

West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Second Legislature
Second Regular Session

Held at Charleston
Published by the Clerk of the House



February 3, 2016
TWENTY-SECOND DAY

Wednesday, February 3, 2016

TWENTY-SECOND DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

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

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

The Clerk proceeded to read the Journal of Tuesday, February 2, 2016, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Storch, 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. 2801, Permitting county commissions and municipalities to designate areas of special interest which will not affect the use of property in those areas,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2801) was referred to the Committee on the Judiciary.

Delegate Storch, 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. 4299, Increasing the amount volunteer fire companies or paid fire departments may charge for reimbursement,

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. 4299) was referred to the Committee on Finance.

Delegate Overington, Chair of the Committee on Industry and Labor, submitted the following report, which was received:

Your Committee on Industry and Labor has had under consideration:

H. B. 4323, Relating to the reporting of emergency incidents by well operators and pipeline operators,

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 Energy.

In accordance with the former direction of the Speaker, the bill (H. B. 4323) was referred to the Committee on Energy.

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

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

H. B. 4236, Relating to the classification of certain species,

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. 4236) was referred to the Committee on Government Organization.

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

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

H. B. 2449, Permitting co-owners of cows to receive raw milk from those cows,

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. 2449) was referred to the Committee on Health and Human Resources.

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

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

H. B. 4174, Exempting activity at indoor shooting ranges from the prohibition of shooting or discharging a firearm within five hundred feet of any church or dwelling house,

H. B. 4255, Relating to the taking and registration of wildlife including electronic registration of beaver, otter and big game animals,

And,

H. B. 4346, Relating to bear hunting and offenses and penalties,

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

In accordance with the former direction of the Speaker, the bills (H. B. 4174, H. B. 4255 and H. B. 4346) were each referred to the Committee on the Judiciary.

Delegate Ellington, 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. 4259, Relating to the regulation of vapor products,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4259) was referred to the Committee on the Judiciary.

Delegate Ellington, 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. 4197, Allowing required HIV and hepatitis testing for the protection of law-enforcement officers who may have been exposed,

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. 4197) was referred to the Committee on Finance.

Delegate Ellington, 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. 4314, Prohibiting the sale of powdered or crystalline alcohol,

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. 4314) was referred to the Committee on the Judiciary.

Delegate Shott, 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. 4163, Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes,

And reports back a committee substitute therefor, with the same title, as follows:

Com. Sub. for H. B. 4163 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto four new sections, designated §8-13-24, §8-13-25, §8-13-26 and §8-13-27, all relating to providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes,”

With the recommendation that the committee substitute do pass.

Delegate Shott, 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. 2511, Health Care Sharing Ministries Freedom to Share Act,

And reports back a committee substitute therefor, with the same title, as follows:

Com. Sub. for H. B. 2511 — “A Bill to amend and reenact §33-15-1 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §33-15F-1, §33-15F-2 and §33-15F-3; and to amend and reenact §33-16-1 of said code, all relating to creating the ‘Health Care Sharing Ministries Freedom to Share Act’; exempting health care sharing ministries from state statutory requirements of individual and group accident and health insurance policies; setting forth the conditions that must be met; providing a short title; and defining a term,”

With the recommendation that the committee substitute do pass.

Delegate Shott, 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. 2366, Relating generally to the solicitation of minors,

And reports back a committee substitute therefor, with a new title, as follows:

Com. Sub. for H. B. 2366 — “A Bill to amend and reenact §61-3C-14b of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-8A-4 of said code, all relating generally to the solicitation of minors; clarifying the law pertaining to the use of a computer to solicit a minor; creating a new felony offense of soliciting a minor through use of a computer and committing any overt act designed to bringing himself or herself within the physical presence of the minor to engage in prohibited sexual activity with the minor; establishing penalties; establishing the offense as a lesser included crime; and prohibiting the use or distribution of obscene materials by an adult to solicit or seduce a person who is known or believed to be a minor at least four years younger than the adult for unlawful sexual activity,”

With the recommendation that the committee substitute do pass.

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

Your Committee on Finance has had under consideration:

S. B. 342, Decreasing appropriations from State Fund, General Revenue, to DHHR, Division of Human Services and Bureau of Senior Services,

S. B. 357, Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund,

And,

S. B. 360, Supplemental appropriation to Division of Human Services,

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

Delegate Shott, 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. 4145, Relating to carry or use of a handgun or deadly weapon,

And reports back a committee substitute therefor, with a new title, as follows:

Com. Sub. for H. B. 4145 — “A Bill to repeal §20-2-6a of the Code of West Virginia, 1931, as amended; to amend and reenact §61-7-3, §61-7-4, §61-7-6 and §61-7-11a of said code; and to amend said code by adding thereto one new section, designated §61-7-4a, all relating to carry or use of a handgun or deadly weapon; establishing that criminal penalties for carrying a concealed deadly weapon without state license or other lawful authorization applies only to persons under twenty-one years of age and prohibited persons; requiring an applicant for a concealed weapon permit be a United States citizen or legal resident thereof, a resident of this state and of the county in which application is made; permitting persons eighteen years and older to obtain a concealed carry permit; requiring actual live firing of ammunition in training; requiring an applicant for a concealed carry permit to provide a copy of instructor’s certification; requiring that on or after January 1, 2017, all duplicate license cards issued by county sheriffs be uniform across all fifty-five counties and feature a photograph of the licensee; requiring State Police, in cooperation with the Sheriffs’ Bureau of Professional Standards, prepare uniform applications for licenses and license cards; entitling a person who is granted a license and pays fees after the effective date of W.Va. Code §61-7-4 to a tax credit equal to the amount actually paid not to exceed \$100; creating a provisional license to carry concealed deadly weapons for persons between eighteen and twenty-one years of age; establishing provisional license application requirements and procedures; exempting members of the United States Armed Forces, Reserve or National Guard from permit requirements; permitting prosecuting attorneys, assistant prosecuting attorneys or investigators employed by a prosecuting attorney to elect to carry a concealed firearm pursuant to the federal Law Enforcement Officers Safety Act; eliminating the requirement for persons twenty-one years of age and older to possess a permit to carry a concealed deadly weapon provided that certain conditions are met, including being a United States citizen or legal resident, being twenty-one years of age or older and not prohibited from possessing firearms; providing that a person who displays a valid photo identification or concealed weapon permit may not be unreasonably detained for purposes of verifying whether that person is a prohibited person; requiring a school principal to report certain violations to the State Police; and permitting private schools written policies to govern whether a person may possess a firearm or other deadly weapon in or on a private primary or secondary education building, structure or facility,”

With the recommendation that the committee substitute 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 Delegate Shott:

H. B. 4393 — “A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section designated §61-7-15a, relating to enhanced penalties for use of a firearm during commission of a felony; providing for enhanced penalties for use of a firearm during commission of a felony; and providing exceptions to such enhanced penalties.”

On motion for leave, a bill was introduced (Originating in the Committee on Finance 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 E. Nelson, Householder, Miller, D. Evans, Boggs, Walters, Waxman, Guthrie, Longstreth, Reynolds and Frich:

H. B. 4406 - “A Bill to amend chapter 64 of the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated article §64-12-1, relating to reauthorizing, with amendment,

the existing legislative rule contained in title two hundred thirteen, series one, of the code of state rules, filed and effective April 14, 2015, under the authority of section two, article six-d, chapter twelve of said Code of West Virginia, authorizing the Enterprise Resource Planning Board to establish by legislative rule a user fee for the maintenance of the enterprise resource system.”

The Speaker referred the bill to the Committee on the Judiciary.

