforcement of the Uniform Unclaimed Property Act, 112 CSR 05

Treasurer's Office, WV State  
Hope Scholarship Program, 112 CSR 18

Treasurer's Office, WV State  
Jumpstart Savings Program, 112 CSR 20

**The Committee submits the following legislative rule which was approved by the Committee in accordance with the provisions of West Virginia Code, §29A-3-11, with the recommendation that the proposed rule be authorized for the promulgation by the respective agency as modified with amendments:**

DEP - Air Quality  
Requirements for Operating Permits, 45 CSR 30

Insurance Commission, WV  
Bail Bondsmen in Criminal Cases, 114 CSR 103

Natural Resources, WV Division of  
Hunting, Fishing, and Other Outfitters and Guides, 58 CSR 11

Natural Resources, WV Division of  
Miscellaneous Permits and Licenses, 58 CSR 64

**The Committee submits the following legislative rule which was approved by the Committee in accordance with the provisions of West Virginia Code, §29A-3-11, with the recommendation that the proposed rule be authorized for the promulgation by the respective agency with amendments:**

Administration, WV Department of  
Parking, 148 CSR 06

Natural Resources, WV Division of  
Commercial Whitewater Outfitters, 58 CSR 12

**The Committee submits the following legislative rule which was approved by the Committee in accordance with the provisions of West Virginia Code, §29A-3-11, with the recommendation that the proposed rule be authorized for the promulgation by the respective agency as disapproved:**

Secretary of DHHR and Insurance Commissioner  
All Payers Claim Database, 114A CSR 03

### 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. 202** - "A Bill to amend and reenact §20-1-16 of the Code of West Virginia, 1931, as amended, relating to increasing the term of members of the Natural Resources Commission from four to seven years"; which was referred to the Committee on Agriculture and Natural Resources then Government Organization.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect January 1, 2024, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 254** - "A Bill to amend and reenact §17A-3-2 of the Code of West Virginia, 1931, as amended; to amend and reenact §17A-6-10d of said code; to amend and reenact §17A-10-3a of said code; and to amend and reenact §17C-16-4, §17C-16-5, and §17C-16-6 of said code, all relating to changing the interval of annual mandatory inspections of motor vehicles, trailers, semitrailers, pole trailers, antique motor vehicles, and motorcycles to inspections every two years; doubling the charge for inspection stickers; and increasing the maximum fee for an inspection to \$19 to account for inflation"; which was referred to the Committee on Technology and Infrastructure then Finance.

A message from the Senate, by

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

**S. B. 276** - "A Bill to amend and reenact §15A-10-25 of the Code of West Virginia, 1931, as amended, relating to awarding the service weapon of a retiring State Fire Marshal, any full-time deputy fire marshal or any full-time assistant fire marshal employed by the State Fire Marshal to the retiree without charge when the retiring member honorably retires with at least 10 years of service or with less than 10 years of service based upon determination that the retiring employee is totally physically disabled as a result of service with the State Fire Marshal; prohibiting the award of a service weapon to a retiring employee whom the State Fire Marshal knows is prohibited from possessing a firearm, is mentally incapacitated, or a danger to any person or the community; authorizing the sale of service weapons that are taken out of service due to routine wear to any active or retired State Fire Marshal; providing that proceeds from the sales be used to offset the cost of new service weapons; and exempting the sale from the requirements of the Purchasing Division"; 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. 292** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §35-1A-1, §35-1A-2, §35-1A-3, §35-1A-4, and §35-1A-5, all relating to creating the Health Care Sharing Ministries Freedom to Share Act; exempting health care sharing ministries from the state's insurance laws; providing definitions; providing that membership in a health care sharing ministry satisfies a requirement to have health care insurance by a public institution of higher education; and providing that a health care sharing

ministry is not a third-party payor”; which was referred to the Committee on Banking and Insurance then Health and Human Resources then 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. 298** - “A Bill to amend and reenact §15-5-9 of the Code of West Virginia, 1931, as amended, relating to clarifying that mutual aid agreements can be entered into by local emergency services or organizations for reciprocal aid in bordering counties of other states for day-to-day support for fire and emergency medical service calls”; which was referred to the Committee on Veterans’ Affairs and Homeland Security then the Judiciary.

A message from the Senate, by

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

**S. B. 510** - “A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the State Board of Education – State Department of Education, fund 0313, fiscal year 2023, organization 0402, by supplementing and amending the appropriations for the fiscal year ending June 30, 2023”; which was referred to the Committee on Finance.