Select Committee Reports

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

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

H. B. 4176, Permitting the Regional Jail and Correctional Facility Authority to participate in the addiction treatment pilot program,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4176) was referred to the Committee on the Judiciary.

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

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

H. B. 4248, Relating to methadone regulation,

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. 4248) was referred to the Committee on the Judiciary.

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

S. B. 271 – “A Bill to amend and reenact §30-9-2, §30-9-3 and §30-9-7 of the Code of West Virginia, 1931, as amended, all relating to regulation of the practice of accountancy; redefining attest services; protecting board members from civil liability; and revising requirements for issuance of certificate as certified public accountant including criminal background check”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

S. B. 333 – “A Bill to amend and reenact §20-2-4, §20-2-21 and §20-2-22 of the Code of West Virginia, 1931, as amended, all relating to the taking and registration of wildlife, including electronic

registration of beaver, otter and big game animals”; which was referred to the Committee on Agriculture and Natural Resources then the Judiciary.

A message from the Senate, by

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

S. B. 334 – “A Bill to amend and reenact §20-1-2 of the Code of West Virginia, 1931, as amended, relating to classification of certain species; identifying coyote as a fur-bearing animal; identifying woodchuck as a game animal; identifying coyote, porcupine and all species of cervids as wild animals; and providing an exception”; 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 and requested the concurrence of the House of Delegates in the passage, of

S. B. 336 – “A Bill to amend and reenact §20-2-42a, §20-2-42q, §20-2-42s and §20-2-42v of the Code of West Virginia, 1931, as amended, all relating to crossbow hunting; prohibiting use of crossbow with Class A hunting and trapping license; permitting crossbow hunting with Class RB and Class RRB licenses; permitting crossbow hunting with Class UU license; and permitting crossbow hunting with Class BG stamp”; which was referred to the Committee on Agriculture and Natural Resources then the Judiciary.

A message from the Senate, by

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

Com. Sub. for S. B. 343 – “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §52-2-11, relating to grand juries generally; authorizing prosecuting attorneys to designate law-enforcement officers and investigators as custodians of records, documents and other evidence subpoenaed by grand jury; authorizing designated custodians use subpoenaed records, documents and other evidence for investigative purposes prior to such records, documents or other evidence being presented to grand jury; requiring custodians execute disclosure statements to preserve grand jury secrecy; authorizing custodian to share subpoenaed materials with other law-enforcement officers and agencies; allowing for successor custodians; requiring presentation of subpoenaed materials held by custodian be presented to the next session of the grand jury meeting after receipt; limiting law-enforcement use of such subpoenaed materials to legitimate investigative and prosecutorial purposes relevant to investigation underlying the issuance of subpoena; and defining ‘prosecuting attorney and investigator’”; which was referred to the Committee on the Judiciary.

A message from the Senate, by

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

S. C. R. 16 – “Requesting Division of Highways name bridge number 17-20-25.38 (17A106), locally known as Haywood Bridge, carrying West Virginia Route 20 over West Fork River and CSX railroad in Harrison County, the ‘U. S. Army CPL John Belcastro Bridge’.”

Whereas, John Belcastro, was born on June 12, 1922, in Shinnston, West Virginia. He was the first born of one of the first set of twins born in Shinnston and one of six sons born to Frank and Anita Bartolo Belcastro. After graduation from Shinnston High School in 1942, John Belcastro spent four

years in the U. S. Army during World War II. He entered the U.S. Army in October of 1942, attained the rank of Corporal T/5 and was honorably discharged on January 18, 1946. Mr. Belcastro was a member of the 10th Armored Division, 90th Reconnaissance Cavalry, 3rd Army under General George Patton. He spent Christmas of 1944 fighting in the Battle of the Bulge in which the 10th Armored Division led the 3rd Army all the way to Austria. He also fought in the Ardennes Forest, the Rhineland and Central Europe. In May of 1945, Mr. Belcastro was chosen to be a part of a secret mission. As soon as the war ended, he was part of the team hand-picked to rescue 118 German scientists who were defecting to America. Those German scientists included Wernher Von Braun who was instrumental in starting the American space program in Huntsville, Alabama; and

Whereas, CPL Belcastro received a Purple Heart, a Bronze Star for bravery, the Croix De Guerre Presidential Citation and Good Conduct Medal. He also was awarded the American Theater Ribbon, the Middle Eastern Theater Ribbon, the World War II Victory Ribbon, the Diplome from the Republique Francais' Ministere De La Defense Liberation of France and the Knight of the French Legion of Honor; and

Whereas, When the war ended, CPL Belcastro returned to Shinnston where he worked in the coal industry for forty-three years. While working in the mines, he volunteered to be a member of the mine rescue squad, serving in that capacity from 1950 to 1964 during which time he helped in rescue efforts in twelve explosions and fires. Mr. Belcastro received Consol Safety Award for twenty-five years with no lost time accidents. He was a member of United Mine Workers Local #1501 where he held many offices including serving on the COMPAC committee for twelve years, holding the office of treasurer for eight years and social chairman for eighteen years; and

Whereas, John Belcastro displayed his talent as an imitator and impersonator by being named the winner of the Wilken's Amateur Hour held in Pittsburgh; the winner of the All Stars Amateur Hour held at the Ritz Theater in Clarksburg; performed with the Paul Whitman Orchestra at the Warner Theater in Morgantown; with Vaughn Monroe at the Ritz in Clarksburg; and Frank Yankovic's Polish Band at the Clarksburg Armory; and

Whereas, John Belcastro and Sylvia, his wife of sixty-eight years, are members of St. Ann's Catholic Church where he has served as an usher, lector, and president of the men's Holy Name Society for three terms. He served as both Vice-President and Treasurer of the Clarksburg Deanery of the Holy Name Society and on the Board of Directors for the Wheeling-Charleston Diocese. He is also a member of the Knights of Columbus #942 and a weekly adorer in the Perpetual Adoration Chapel. For years he was the "Voice of the Spartans" as he served as the announcer for the Shinnston High football games and also for the Shinnston Little League baseball games. Mr. Belcastro held the position of Cub Master for Pack 59 for the Shinnston Area Boy Scouts. He belongs to the Clarksburg Senior Citizens and delivered Meals on Wheels. He is a Life Member of the Veterans of Foreign Wars #573 in Clarksburg, AARP, and a Life Member of the Shinnston American Legion Post 31 where he served on the Color Guard and as chairman of various committees as well as serving as Service Officer for the VA Hospital and the Old Soldier's Home in Weston. John Belcastro was captain of the seven time winning Italian Trivia Team in conjunction with the Italian Heritage Festival and received a diploma from the University of Hard Knocks at Alderson-Broaddus College in 1999. He is one of the longest serving members of the Board of Directors of the Monongahela Valley Association of Health Centers Fairmont Clinic, having served for over forty years; and

Whereas, On June 12, 2016, Mr. Belcastro will celebrate his 94th birthday. He has lived all his life in Shinnston. He is a long time pillar of his community and it is fitting that an enduring memorial be established to commemorate his service to his community and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 17-20-25.38 (17A106), locally known as Haywood Bridge, carrying West Virginia Route 20 over West Fork River and CSX railroad in Harrison County, the "U. S. Army CPL John Belcastro Bridge"; and, be it

Further Resolved, That the Commissioner of the Division of Highways is hereby requested to have made and be placed signs identifying the "U.S. Army CPL John Belcastro 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 and to Mr. John Belcastro.

Resolutions Introduced

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

By Delegate Bates:

H. J. R. 38 — "Proposing an amendment to the Constitution of the State of West Virginia, amending section three, article VI thereof, relating to imposing term limits for senators and delegates; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

And,

By Delegates Bates, Lane and Pushkin:

H. J. R. 39 — "Proposing an amendment to the Constitution of the State of West Virginia, amending, article IV thereof by adding thereto a new section, designated section thirteen, relating to the arrangement of congressional, senatorial and delegate districts after census by creating a State Apportionment Commission; designating for appointment, terms of office, duties of and eligibility for commissioners; establishing process for commission to develop plans; providing that State Apportionment Commission must submit redistricting plans to each house; providing that each house may reject its plan by a two-thirds vote of the members elected; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

Bills Introduced

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

By Delegates Canterbury, E. Nelson, Frich, Westfall, Guthrie and Longstreth:

H. B. 4366 — "A Bill finding and declaring certain claims against the state and its agencies to be moral obligations of the state; and directing the Auditor to issue warrants for the payment thereof"; to the Committee on Finance.

By Delegates Lane, Hamilton, Canterbury, Guthrie, Campbell, Hornbuckle, Reynolds, Sponaugle, Skinner, Byrd and Fluharty:

H. B. 4367 — "A Bill to amend and reenact §30-18-10 of the Code of West Virginia, 1931, as amended, relating to background checks for applicants for private investigator and security guard licensure"; to the Committee on the Judiciary.

By Delegates Marcum, Shott, Lane, Sobonya, Kessinger, P. White, Blair, Summers, R. Smith, Ireland and McCuskey:

H. B. 4368 — "A Bill to amend and reenact §51-3-16 of the Code of West Virginia, 1931, as amended, relating to authorizing the use of bailiffs who are not law-enforcement officers"; to the Committee on the Judiciary.

By Delegates Hamilton, Romine, A. Evans, Canterbury, Ambler, Cooper, Hill, Sponaugle, Campbell, Lynch and Wagner:

H. B. 4369 — “A Bill to amend and reenact §11-13A-3b of the Code of West Virginia, 1931, as amended, relating to decreasing and ending the tax on timber”; to the Committee on Agriculture and Natural Resources then Finance.

By Delegates Skinner, Fluharty, Reynolds, Blair, Kelly, Storch, Flanigan, Campbell, Ihle, Hartman and Perry:

H. B. 4370 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-6-4a, relating to discrimination in employment of all public employees; prohibiting discrimination in the appointment, promotion, demotion or dismissal based upon sexual orientation; prohibiting favoritism or discrimination in any aspect of employment based upon sexual orientation”; to the Committee on Government Organization then the Judiciary.

By Delegates Howell, Arvon, Zatezalo, Border, Phillips, Hill, Hartman, Ihle, Cadle, Stansbury and Morgan:

H. B. 4371 — “A Bill to repeal §5A-1-4 of the Code of West Virginia, 1931, as amended; to amend and reenact §4-11-5 of said code; to amend and reenact §12-1-12a of said code; to amend and reenact §12-6-6 of said code; and to amend and reenact §12-6C-15 of said code; all relating to the Council of Finance and Administration and abolishing the Council of Finance and Administration”; to the Committee on Government Organization.

By Delegates Hicks, Frich, Reynolds, Marcum, Westfall, Rodighiero, Deem, R. Smith, J. Nelson and Eldridge:

H. B. 4372 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13DD-1, relating to creating tax credits for new and/or existing small businesses in this state and operating entirely within West Virginia”; to the Committee on Small Business, Entrepreneurship and Economic Development then Finance.

By Delegates Skinner, Campbell, Eldridge and Marcum:

H. B. 4373 — “A Bill to amend and reenact §61-8-19 of the Code of West Virginia, 1931, as amended, relating to prohibiting exposing a dog or cat that is a companion animal to extreme weather conditions that results in injury or death”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Hicks and Fleischauer:

H. B. 4374 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §21-5-14b, relating to providing for security of private, employer-sponsored insurance and/or retirement plans”; to the Committee on Banking and Insurance then Finance.

By Delegate Westfall:

H. B. 4375 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-43, relating to entering reciprocal agreements to recognize hunting, fishing and trapping licenses issued by other states; authorizing the Director of Natural Resources to enter into reciprocal agreements; providing for recognition of other licensees without additional fee or application; and providing for notice to the public”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Westfall, McCuskey, B. White, Stansbury and Weld:

H. B. 4376 — “A Bill to amend and reenact §33-6A-1 of the Code of West Virginia, 1931, as amended, relating to requiring automobile liability insurance providers must give a policyholder a ten day notice of an intent to cancel the policy if the reason for cancellation is nonpayment of a premium”; to the Committee on Banking and Insurance then the Judiciary.

By Delegates Storch, Anderson, Trecost, Manchin, Fluharty, Zatezalo, Weld and D. Evans:

H. B. 4377 — “A Bill to repeal §7-18-5 of the Code of West Virginia, 1931, as amended; and to amend and reenact §7-18-1 and §7-18-3 of said code, all relating to eliminating exemption from hotel occupancy taxes on rental of hotel and motel rooms for thirty or more consecutive days; redefining certain terms; exempting hotel rooms occupied by government officials on official business under certain circumstances”; to the Committee on Political Subdivisions then Finance.

By Delegates Shott, Lane, McCuskey, Sobonya, Hanshaw, Miller, Arvon, Border and Kessinger:

H. B. 4378 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §44A-3-17 and §44A-3-18, all relating to access to and receipt of certain information regarding a protected person by certain relatives of the protected person; defining “relative”; providing a relative may apply for access to a “protected person”; setting forth time standards in which to conduct a hearing after an application is filed; providing for an emergency hearing under particular circumstances; providing for service of an application upon a guardian and setting time standards for service thereof; providing for the entry of an order by the court following application and a hearing conducted thereon; providing standards for a court to observe and implement in issuing a ruling on an application; providing the court may issue attorney’s fees to a prevailing party; setting forth particular duties for a guardian; and, providing criteria upon which a court may relieve a guardian of further responsibility”; to the Committee on the Judiciary.

By Delegates Storch, A. Evans, Kessinger, Upson, Campbell, Ferro, Rohrbach, Bates, Romine, Reynolds and Fluharty:

H. B. 4379 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §59-1-2c, relating to the voluntary deposit of refunds for the overpayment of fees to the Children’s Trust Fund”; to the Committee on the Judiciary.

By Delegates Ellington, Summers, Rohrbach and Stansbury:

H. B. 4380 — “A Bill to amend and reenact §9-5-9 and §9-5-18 of the Code of West Virginia, 1931, as amended, all relating to liability of spouses or relatives for support, defining terms, requiring financial information, setting amount to be paid for indigent funeral service expenses, limiting number of indigent funeral services to be paid by the department in any state fiscal year; and redefining funeral service expenses to mean expenses for cremation unless objectionable pursuant to decedent’s religion or otherwise prohibited by federal law, state law or regulation”; to the Committee on Health and Human Resources then Finance.

By Delegates Lane, Hamilton, Canterbury, Campbell, Guthrie, Hornbuckle, Sponaugle, Skinner, Byrd and Fluharty:

H. B. 4381 — “A Bill to amend and reenact §3-5-8 of the Code of West Virginia, 1931, as amended; and to amend and reenact §3-8-5b of this code, all relating to where candidates filing fees are paid, apportionment of candidate filing fees to counties and where campaign finance statements are filed”; to the Committee on the Judiciary.