### Resolutions Introduced

The following resolutions were introduced and severally referred as follows:

**By Delegate Longanacre:**

**H. R. 9** – “Requesting United States Senator Joe Manchin, III and United States Senator Shelley Moore Capito to not support any infringement-not even the slightest-upon the Second Amendment to the Constitution of the United States, including ‘Red Flag Laws’ of any kind”; to the Committee on Rules.

And,

**By Delegates Ross, Lucas, Householder, Dillon, Dean, Worrell, Linville, Cannon, Chiarelli, Rohrbach and Warner:**

**H. R. 10** – “Urging that the Commissioner of Highways designate the completion of US 52 from Kenova, West Virginia, to Prichard, West Virginia, to be a high priority project”; to the Committee on Technology and Infrastructure then Rules.

**By Delegates Hanshaw (Mr. Speaker), Anderson, Brooks, Cannon, Chiarelli, Ellington, Foster, Garcia, Gearheart, A. Hall, Hornbuckle, Hott, Householder, Linville, Lucas, McGeehan, Phillips, Riley, Rohrbach, Smith, Statler, Steele, Storch, Street, Thorne, Vance, Warner, Westfall, Worrell, Young, and Zatezalo:**

**H. C. R. 11** – “Higher Education Consortium for Emerging Energy Technologies”; to the Committee on Rules.

**By Delegates Heckert, Criss, Zatezalo, Mallow, Crouse, Sheedy, Chiarelli, Devault, Warner, Fehrenbacher and W. Hall:**

**H. C. R. 12** – “Requesting that the Division of Highways place roadway welcome signs containing the phrase ‘West Virginia a Purple Heart State’ on highways at the entrance to West Virginia”; to the Committee on Technology and Infrastructure then Rules

**By Delegates Chiarelli, Devault, Warner, Householder, Sheedy, Horst, Mallow, Street, C. Pritt, Hillenbrand and Brooks:**

**H. C. R. 13** – “Designating the second week of February as ‘Boy Scouts of America Week’ in West Virginia”; to the Committee on Rules

On motion for leave, a Joint Resolution was introduced and referred as follows:

**By Delegate Young:**

**H. J. R. 22** – “Proposing an amendment to the Constitution of the State of West Virginia by amending section thirteen, article VI thereof, relating to eligibility to a seat in the Legislature and providing a summarized statement of the purpose of such proposed amendment”; to the Committee on the Judiciary.

### **Bills Introduced**

On motions for leave, bills were introduced and severally referred as follows:

**By Delegate Smith:**

**H. B. 3123** - “A Bill to amend and reenact §64-9-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Treasurer’s Office to promulgate a legislative rule relating to Hope Scholarship Program”; to the Committee on the Judiciary.

**By Delegates Capito, Vance, A. Hall, Gearheart, Smith, Ellington, Steele, Cooper, Kirby, Toney and Dean:**

**H. B. 3130** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2N-1, §5B-2N-2, §5B-2N-3, §5B-2N-4, §5B-2N-5, and §5B-2N-6, relating to creating the West Virginia Coalfields Energy Research and Economic Development Authority; establishing purpose; setting membership of authority; creating powers and duties of authority; exempting authority from taxation; defining terms; mandating reporting; and providing confidentiality for certain information”; to the Committee on Energy and Manufacturing then Government Organization.

**By Delegate Hillenbrand:**

**H. B. 3131** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §47-10-6b, relating to updating the definition for how gasoline may be marketed and sold”; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegates Ridenour, Foster, Kirby, Steele, Kimble, Honaker, Hillenbrand, Martin, Phillips, Kump and Zatezalo:**

**H. B. 3132** - “A Bill to amend and reenact §61-5A-9 of the Code of West Virginia, 1931, as amended, relating to increasing the penalties for bribery and corrupt practices; and disqualification to hold office”; to the Committee on the Judiciary.

**By Delegates Barnhart, Ferrell and Reynolds:**

**H. B. 3133** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13MM-1, §11-13MM-2, §11-13MM-3, §11-13MM-4, §11-13MM-5, §11-13MM-6, §11-13MM-7, §11-13MM-8, §11-13MM-9, §11-13MM-10, and §11-13MM-11, all relating to establishing a road or highway infrastructure improvement projects or coal production and processing facilities tax credit for taxpayers subject to the tax imposed by West Virginia code §11-13a-3; specifying a short title; specifying legislative findings and purpose for new credit; defining terms; specifying the amount of the credit, application of credit, and carry forward of unused credit; requiring filing of application for road or highway infrastructure improvement project credit as condition precedent to claiming credit, specifying procedure for application for certification, contents of application and limitation on maximum amount of credits which can be approved; specifying computation of qualified investment in coal production and processing facilities; allowing transfer of credits to successors; providing for forfeiture of unused tax credits and redetermination of credit allowed; providing penalties for failure to maintain records of qualified property; and establishing an effective date"; to the Committee on Technology and Infrastructure then Finance.