By Delegates Reynolds, Faircloth, Fluharty, Hicks, Moffatt, Folk, Skinner, Byrd, Phillips, Eldridge and Blackwell:

H. B. 4382 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new a section, designated §24-2-11, relating to prohibiting fuel surcharges in certain instances; and providing for rule-making”; to the Committee on the Judiciary.

By Delegates Phillips, Reynolds, Marcum, Hamrick, Walters, Sobonya, P. White, Butler, McCuskey, Weld and Hanshaw:

H. B. 4383 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-30-1, relating to making individuals responsible for the costs relating to

the filing of excessive false complaints with state agencies and departments”; to the Committee on the Judiciary.

By Delegates Butler, Gearheart, Waxman, Summers, Miller, Perry, McGeehan, Hamrick, Kurcaba, Wagner and Cadle:

H. B. 4384 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2E-3h, relating to permitting students to opt out of taking certain academic assessments; prohibiting adverse academic or disciplinary actions from being taken against a student for opting out of an assessment; prohibiting state colleges and universities from denying admission due to refusing to take an assessment; prohibiting nonparticipation in an assessment to be included when calculating a participation rate; allowing a general parental refusal to participate in standardized testing to apply to all standardized testing; and defining a term”; to the Committee on Education.

By Delegates Cadle, D. Evans, Cooper, Ambler, Moye, Perry, Fast, Kessinger, Campbell, Hartman and Waxman:

H. B. 4385 — “A Bill to amend and reenact §25-1-11d of the Code of West Virginia, 1931, as amended, relating to providing a \$2,500 increase in the annual salary of employees of the Division of Corrections”; to the Committee on Government Organization then Finance.

By Delegates Ellington, Rohrbach and Stansbury:

H. B. 4386 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new a section, designated §27-6A-2a, relating to requiring the Department of Health and Human Resources to be notified of hearings involving criminal defendants to be placed in state inpatient mental health facilities; and requiring the court to give deference to any recommendations made by the department”; to the Committee on Health and Human Resources then the Judiciary.

By Delegates J. Nelson, Moffatt, R. Smith, Ihle, McGeehan, Folk, Faircloth and Foster:

H. B. 4387 — “A Bill to amend and reenact §8-12-5a of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-7-6 and §61-7-6a of said code, all relating to exceptions to prohibitions against carrying one or more concealed deadly weapons and reciprocity agreements for licenses to carry concealed weapons; and providing that any law-abiding person eighteen years of age or older may carry a concealed deadly weapon anywhere within the boundaries of the state, including on or within municipally owned or controlled buildings, recreation centers or properties, without first obtaining a license to carry concealed deadly weapons”; to the Committee on the Judiciary.

By Delegates Rohrbach, Ellington, Householder, Bates, Byrd, Sobonya, Summers, Upson and B. White:

H. B. 4388 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-5X-1 and §16-5X-2, all relating to stroke centers; requiring the Bureau for Public Health to designate hospitals as comprehensive stroke centers, primary stroke centers or acute stroke ready hospitals; providing rule-making authority; requiring the office of Emergency Medical Services to establish protocols to treat and transport stroke patients”; to the Committee on Health and Human Resources.

By Delegates Hamilton, A. Evans, Romine, Wagner, Ambler, Pethtel, Sponaugle and Guthrie:

H. B. 4389 — “A Bill to amend and reenact §20-2-42a, §20-2-42q, §20-2-42s and §20-2-42v of the Code of West Virginia, 1931, as amended, all relating to crossbow hunting; prohibiting the use of a crossbow with a Class A hunting and trapping license, permitting crossbow hunting with Class RB and Class RRB licenses, permitting crossbow hunting with a Class UU license; and permitting

crossbow hunting with a Class BG stamp”; to the Committee on Agriculture and Natural Resources then the Judiciary.

By Delegates Rohrbach, Morgan, Trecost, Reynolds and Hornbuckle:

H. B. 4390 — “A Bill to amend and reenact §31-18E-9 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Land Reuse Agency Authorization Act; including a municipal land bank as an agency that may acquire property; providing that a municipal land bank may have the right of first refusal to buy any tax delinquent property, within municipal limits, for taxes owed and any related fees before the tax delinquent property is placed for public auction at tax sales”; to the Committee on Political Subdivisions then Government Organization.

By Delegates Howell, Summers, Sobonya, Waxman, D. Evans, Kurcaba, Walters, Atkinson, Anderson, Ireland and Butler:

H. B. 4391 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17B-1-16, relating to issuing identification documents to homeless individuals residing at homeless shelters within this state at no cost; stating legislative intent; defining terms; establishing eligibility requirements for homeless individuals to receive identifying documents at no cost; creating a process by which a homeless individual may apply for certain identifying documents to be provided at no cost; requiring the division to issue certain identifying documents to eligible homeless individuals at no cost; and requiring the commissioner to develop forms”; to the Committee on the Judiciary then Finance.

By Delegates Walters, Canterbury, Hanshaw, Skinner, Ireland, Gearheart, Fleischauer, Rowe and Storch:

H. B. 4392 — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §7-1-9a, relating to authorizing each county commission to establish a special fund to be used for minor road repair within the county”; to the Committee on Political Subdivisions then Finance.

House Calendar

Third Reading

H. B. 4243, Extending the time that certain nonprofit community groups are exempt from the moratorium on creating new nursing home beds; 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. 28**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Flanigan and Storch.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (H. B. 4243) 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

S. B. 1, Establishing WV Workplace Freedom Act; on second reading, coming up in regular order, was read a second time.

An amendment, recommended by the Committee on the Judiciary, was reported by the Clerk.

Whereupon,

Delegate Shott asked and obtained unanimous consent that the amendment be withdrawn.

On motion of Delegate Shott, the bill was amended on page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

“Be it enacted by the Legislature of West Virginia:

That §21-1A-3 and §21-1A-4 of the Code of West Virginia, 1931, as amended, be amended and reenacted; and that said code be amended by adding thereto a new article, designated §21-5G-1, §21-5G-2, §21-5G-3, §21-5G-4, §21-5G-5, §21-5G-6 and §21-5G-7 all to read as follows:

ARTICLE 1A. LABOR-MANAGEMENT RELATIONS ACT FOR THE PRIVATE SECTOR.

§21-1A-3. Rights of employees.

Employees shall have the right to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities, ~~except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in subdivision (3), subsection (a), section four of this article~~ including the right to refrain from paying any dues, fees, assessments or other similar charges however denominated of any kind or amount to a labor organization or to any third party including, but not limited to, a charity in lieu of a payment to a labor organization.

§21-1A-4. Unfair labor practices.

(a) It shall be an unfair labor practice for an employer:

(1) To interfere with, restrain or coerce employees in the exercise of the rights guaranteed in section three of this article;

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: *Provided*, That an employer shall not be prohibited from permitting employees to confer with him or her during working hours without loss of time or pay;

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment, to encourage or discourage membership in any labor organization. *Provided, however*, That nothing contained in this article, or in any other statute of this state, shall preclude an employer from making an agreement with a labor organization (not established, maintained or assisted by any action defined in this section as an unfair labor practice) to require as a condition of employment membership therein on or after the thirtieth day following the beginning of such employment or the effective date of such agreement, whichever is the later, (i) if such labor organization is the representative of the employees as provided in section five of this article, in the appropriate collective-bargaining unit covered by such agreement when made, and (ii) unless following an election held as provided in subsection (d), section five of this article, within one year preceding the effective date of such agreement, the board shall have certified that at least a majority of the employees eligible to vote in such election have voted to rescind the authority of such labor organization to make such an agreement: *Provided further*, That no employer shall justify any discrimination against an employee for nonmembership in a labor organization (A) if he has reasonable grounds for believing that such membership was not available to the employee on the same terms and conditions generally applicable to other members, or (B) if he has reasonable grounds for believing that membership was

~~denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership;~~

(4) To discharge or otherwise discriminate against an employee because he or she has filed charges or given testimony under this article; and

(5) To refuse to bargain collectively with the representatives of his or her employees, subject to the provisions of subsection (a), section five of this article.