**By Delegates Barnhart, Anderson, Jennings, Dittman, Kelly and Miller:**

**H. B. 3134** - "A Bill to amend and reenact §8-16-5 of the Code of West Virginia, 1931, as amended, relating to raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal public works projects"; to the Committee on Political Subdivisions then Finance.

**By Delegates Westfall and Riley:**

**H. B. 3135** - "A Bill to amend and reenact §6-7-2 of the Code of West Virginia, 1931, as amended, relating to increasing compensation of designated constitutional officers, including for the Governor, Attorney General, Auditor, Secretary of State, Commissioner of Agriculture, and State Treasurer"; to the Committee on Finance.

**By Delegates Westfall, Honaker, Householder, Espinosa, Hardy, Riley, Clark, Hite, Martin and Storch:**

**H. B. 3136** - "A Bill to amend and reenact §11-16-6a of the Code of West Virginia, 1931, as amended, relating to brewer and resident brewer licenses; providing that a licensed brewer or resident brewer may not produce more than 50,000 barrels per calendar year at a brewer or resident brewer's principle place of business and manufacture; clarifying that a licensed brewer or resident brewer may have multiple locations; and providing that licensed brewers and resident brewers may enter into contract brewing services agreements with another licensed brewer or resident brewer for purposes of sharing equipment or facilities as part of the manufacture of nonintoxicating beer or nonintoxicating craft beer"; to the Committee on Government Organization then the Judiciary.

**By Delegates Ridenour, Steele, Foster, Kirby, Kimble, Honaker, Warner, Martin, Phillips, Kump and Zatezalo:**

**H. B. 3137** - "A Bill to amend and reenact §61-14-1 and §61-14-7 of the Code of West Virginia, 1931, as amended, all relating to human trafficking, adding a definition for 'illegal alien'; general provisions and penalties; and providing that illegal aliens are not eligible for restitution"; to the Committee on the Judiciary.

**By Delegate C. Pritt:**

**H. B. 3138** - "A Bill to amend and reenact §50-1-9 of the Code of West Virginia, 1931, as amended, relating to permitting magistrate assistants to assess and process fines for basic charges"; to the Committee on the Judiciary.

**By Delegate C. Pritt:**

**H. B. 3139** - "A Bill to amend and reenact §48-9-401 of the Code of West Virginia, 1931, as amended, relating to modifications of a parenting plan order for substance abuse"; to the Committee on Senior, Children, and Family Issues then the Judiciary.

**By Delegate C. Pritt:**

**H. B. 3140** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §12-4-18, relating to empowering the Treasurer to invest in gold and silver"; to the Committee on Banking and Insurance then Finance.

**By Delegates Summers and Tully:**

**H. B. 3141** - "A Bill to amend and reenact §30-4-3 and §30-4-8a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §30-4-25; all relating to the practice of dentistry; providing for updated definitions; modifying the requirements of dental specialists; and specifying duties during declared public health emergencies"; to the Committee on Health and Human Resources.

**By Delegate C. Pritt:**

**H. B. 3142** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §51-2A-25, all relating to the ability of family courts to order services provided by the Department of Health and Human Resources; and the costs for those services remain expenses of the department"; to the Committee on the Judiciary.

**By Delegates C. Pritt and Kimble:**

**H. B. 3143** - "A Bill to amend and reenact §5A-1-3 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-3-4 of said code; and to amend said code by adding thereto a new section, designated §18B-1-12, all relating to exemptions from mandated immunizations for religious reasons"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates C. Pritt and Kimble:**

**H. B. 3144** - "A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended, relating to prohibiting mandatory vaccinations for school children"; to the Committee on Education then the Judiciary.

**By Delegates Storch, Howell, Clark and Linville:**

**H. B. 3145** - "A Bill to amend and reenact §29-1A-2 of the Code of West Virginia, 1931, as amended, relating to recognizing the Commission on Uniform State Laws as a deemed presumptive provider of continuing education and session attendance at its annual meeting shall be deemed continuing education credit for commissioners"; to the Committee on the Judiciary.