(b) It shall be an unfair labor practice for a labor organization or its agents:

(1) To restrain or coerce: (A) Employees in the exercise of the rights guaranteed in section three of this article: *Provided*, That this subdivision shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or (B) an employer in the selection of his or her representatives for the purposes of collective bargaining or the adjustment of grievances;

(2) To cause or attempt to cause an employer to discriminate against an employee in violation of subdivision (3), subsection (a) of this section or to discriminate against an employee with respect to whom membership in such organization has been denied or terminated on some ground other than his or her failure to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership;

(3) To refuse to bargain collectively with an employer, provided it is the representative of his or her employees subject to the provisions of subsection (a), section five of this article;

(4) (i) To engage in or induce or encourage any individual employed by any person to engage in, a strike or a refusal in the course of employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials or commodities or to perform any services; or (ii) to threaten, coerce, or restrain any person, where in either case an object thereof is:

(A) Forcing or requiring any employer or self-employed person to join any labor or employer organization or to enter into any agreement which is prohibited by subsection (e) of this section;

(B) Forcing or requiring any person to cease using, selling, handling, transporting or otherwise dealing in the products of any other producer, processor or manufacturer, or to cease doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his or her employees unless such labor organization has been certified as the representative of such employees under the provisions of section five of this article: *Provided*, That nothing contained in this ~~clause (B)~~ shall paragraph may be construed to make unlawful, where not otherwise unlawful, any primary strike or primary picketing;

(C) Forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his or her employees if another labor organization has been certified as the representative of such employees under the provisions of section five of this article;

(D) Forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft or class rather than to employees in another labor organization or in another trade, craft or class, unless such employer is failing to conform to an order of certification of the board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in this subsection ~~(b)~~ shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his or her own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required by law to recognize;

(5) To require of employees covered by an agreement authorized under subdivision (3), subsection (a) of this section, the payment, as a condition precedent to becoming a member of such organization, of a fee in an amount which the board finds excessive or discriminatory under all the circumstances. In making such a finding, the board shall consider, among other relevant factors, the practices and customs of labor organizations in the particular industry, and the wages currently paid to the employees affected;

(6) To cause or attempt to cause an employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed; and

(7) To picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his or her employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective bargaining representative, unless such labor organization is currently certified as the representative of such employees:

(A) Where the employer has lawfully recognized in accordance with this article any other labor organization and a question concerning representation may not appropriately be raised under subsection (c), section five of this article;

(B) Where within the preceding twelve months a valid election under subsection (c), section five of this article has been conducted; or

(C) Where such picketing has been conducted without a petition under subsection (c), section five of this article being filed within a reasonable period of time not to exceed fifteen days from the commencement of such picketing: *Provided*, That when such a petition has been filed the board shall forthwith, without regard to the provisions of said subsection (c), section five or the absence of a showing of a substantial interest on the part of the labor organization, direct an election in such unit as the board finds to be appropriate and shall certify the results thereof. Nothing in this subdivision (7) of this subsection shall be construed to permit any act which would otherwise be an unfair labor practice under this subsection. ~~(b)~~

(c) The expressing of any views, argument or opinion, or the dissemination thereof, whether in written, printed, graphic or visual form, shall not constitute or be evidence of an unfair labor practice, or be prohibited under this article, if such expression contains no threat of reprisal or force or promise of benefit.

(d) For the purposes of this section, to bargain collectively is the performance of the mutual obligation of the employer and the representative of the employees to meet at reasonable times and confer in good faith with respect to wages, hours and other terms and conditions of employment, or the negotiation of an agreement, or any question arising thereunder, and the execution of a written contract incorporating any agreement reached if requested by either party, but such obligation does not compel either party to agree to a proposal or require the making a concession: *Provided*, That where there is in effect a collective-bargaining contract covering employees, the duty to bargain collectively shall also mean that no party to such contract shall terminate or modify such contract, unless the party desiring such termination or modification:

(1) Gives a written notice to the other party of the proposed termination or modification sixty days prior to the expiration date thereof, or in the event such contract contains no expiration date, sixty days prior to the time it is proposed to make such termination or modification;

(2) Offers to meet and confer with the other party for the purpose of negotiating a new contract or a contract containing the proposed modifications;

(3) Notifies the commissioner of labor of the existence of a dispute;

(4) Continues in full force and effect, without resorting to strike or lockout, all the terms and conditions of the existing contract for a period of sixty days after such notice is given or until the expiration date of such contract, whichever occurs later. The duties imposed upon employers, employees, and labor organizations by subdivisions (2), (3) and (4) of this subsection ~~(d)~~ shall become inapplicable upon an intervening certification of the board, under which the labor organization or individual, which is a party to the contract, has been superseded as or ceased to be the representative of the employees subject to the provisions of subsection (a), section five of this article, and the duties so imposed shall not be construed as requiring either party to discuss or agree to any modification of the terms and conditions contained in a contract for a fixed period, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract. Any employee who engages in a strike within the sixty-day period specified in this subsection shall lose his or her status as an employee of the employer engaged in the particular labor dispute, for the purposes of sections three, four and five of this article, but such loss of status for such employee shall terminate if and when he or she is redeployed by such employer.

(e) It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting, or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person and any such contract or agreement entered into heretofore or hereafter shall be to such extent unenforceable and void.

ARTICLE 5G. WEST VIRGINIA WORKPLACE FREEDOM ACT.

§21-5G-1. Definitions.

As used in this article, the following terms have the following definitions:

(a) The term "person" means any individual, proprietorship, partnership, firm, association, corporation, labor organization or any other legal entity.

(b) The term "labor organization" means any organization, agency, union or employee representation committee of any kind, that exists, in whole or in part, to assist employees in negotiating with employers concerning grievances, labor disputes, wages, rates of pay, or other terms or conditions of employment.

(c) The term "employer" means any person employing at least one individual in the state, or any agent of an employer employing at least one individual in the state.

(d) The term "state" means any officer, board, branch, commission, department, division, bureau, committee, agency, authority or other instrumentality of the State of West Virginia.

§21-5G-2. Individual's right to refrain from affiliating with a labor organization.

A person may not be required, as a condition or continuation of employment, to:

(1) Become or remain a member of a labor organization;

(2) Pay any dues, fees, assessments or other similar charges, however denominated, of any kind or amount to any labor organization; or

(3) Pay any charity or third party, in lieu of those payments, any amount that is equivalent to or a pro rata portion of dues, fees, assessments or other charges required of members of a labor organization.

§21-5G-3. Contracting for exclusion from employment because of affiliation or nonaffiliation with a labor organization.

Any agreement, contract, understanding or practice, either written or oral, implied or expressed, between any labor organization and an employer or public body which provides for the exclusion from employment of any person because of membership in, affiliation with, resignation from, or refusal to join or affiliate with any labor organization or employee organization of any kind is hereby declared to be unlawful, null and void, and of no legal effect.

§21-5G-4. Criminal penalty.

Any person who knowingly requires another person, as a condition or continuation of employment, to perform any of the conduct enumerated in section two of this article, is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$500 nor more than \$5,000.

§21-5G-5. Civil relief; damages.

Any person injured as a result of any violation or threatened violation of this article shall have a cause of action, and, if proven in a court of competent jurisdiction, may be entitled to the following relief against a person or persons violating or threatening to violate this article:

(1) Compensatory damages;

(2) Costs and reasonable attorney fees, which shall be awarded if the injured person substantially prevails;

(3) Punitive damages in accordance with the provisions of section twenty-nine, article seven, chapter fifty-five of this code;

(4) Preliminary and permanent injunctive relief; and

(5) Any other appropriate equitable relief.

§21-5G-6. Exceptions.

This article does not apply:

(1) To any employee or employer covered by the federal Railway Labor Act, 45 U.S.C. 151, et. seq.;

(2) To any employee of the United States or a wholly owned corporation of the United States;

(3) To any employee who is employed on property over which the United States government has exclusive jurisdiction for purposes of labor relations; or

(4) Where the provisions of this article would otherwise conflict with, or be preempted by, federal law.

§21-5G-7. Construction; applicability; severability.

(a) Construction. — Except to the extent expressly prohibited by the provisions of this article, nothing in this article is intended, or should be construed, to change or affect any law concerning collective bargaining or collective bargaining agreements in the building and construction industry.

(b) Applicability. — This article applies to any written or oral contract or agreement entered into, modified, renewed or extended after July 1, 2016: Provided, That the provisions of this article shall not otherwise apply to or abrogate a written or oral contract or agreement in effect on or before June 30, 2016.

(c) Severability. — If any provision of this act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.”

The bill was then ordered to third reading.

Com. Sub. for H. B. 4311, Relating to qualifications of members of the Board of Landscape Architects; 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. 4313, Relating to qualifications of members of the Board of Architects; 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:

S. B. 32, Relating to withdrawal of candidates for office and filling vacancies,

Com. Sub. for H. B. 4244, Eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish a branch in West Virginia,

And,

Com. Sub. for H. B. 4245, Requiring the cashier or executive officer of a banking institution to provide shareholders with the institution's most recent year-end audited financial statement.

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Flanigan and Storch.

Miscellaneous Business

Delegate Frich filed a form with the Clerk's Office per House Rule 94b to be added as a cosponsor of H. B. 4248.

At 12:11 p.m., the House of Delegates adjourned until 11:00 a.m., Thursday, February 4, 2016.

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

HOUSE ABSTRACT

2016 Regular Session

CONTAINING

Active House Bills as of February 3, 2016

*Denotes Committee Substitutes

ACTIVE HOUSE BILLS

- *2101. By Del. Morgan, Caputo, Faircloth, Folk, Howell and Smith, R. - **Eliminating obsolete government entities** - Introduced 1/13/2016 - To Government Organization - Passed House 1/21/2016 - To Senate 1/25/2016 - To Government Organization - Amended - On 3rd reading 2/4/2016
- *2366. By Del. Rowan, Miller, Sobonya, Smith, P., Border, Arvon and Storch - **Relating generally to the solicitation of minors** - Introduced 1/13/2016 - To Judiciary - On 1st reading, House Calendar 2/4/2016
- 2449. By Del. Sobonya, Miller, Butler, Folk, Frich, Overington, Householder, Ihle, Nelson, J., Faircloth and Hill - **Permitting co-owners of cows to receive raw milk from those cows** - Introduced 1/13/2016 - To Agriculture and Natural Resources then Health and Human Resources - To House Health and Human Resources 2/3/2016
- *2511. By Del. Walters, Howell, Ellington, Canterbury, Smith, R., Gearheart, Perry, Smith, P. and Ambler - **Health Care Sharing Ministries Freedom to Share Act** - Introduced 1/13/2016 - To Health and Human Resources then Judiciary - To House Judiciary 1/15/2016 - On 1st reading, House Calendar 2/4/2016
- 2801. By Del. Rowe, Pushkin, Lynch, Guthrie and Byrd - **Permitting county commissions and municipalities to designate areas of special interest which will not affect the use of property in those areas** - Introduced 1/13/2016 - To Political Subdivisions then Judiciary - To House Judiciary 2/3/2016
- 4005. By Del. Cowles, Duke, Foster, Gearheart, Miller, Overington, Shott, Walters, Waxman, Westfall and Householder - **Repealing prevailing hourly rate of wages requirements**(original similar to SB2) - Introduced 1/13/2016 - To Government Organization - Laid over until 1/25/16 - Written motion to suspend Rule 95c rejected - Passed House 1/27/2016 - To Senate 1/28/2016 - To Government Organization - On 3rd reading 2/4/2016
- *4007. By Del. Rohrbach, Weld, Espinosa, Cooper, Butler, Waxman, Moffatt, Arvon, Cowles, Hill and Anderson - **Relating generally to appointment of attorneys to assist the Attorney General**(original similar to SB8) - Introduced 1/13/2016 - To Judiciary - Amended - Laid

over until 1/25/16 - Passed House 1/25/2016 - To Senate 1/26/2016 - To Judiciary - On 1st reading 2/4/2016

- *4145. By Del. Blair, Azinger, Butler, Cadle, Eldridge, Householder, Marcum, Overington, Phillips, Sobonya and Upson - **Relating to carry or use of a handgun or deadly weapon** - Introduced 1/19/2016 - To Judiciary - To House Judiciary 1/19/2016 - On 1st reading, House Calendar 2/4/2016
- *4163. By Del. Howell, Arvon, Moffatt, Westfall, McCuskey, Miller, Cadle, Walters, Zatezalo, Kelly and Ellington - **Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes** - Introduced 1/20/2016 - To Political Subdivisions then Judiciary - To House Political Subdivisions 1/20/2016 - To House Judiciary 1/27/2016 - On 1st reading, House Calendar 2/4/2016
- 4174. By Del. Kurcaba, Statler, Weld, Fast, Kelly, Azinger, Waxman, Blair, Upson, Frich and Phillips - **Exempting activity at indoor shooting ranges from the prohibition of shooting or discharging a firearm within five hundred feet of any church or dwelling house** - Introduced 1/20/2016 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/3/2016
- *4175. By Del. Kurcaba, Faircloth, Statler, Espinosa, McGeehan, Azinger, Upson, Kelly, Trecost and Ihle - **Relating generally to home schooling**(original similar to SB318) - Introduced 1/20/2016 - To Education - To House Education 1/20/2016 - Passed House 2/2/2016 - To Senate 2/3/2016 - To Education
- 4176. By Del. Stansbury, Howell, Householder, Ellington, Summers, Rohrbach, Weld, Miller, Hanshaw, Westfall and White, B. - **Permitting the Regional Jail and Correctional Facility Authority to participate in the addiction treatment pilot program** - Introduced 1/20/2016 - To Select Committee on Prevention and Treatment of Substance Abuse then Judiciary - To House Select Committee on Prevention and Treatment of Substance Abuse 1/20/2016 - To House Judiciary 2/3/2016
- 4197. By Del. Kelly, Cooper, Faircloth, Atkinson, Weld, Frich, Blair, Waxman, Zatezalo, Howell and Ireland - **Allowing required HIV and hepatitis testing for the protection of law-enforcement officers who may have been exposed** - Introduced 1/21/2016 - To Health and Human Resources then Finance - To House Finance 2/3/2016
- 4236. By Del. Hamilton, Evans, A., Romine, Wagner and Ambler - **Relating to the classification of certain species**(original similar to SB334) - Introduced 1/22/2016 - To Agriculture and Natural Resources then Government Organization - To House Government Organization 2/3/2016
- 4243. By Del. Border, Ellington, Arvon, Kelly, Sobonya, Anderson, Deem and Ireland - **Extending the time that certain nonprofit community groups are exempt from the moratorium on creating new nursing home beds** - Introduced 1/22/2016 - To Health and Human Resources - Passed House 2/3/2016
- *4244. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Shott, Flanigan, Waxman, Perry and White, B. - **Eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish**