**By Delegates Storch, Howell, Clark and Linville:**

**H. B. 3146** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto the following new article, designated as §6-9C-1, §6-9C-2, §6-9C-3, §6-9C-4, §6-9C-5, §6-9C-6, §6-9C-7, §6-9C-8, and §6-9C-9, and §6-9C-10, all relating to adopting the Model Public Meetings During Emergencies Act; setting forth short title; defining terms; providing for virtual meetings; providing mechanism for authorization of virtual meetings; setting forth rules for, and conduct of virtual meetings; providing for public observation of, and public participation in, virtual meetings; providing for notice of virtual meetings; providing for rules governing same and exceptions; providing for procedural rules governing conduct of same; and establishing relation to the Electronic Signatures in Global and National Commerce Act"; to the Committee on the Judiciary.



**By Delegates Storch, Howell and Clark:**

**H. B. 3147** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-17B-1, §20-17B-2, §20-17B-3, §20-17B-4, and §20-17B-5, all relating to the creation of the Upper Ohio Valley Trail Network Recreation Authority; providing for legislative findings and purpose; providing for the continuation of the Upper Ohio Valley Trail Network Recreation Authority and the establishment of the recreation area; providing recreational purposes; providing for a governing body and expenses; and providing for protection for private landowners"; to the Committee on Economic Development and Tourism.

**By Delegates Storch, Marple, Anderson, E. Pritt and C. Pritt:**

**H. B. 3148** - "A Bill to amend and reenact §8-22-20 of the Code of West Virginia, 1931, as amended, all relating to prohibiting municipalities from using the conservation method of financing for their municipal policemen's and firemen's pension and relief funds; and providing that a municipality may convert to either the optional method or optional II method of financing"; to the Committee on Pensions and Retirement then Finance.

**By Delegates Storch, Howell and Clark:**

**H. B. 3149** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §56-13-1, §56-13-2, §56-13-3, §56-13-4, §56-13-5, §56-13-6, §56-13-7, §56-13-8, §56-13-9, §56-13-10, §56-13-11, §56-13-12, §56-13-13, §56-13-14, §56-13-15, §56-13-16, §56-13-17, §56-13-18, §56-13-19, §56-13-20, §56-13-21, §56-13-22, §56-13-23, and §56-13-24, all relating to adopting the uniform collaborative law act; setting forth short title; defining terms; clarifying applicability; setting forth requirements for a collaborative law participation agreement; defining the beginning and concluding of the collaborative law process; providing for stay of pending proceedings; providing guidance for emergency protective orders; providing for approval of agreement by tribunal; disqualification of collaborative lawyer and lawyers in associated law firm; setting forth standards concerning low-income parties; setting forth standards concerning a governmental entity as party; setting forth standards concerning disclosure of information; providing that standards of professional responsibility and mandatory reporting not affected; defining the appropriateness of collaborative law process; providing special standards concerning a coercive or violent relationship; providing for the confidentiality of collaborative law communication; enumerating a privilege against disclosure for collaborative law communication and for its admissibility and discovery of the same; providing for a waiver and preclusion of this privilege; defining the limits of this privilege; setting the authority of a tribunal in case of noncompliance; providing for uniformity of application and construction; establishing relation to the electronic signatures in global and national commerce act; and setting effective date"; to the Committee on the Judiciary.

**By Delegate C. Pritt:**

**H. B. 3150** - "A Bill to amend and reenact §52-1-11 of the Code of West Virginia, 1931, as amended, relating to permitting business owners to have the ability to be excused from jury duty service"; to the Committee on the Judiciary.

**By Delegates Kelly, Jennings, Kimble, Worrell, Honaker, Shamblin, Garcia, Westfall and Hott:**

**H. B. 3151** - "A Bill to amend and reenact §15-10-4 of the Code of West Virginia, 1931, as amended, relating to assisting any law enforcement officer in an emergency at the request of a responding officer; and allowing officers to perform police functions out of jurisdiction on request in emergency circumstances"; to the Committee on Veterans' Affairs and Homeland Security then the Judiciary.

**By Delegates Kelly, Honaker, Worrell and Hott:**

**H. B. 3152** - "A Bill to amend and reenact §17C-5-4, §17C-5-5, §17C-5-6a, §17C-5-8, and §17C-5-10 of the Code of West Virginia, 1931, as amended, all relating to driving under the influence; making the West Virginia State Police Forensic Laboratory the certifying entity for secondary chemical tests, method and administration of secondary chemical tests, and approval of preliminary breath analysis devices and use; eliminating rule-making authority of the Bureau of Public Health; providing rule-making authority for the State Police; correcting blood alcohol levels related to juveniles; removing propoxyphene from the list of substances tested for in a chemical analysis of blood; eliminating outdated references to urine collection and analysis; and making technical corrections"; to the Committee on Veterans' Affairs and Homeland Security then the Judiciary.

**By Delegates Jennings, Mallow, Hillenbrand and Warner:**

**H. B. 3153** - "A Bill to amend and reenact §29-3E-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §33-3-14d and §33-3-33 of said code; and to amend and reenact §33-12C-7 of said code, all relating to distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments and emergency medical services providers; defining terms; providing method of allocation and distribution for proceeds of fireworks safety fee deposited in Fire Protection Fund; eliminating obsolete language; increasing surcharge on fire and casualty policies; providing method of allocation of policy surcharge; requiring the State Fire Marshal provide certain information to the State Treasurer; increasing tax on surplus lines policies; providing method of allocation of surplus lines policy tax; and clarifying requirements for distribution of funds in Fire Protection Fund"; to the Committee on Fire Departments and Emergency Medical Services then Finance.

**By Delegates Walker, Rowe and Hansen:**

**H. B. 3154** - "A Bill to amend and reenact §21-5C-2 of the Code of West Virginia, 1931, as amended, relating to increasing the minimum wage to \$10 per hour"; to the Committee on Workforce Development then Economic Development and Tourism.

**By Delegates Walker and E. Pritt:**

**H. B. 3155** - "A Bill to amend and reenact §18B-4-9 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18C-9-5, all relating to encouraging veterans of the Armed Forces of the United States to attend institutions of higher education using the WV Invests Grant; and clarifying the residency requirement for eligibility"; to the Committee on Education then Finance.

**By Delegates Steele, Nestor, Fast, Kirby, Riley, C. Pritt, Hanna, Holstein, Dean, Shamblin and Householder:**

**H. B. 3156** - "A Bill to amend and reenact §29-21-13a of the Code of West Virginia, 1931, as amended, by raising the compensation rates of panel attorneys; raise the compensation rates for investigators; and for dismissed or not guilty charge expungement only, providing the panel attorney to continue providing representation after the dismissal to achieve the expungement"; to the Committee on the Judiciary then Finance.

**By Delegates Jennings, Smith, Ridenour, Phillips, Honaker, McGeehan, Butler, Hillenbrand and Hanshaw (Mr. Speaker):**

**H. B. 3157** - "A Bill to amend and reenact §15A-12-1, §15A-12-2, §15A-12-3, §15A-12-4, §15A-12-5 and §15A-12-7 of the Code of West Virginia, 1931, as amended, all generally relating to clarifying security clearance and/or non-disclosure agreement requirements, the duties, functions, reporting requirements, prohibitions and restrictions applicable to the West Virginia

Fusion Center and to add certain criminal penalties for violations of prohibitions and restrictions applicable to the West Virginia Fusion Center”; to the Committee on Veterans’ Affairs and Homeland Security then the Judiciary.

**By Delegates Ferrell, Jeffries, Phillips, Honaker, Fehrenbacher, Barnhart, Storch, Rohrbach, Heckert, Foggin and Worrell:**

**H. B. 3158** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-6-26, relating to unlawful panhandling and solicitation; exempting fire departments; and providing misdemeanor penalties”; to the Committee on the Judiciary.

**By Delegate Young:**

**H. B. 3159** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-20-1, relating to providing Covid-19 supplemental sick leave; defining terms; and establishing entitlement to Covid-19 supplemental sick leave”; to the Committee on Finance.

### **Special Calendar**

#### **Second Reading**

**Com. Sub. for S. B. 83**, Authorizing tactical medical professionals to carry firearms; on second reading, coming up in regular order, was read a second time.

An amendment was recommended by the Committee on Government Organization, and adopted, on page one, by striking everything after the enacting clause and inserting in lieu thereof the following:

#### **“ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.**

##### **§30-29-3. Duties of the subcommittee.**

(a) The subcommittee shall, by or pursuant to rules proposed for legislative approval in accordance with §29A-3-1 *et seq.* of this code:

(1) Provide funding for the establishment and support of law-enforcement training academies in the state;

(2) Establish standards governing the establishment and operation of the law-enforcement training academies, including regional locations throughout the state, in order to provide access to each law-enforcement agency in the state in accordance with available funds;

(3) Establish minimum law-enforcement instructor qualifications;

(4) Certify qualified law-enforcement instructors;

(5) Maintain a list of approved law-enforcement instructors;