- a branch in West Virginia** - Introduced 1/25/2016 - To Banking and Insurance then Judiciary - To House Judiciary 1/29/2016 - On 2nd reading, House Calendar 2/4/2016
- *4245. By Del. Walters, Frich, Westfall, McCuskey, Manchin, Skinner, Rowe, Flanigan, Waxman, Perry and White, B. - **Requiring the cashier or executive officer of a banking institution to provide shareholders with the institution's most recent year-end audited financial statement** - Introduced 1/25/2016 - To Banking and Insurance then Judiciary - To House Judiciary 1/29/2016 - On 2nd reading, House Calendar 2/4/2016
4248. By Del. Rohrbach, Sobonya, Bates, Ellington, Householder, Miller, Perdue, Stansbury, Waxman, White, B. and Frich - **Relating to methadone regulation** - Introduced 1/25/2016 - To Select Committee on Prevention and Treatment of Substance Abuse then Judiciary - To House Judiciary 2/3/2016
4255. By Del. Hamilton, Evans, A., Romine, Wagner, Ambler, Eldridge, Pethel, Sponaugle and Guthrie - **Relating to the taking and registration of wildlife including electronic registration of beaver, otter and big game animals**(original similar to SB333) - Introduced 1/25/2016 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/3/2016
4259. By Del. Rohrbach, Stansbury, Bates, Byrd, Ellington, Householder, Miller, Perdue, Waxman and White, B. - **Relating to the regulation of vapor products** - Introduced 1/25/2016 - To Health and Human Resources then Judiciary - To House Judiciary 2/3/2016
4299. By Del. Nelson, J., Phillips, Moffatt, Smith, R., McCuskey, Wagner, Bates, Eldridge, Stansbury, Arvon and Miley - **Increasing the amount volunteer fire companies or paid fire departments may charge for reimbursement** - Introduced 1/27/2016 - To Political Subdivisions then Finance - To House Finance 2/3/2016
- *4311. By Del. Howell, Arvon, Blair, Phillips, Hartman, Ihle, Cadle, McGeehan, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Board of Landscape Architects** - Introduced 1/27/2016 - To Government Organization - On 3rd reading, House Calendar 2/4/2016
- *4313. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Board of Architects**(original similar to HB4311) - Introduced 1/27/2016 - To Government Organization - On 3rd reading, House Calendar 2/4/2016
4314. By Del. Rohrbach, Stansbury, Bates, Ellington, Householder, Miller, Perdue, Waxman and White, B. - **Prohibiting the sale of powdered or crystalline alcohol** - Introduced 1/27/2016 - To Health and Human Resources then Judiciary - To House Judiciary 2/3/2016
4323. By Del. Cowles and Miley [By Request of the Executive] - **Relating to the reporting of emergency incidents by well operators and pipeline operators** - Introduced 1/28/2016 - To Industry and Labor then Energy - To House Energy 2/3/2016

4346. By Del. Hamilton, Evans, A., Romine, Wagner and Guthrie - **Relating to bear hunting and offenses and penalties**(original similar to SB389) - Introduced 2/1/2016 - To Agriculture and Natural Resources then Judiciary - To House Judiciary 2/3/2016
4393. By Del. Shott (Originating in House Judiciary) - **Relating to enhanced penalties for use of a firearm during commission of a felony** - Introduced 2/3/2016 - On 1st reading, House Calendar 2/4/2016

BILLS INTRODUCED AND REFERRED

Wednesday, February 03, 2016

4366. By Del. Canterbury, Nelson, E., Frich, Westfall, Guthrie and Longstreth - **Finding and declaring certain claims against the state and its agencies to be moral obligations of the state** - Introduced 2/3/2016 - To Finance
4367. By Del. Lane, Hamilton, Canterbury, Guthrie, Campbell, Hornbuckle, Reynolds, Sponaugle, Skinner, Byrd and Fluharty - **Relating to background checks for applicants for private investigator and security guard licensure**(original similar to HB4359, SB376) - Introduced 2/3/2016 - To Judiciary
4368. By Del. Marcum, Shott, Lane, Sobonya, Kessinger, White, P., Blair, Summers, Smith, R., Ireland and McCuskey - **Allowing the use of bailiffs who are not law-enforcement officers** - Introduced 2/3/2016 - To Judiciary
4369. By Del. Hamilton, Romine, Evans, A., Canterbury, Ambler, Cooper, Hill, Sponaugle, Campbell, Lynch and Wagner - **Decreasing and ending the tax on timber**(original similar to SB335) - Introduced 2/3/2016 - To Agriculture and Natural Resources then Finance
4370. By Del. Skinner, Fluharty, Reynolds, Blair, Kelly, Storch, Flanigan, Campbell, Ihle, Hartman and Perry - **Prohibiting discrimination in public employment based upon sexual orientation** - Introduced 2/3/2016 - To Government Organization then Judiciary
4371. By Del. Howell, Arvon, Zatezalo, Border, Phillips, Hill, Hartman, Ihle, Cadle, Stansbury and Morgan - **Abolishing the Council of Finance and Administration** - Introduced 2/3/2016 - To Government Organization
4372. By Del. Hicks, Frich, Reynolds, Marcum, Westfall, Rodighiero, Deem, Smith, R., Nelson, J. and Eldridge - **Creating tax credits for new and/or existing small businesses** - Introduced 2/3/2016 - To Small Business, Entrepreneurship and Economic Development then Finance
4373. By Del. Skinner, Campbell, Eldridge and Marcum - **Prohibiting exposing a dog or cat that is a companion animal to extreme weather conditions that results in injury or death**(original similar to SB436) - Introduced 2/3/2016 - To Agriculture and Natural Resources then Judiciary
4374. By Del. Hicks and Fleischauer - **Providing for security of private, employer-sponsored insurance and/or retirement plans** - Introduced 2/3/2016 - To Banking and Insurance then Finance