(6) Promulgate standards governing the training, firearms qualification, and initial and ongoing professional certification of law-enforcement officers and the entry-level, law-enforcement training curricula. These standards shall require satisfactory completion of a minimum of 800 classroom

hours as promulgated by legislative rule and shall provide that the required classroom hours shall be accumulated on the basis of a full-time curricula;

(7) Establish standards governing in-service, law-enforcement officer training curricula and in-service supervisory level training curricula;

(8) Certify organized criminal enterprise investigation techniques with a qualified anti-racial profiling training course or module;

(9) Establish standards governing mandatory training to effectively investigate organized criminal enterprises as defined in §61-13-1 *et seq.* of this code while preventing racial profiling, as defined in §30-29-10 of this code, for entry-level training curricula and for law-enforcement officers who have not received such training as certified by the subcommittee as required in this section;

(10) Establish procedures for implementation of a course in investigation of organized criminal enterprises which includes an anti-racial training module to be available on the Internet or otherwise to all law-enforcement officers. The procedures shall include the frequency with which a law-enforcement officer shall receive training in investigation of organized criminal enterprises and anti-racial profiling and a time frame for which all law-enforcement officers must receive such training: *Provided*, That all law-enforcement officers in this state shall receive such training no later than July 1, 2012. In order to implement and carry out the intent of this section, the subcommittee may promulgate emergency rules pursuant to §29A-3-15 of this code;

(11) Certify or decertify or reactivate law-enforcement officers, as provided in §30-29-5 and §30-29-11 of this code;

(12) Establish standards and procedures for the reporting of complaints and certain disciplinary matters concerning law-enforcement officers and for reviewing the certification of law-enforcement officers. These standards and procedures shall provide for preservation of records and access to records by law-enforcement agencies and conditions as to how the information in those records is to be used regarding an officer's law-enforcement employment by another law-enforcement agency:

(A) The subcommittee shall establish and manage a database that is available to all law-enforcement agencies in the state concerning the status of any person's certification.

(B) Personnel or personal information not resulting in a criminal conviction is exempt from disclosure pursuant to the provisions of chapter 29B of this code;

(13) Seek supplemental funding for law-enforcement training academies from sources other than the fees collected pursuant to §30-29-4 of this code;

(14) Any responsibilities and duties as the Legislature may, from time to time, see fit to direct to the subcommittee;

(15) Establish standards and procedures for initial and ongoing training for law-enforcement officers responsible for investigating sexual assault cases involving adult victims. This training shall include instruction on:

(A) The neurobiology of trauma;

(B) Trauma-informed interviewing; and

(C) Investigative techniques;

(16) Submit, on or before September 30 of each year, to the Governor, the Speaker of the House of Delegates, the President of the Senate, and, upon request, to any individual member of the Legislature, a report on its activities during the previous year, and an accounting of funds paid into and disbursed from the special revenue account established pursuant to §30-29-4 of this code;

(17) Develop and promulgate rules for state, county, and municipal law-enforcement officers, law-enforcement agencies, and communications and emergency operations centers that dispatch law-enforcement officers with regard to the identification, investigation, reporting, and prosecution of suspected child abuse and neglect: *Provided*, That such rules and procedures must be consistent with the priority criteria prescribed by generally applicable department procedures; and

(18) Make recommendations to the Governor's Committee on Crime, Delinquency, and Correction for legislation related to the subcommittee's duties and responsibilities, or for research or studies by the Division of Administrative Services on topics related to the subcommittee's duties and responsibilities.

(19) Promulgate standards governing the training, firearms qualification, and initial and ongoing professional certification of a tactical medical professional, as defined in §30-43-1 of this code, on or before January 1, 2024. This training program shall include awarding a certificate upon successful completion of the program that qualifies the tactical medical professional to carry a firearm while on duty.

(b) In addition to the duties authorized and established by this section, the subcommittee may:

(1) Establish training to effectively investigate human trafficking offenses as defined in §61-2-1 *et seq.* of this code for entry-level training curricula and for law-enforcement officers who have not received such training as certified by the committee as required by this section; and

(2) Establish procedures for the implementation of a course in investigation of human trafficking offenses. The course may include methods of identifying and investigating human trafficking and methods for assisting trafficking victims. In order to implement and carry out the intent of this subdivision, the committee may promulgate emergency rules pursuant to §29A-3-15 of this code.

(c) Notwithstanding any provision of this code to the contrary, the subcommittee may deny an application for the establishment of a new law-enforcement training academy if it is determined by the subcommittee that no actual need exists for the establishment of additional law-enforcement training academies to meet the needs of existing law-enforcement agencies in the state.

## **ARTICLE 43. TACTICAL MEDICAL PROFESSIONALS.**

### **§30-43-1. Definitions.**

As used in this article:

(1) 'Tactical medical professional' means a person who is an emergency medical service personnel, as defined in §16-4C-1 et seq. of this code, a nurse as defined in §30-7-1 et seq. of this code, a physician as defined in §30-3-4 or §30-14-1 et seq. of this code, or a physician assistant licensed pursuant to §30-3E-1 et seq. of this code, who is trained and certified in a nationally recognized tactical medical training program that is equivalent to Tactical Combat Casualty Care and Tactical Emergency Medical Support and who functions in the tactical or austere environment while attached to a law-enforcement agency of either this state or a political subdivision of this state.

**30-43-2. Tactical medical professional may carry firearm.** (a) A tactical medical professional may carry firearms while on duty in the same manner,

to the same extent, and in the same areas as a law-enforcement officer of the law-enforcement agency the professional is serving, if:

(1) The law-enforcement agency that the tactical medical professional is serving has specifically authorized the professional to carry firearms while on duty; and

(2) The tactical medical professional has been awarded a certificate by the Law Enforcement Professional Standards Subcommittee of the Governor's Committee on Crime, Delinquency and Correction as provided for in §30-29-3 of this code, which certificate attests to satisfactory completion of law-enforcement training program that qualifies the tactical medical professional to carry firearms while on duty.

**§30-43-3. Tactical medical professional protection from civil or criminal liability.** A tactical medical professional to whom this article applies and who is carrying one or more firearms under authority of this article has protection from potential civil or criminal liability for any conduct occurring while carrying the firearm or firearms to the same extent as a law enforcement officer of the law-enforcement agency the tactical medical professional is serving has such protection."

The bill was then ordered to third reading.

**S. B. 132**, Clarifying criminal offense of harassment; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for H. B. 2017**, Relating to service of process in child abuse cases; on second reading, coming up in regular order, was, at the request of Delegate Householder, and by unanimous consent, postponed one day.

**Com. Sub. for H. B. 2436**, Relating to the implementation of an acuity-based patient classification system; 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. 2509**, Creating the Uniform Premarital Agreement Act; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Young, the bill was amended on page 2, Section 601, on line 3 by striking out the word "or" and inserting the following "(2) Either party was under the age of 18 when the marriage occurred; or"

And,

On page 2, Section 601, line 4 by striking out the number "(2)" and inserting in lieu thereof, the number "(3)".

The bill was then ordered to engrossment and third reading.

**H. B. 2510**, To establish the Rare Earth Element and Critical Mineral Investment Tax Credit Act; on second reading, coming up in regular order, was, at the request of Delegate Householder, and by unanimous consent, postponed one day.

**Com. Sub. for H. B. 2569**, Establishing the Motorsport Responsibility Act; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Fast, the bill was amended on page 2, section 2, line 18, by striking the word "spectators,"

And

On page 2, section 2, line 20, by inserting the words ", and spectators, except spectators in the spectator area" following the word "facility".

And

On page 4, section 4, line 23, inserting thereafter a new section designated §20-19-4a to read as follows:

**"§20-19-4a. Duties of spectators who are not participating.**

All spectators who are not participants shall comply with the rules or regulations established for use by the motorsport operator."

And

On page 4, section 5, line 1, by inserting the words "to a participant" following the words "damage caused"

And

On page 4, section 5, line 4, by inserting the words "to a participant" following the word "damage"

And

On page 4, section 5, line 6, by inserting the words "to a participant" following the word "damage".

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 2596**, To modify when a nonresident student's transfer may be denied; on second reading, coming up in regular order, was, at the request of Delegate Householder, and by unanimous consent, postponed one day.

**H. B. 2835**, Repeal outdated provisions of code relating to the West Virginia graduate college and Marshall University; 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. 2850**, Relating to students with exceptional needs; 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. 2890**, Modifying student discipline; on second reading, coming up in regular order, was read a second time.

At the request of Delegate Householder, and by unanimous consent, the bill was advanced to third reading with the right to amend, and the rule was suspended to permit the offering and consideration of amendments on that reading.

### **First Reading**

**S. B. 207**, Relating to state allocation of funding to regional councils, coming up in regular order, was read a first time and ordered to second reading,

**H. B. 2613**, Relating to the administration of anesthetics, coming up in regular order, was read a first time and ordered to second reading,

**Com. Sub. for H. B. 2832**, Clarifying appropriate and inappropriate duties for school counselors while also providing the definition of a school counselor; on first reading, coming up in regular order, was, at the request of Delegate Householder, and by unanimous consent, postponed one day.

**Com. Sub. for H. B. 2870**, Correcting a reference relating to siting certificates for certain electric generating facilities, coming up in regular order, was read a first time and ordered to second reading,

**Com. Sub. for H. B. 3061**, Relating to updating the authority of the Foster Care Ombudsman, coming up in regular order, was read a first time and ordered to second reading.

### **Miscellaneous Business**

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

**H. B. 2062**: Delegates Ferrell, Hardy, Hanshaw and Storch;

**H. B. 2152**: Delegate Hillenbrand;

**H. B. 2193**: Delegate Hillenbrand;

**H. B. 2619**: Delegate Brooks;

**H. B. 2940**: Delegate Hillenbrand;

**H. B. 2997**: Delegate Brooks:



- H. B. 3070:** Delegate Hillenbrand;  
**H. B. 3093:** Delegate Hillenbrand;  
**H. B. 3094:** Delegate Hillenbrand;  
**H. B. 3097:** Delegate Hillenbrand;  
**H. B. 3102:** Delegate Hillenbrand;  
**H. B. 3106:** Delegate Hillenbrand;  
**H. B. 3120:** Delegates Heckert and Hillenbrand;  
**H. B. 3124:** Delegate Hillenbrand;  
**H. B. 3140:** Delegate Kump;  
**H. B. 3143:** Delegate Kump;  
And,  
**H. B. 3144:** Delegate Kump.

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. 2594:** Delegate Kirby.

At 11:56 a.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, January 31, 2023.

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

## **SPECIAL CALENDAR**

**Tuesday, January 31, 2023**

**21<sup>st</sup> Day**

**11:00 A. M.**

### **THIRD READING**

- Com. Sub. for S. B. 83 - Authorizing tactical medical professionals to carry firearms (PHILLIPS) (REGULAR)
- S. B. 132 - Clarifying criminal offense of harassment (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2436 - Relating to the implementation of an acuity-based patient classification system (SUMMERS) (REGULAR)
- Com. Sub. for H. B. 2509 - Creating the Uniform Premarital Agreement Act (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2569 - Establishing the Motorsport Responsibility Act (CAPITO) (REGULAR)
- H. B. 2835 - Repeal outdated provisions of code relating to the West Virginia graduate college and Marshall University (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2850 - Relating to students with exceptional needs (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2890 - Modifying student discipline (ELLINGTON) (REGULAR) [RIGHT TO AMEND]

### **SECOND READING**

- S. B. 207 - Relating to state allocation of funding to regional councils (HOWELL) (REGULAR)
- Com. Sub. for H. B. 2017 - Relating to service of process in child abuse cases (CAPITO) (REGULAR)
- H. B. 2510 - To establish the Rare Earth Element and Critical Mineral Investment Tax Credit Act (HOWELL) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2596 - To modify when a nonresident student's transfer may be denied (ELLINGTON) (REGULAR)
- H. B. 2613 - Relating to the administration of anesthetics (SUMMERS) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2870 - Correcting a reference relating to siting certificates for certain electric generating facilities (ANDERSON) (REGULAR)
- Com. Sub. for H. B. 3061 - Relating to updating the authority of the Foster Care Ombudsman (SUMMERS) (EFFECTIVE FROM PASSAGE)

## **FIRST READING**

Com. Sub. for H. B. 2832 - Clarifying appropriate and inappropriate duties for school counselors while also providing the definition of a school counselor (ELLINGTON) (REGULAR)

**HOUSE CALENDAR**

**Tuesday, January 31, 2023**

**21<sup>st</sup> Day**

**11:00 A. M.**

**(No Bills)**

**WEST VIRGINIA  
HOUSE OF DELEGATES**

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**TUESDAY, JANUARY 31, 2023**

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

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**AGRICULTURE AND NATURAL RESOURCES  
9:00 AM – ROOM 215-E**

**BANKING AND INSURANCE  
9:00 AM – ROOM 410-M**

**PREVENTION AND TREATMENT OF SUBSTANCE ABUSE  
9:00 AM – ROOM 432-M**

**PENSIONS AND RETIREMENT  
10:00 AM – ROOM 460-M**

**COMMITTEE ON RULES  
10:45 AM – BEHIND CHAMBER**

**TECHNOLOGY AND INFRASTRUCTURE  
1:00 PM – ROOM 432-M**

**ECONOMIC DEVELOPMENT AND TOURISM  
2:00 PM – ROOM 460-M**

**COMMITTEE ON HEALTH AND HUMAN RESOURCES  
3:00 PM – ROOM 215-E**





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