4375. By Del. Westfall - **Entering reciprocal agreements to recognize hunting, fishing and trapping licenses issued by other states**(original similar to HB4203) - Introduced 2/3/2016 - To Agriculture and Natural Resources then Judiciary
4376. By Del. Westfall, McCuskey, White, B., Stansbury and Weld - **Requiring automobile liability insurance providers must give a policyholder a ten day notice of an intent to cancel for nonpayment of premium** - Introduced 2/3/2016 - To Banking and Insurance then Judiciary
4377. By Del. Storch, Anderson, Trecoast, Manchin, Fluharty, Zatezalo, Weld and Evans, D. - **Eliminating exemption from hotel occupancy taxes on rental of hotel and motel rooms for thirty or more consecutive days** - Introduced 2/3/2016 - To Political Subdivisions then Finance
4378. By Del. Shott, Lane, McCuskey, Sobonya, Hanshaw, Miller, Arvon, Border and Kessinger - **Relating to access to and receipt of certain information regarding a protected person by certain relatives of the protected person** - Introduced 2/3/2016 - To Judiciary
4379. By Del. Storch, Evans, A., Kessinger, Upson, Campbell, Ferro, Rohrbach, Bates, Romine, Reynolds and Fluharty - **Allowing a voluntary donation of refunds for overpayment of fees to the Secretary of State's office to the West Virginia Children's Trust Fund** - Introduced 2/3/2016 - To Judiciary
4380. By Del. Ellington, Summers, Rohrbach and Stansbury - **Adding the spouse of an indigent person as a possible individual who may be liable for the funeral service expenses**(original similar to SB377) - Introduced 2/3/2016 - To Health and Human Resources then Finance
4381. By Del. Lane, Hamilton, Canterbury, Campbell, Guthrie, Hornbuckle, Sponaugle, Skinner, Byrd and Fluharty - **Requiring campaign finance statements by all candidates for circuit or family court judge to be filed with the Secretary of State**(original similar to SB379) - Introduced 2/3/2016 - To Judiciary
4382. By Del. Reynolds, Faircloth, Fluharty, Hicks, Moffatt, Folk, Skinner, Byrd, Phillips, Eldridge and Blackwell - **Prohibiting fuel surcharges in certain instances** - Introduced 2/3/2016 - To Judiciary
4383. By Del. Phillips, Reynolds, Marcum, Hamrick, Walters, Sobonya, White, P., Butler, McCuskey, Weld and Hanshaw - **Making individuals responsible for the costs relating to the filing of excessive false complaints** - Introduced 2/3/2016 - To Judiciary
4384. By Del. Butler, Gearheart, Waxman, Summers, Miller, Perry, McGeehan, Hamrick, Kurcaba, Wagner and Cadle - **Permitting students to opt out of taking certain academic assessments**(original similar to HB4281) - Introduced 2/3/2016 - To Education
4385. By Del. Cadle, Evans, D., Cooper, Ambler, Moye, Perry, Fast, Kessinger, Campbell, Hartman and Waxman - **Increasing the annual salary of employees of the Division of Corrections**(original similar to SB97) - Introduced 2/3/2016 - To Government Organization then Finance

4386. By Del. Ellington, Rohrbach and Stansbury - **Requiring the Department of Health and Human Resources to be notified of hearings involving criminal defendants to be placed in state inpatient mental health facilities** - Introduced 2/3/2016 - To Health and Human Resources then Judiciary
4387. By Del. Nelson, J., Moffatt, Smith, R., Ihle, McGeehan, Folk, Faircloth and Foster - **Providing that any law-abiding person eighteen years of age or older may carry a concealed weapon within the boundaries of the state**(original similar to SB136) - Introduced 2/3/2016 - To Judiciary
4388. By Del. Rohrbach, Ellington, Householder, Bates, Byrd, Sobonya, Summers, Upson and White, B. - **Relating to stroke centers**(original similar to SB401) - Introduced 2/3/2016 - To Health and Human Resources
4389. By Del. Hamilton, Evans, A., Romine, Wagner, Ambler, Pethtel, Sponaugle and Guthrie - **Relating to crossbow hunting**(original similar to SB336) - Introduced 2/3/2016 - To Agriculture and Natural Resources then Judiciary
4390. By Del. Rohrbach, Morgan, Trecost, Reynolds and Hornbuckle - **Relating to the West Virginia Land Reuse Agency Authorization Act** - Introduced 2/3/2016 - To Political Subdivisions then Government Organization
4391. By Del. Howell, Summers, Sobonya, Waxman, Evans, D., Kurcaba, Walters, Atkinson, Anderson, Ireland and Butler - **Issuing identification documents to homeless individuals residing at homeless shelters** - Introduced 2/3/2016 - To Judiciary then Finance
4392. By Del. Walters, Canterbury, Hanshaw, Skinner, Ireland, Gearheart, Fleischauer, Rowe and Storch - **Establishing a special fund to be used for minor road repair within the county** - Introduced 2/3/2016 - To Political Subdivisions then Finance

ALL HOUSE JOINT RESOLUTIONS OFFERED

2. By Del. Romine, Walters and Rowan - **Super-Majority Required for Passage of Tax Bill Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
3. By Del. Lane - **Homestead Exemption Increase Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
4. By Del. Caputo, Manchin and Longstreth - **The “Homestead Exemption Increase Amendment”** - Introduced 1/13/2016 - To Judiciary then Finance
5. By Del. Rodighiero, Hicks, Perdue, Marcum, Reynolds, Eldridge and Moye - **The “Homestead Exemption Increase Amendment”** - Introduced 1/13/2016 - To Judiciary then Finance
8. By Del. Overington, Walters, Deem, Gearheart, Householder, Sobonya, Moffatt, Cadle, Foster, Frich and Blair - **The “Initiative, Referendum, and Recall Amendment”** - Introduced 1/13/2016 - To Judiciary

9. By Del. Overington, Walters, Householder, Moffatt, Butler, Frich, Gearheart, Blair, Deem, Phillips and Foster - **The Super-Majority Required for Passage of Tax Bill Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
10. By Del. Overington, Walters, Householder, Kelly, Foster, Gearheart, Upson, Deem, Phillips and Shott - **Prohibiting the Governmental Taking of Private Property for Private Use Amendment** - Introduced 1/13/2016 - To Judiciary
12. By Del. Sponaugle, Longstreth, Hartman, Marcum, Hicks, Byrd, Hamilton, Perdue, Guthrie and Phillips - **The Right to Hunt and Fish in West Virginia Amendment** - Introduced 1/13/2016 - To Judiciary
13. By Del. Overington, Householder, Moffatt, Espinosa, Upson, Frich, Phillips, Perdue, Hanshaw, Border and Miller - **The Homestead Exemption Increase Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
14. By Del. Hamrick, Sobonya, Miller, Butler, Rohrbach and Nelson, J. - **The School Board Election Amendment** - Introduced 1/13/2016 - To Judiciary
16. By Del. Kurcaba, Hill, Faircloth, Wagner and Ihle - **The Term Limitations Amendment.** - Introduced 1/13/2016 - To Judiciary
18. By Del. Reynolds, Pushkin, Perry, Hornbuckle, Campbell, Byrd, Rohrbach and Bates - **The Removal of Governor's veto power for education spending in budget and appropriations bills.** - Introduced 1/13/2016 - To Finance then Judiciary
20. By Del. Reynolds, Moffatt, Rodighiero, Hicks, Lynch, Trecost and Bates - **Term Limitation Amendment** - Introduced 1/13/2016 - To Judiciary
21. By Del. Rodighiero - **The Citizens' Redistricting Commission Amendment** - Introduced 1/13/2016 - To Judiciary
22. By Del. Hamilton, O'Neal, Hanshaw, Kessinger, Blair, Weld, Foster, Hill, Ireland, Campbell and Marcum - **The Right to Hunt, Fish and Harvest Wildlife Amendment** - Introduced 1/13/2016 - To Judiciary
23. By Del. Sponaugle, Perdue, Hornbuckle, Marcum, Pushkin, Lynch, Hartman, Phillips and Campbell - **The Volunteer Emergency Service Personnel Property Tax Exemption Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
24. By Del. Sponaugle, Perdue, Fluharty, Hornbuckle, Trecost, Marcum, Pushkin, Byrd and Lynch - **The Veteran's Property Tax Exemption Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
25. By Del. Cowles - **The Disabled Veteran Exemption From Ad Valorem Property Taxation Amendment** - Introduced 1/13/2016 - To Judiciary then Finance
26. By Del. Lane and Shott - **The Constitutional Officers Term Limit Amendment** - Introduced 1/13/2016 - To Judiciary

27. By Del. Stansbury, Householder, Summers, Ellington, Perdue, Phillips, Nelson, J., Ambler, White, B., Rohrbach and Westfall - **Right to hunt, fish and harvest wildlife** - Introduced 1/18/2016 - To Agriculture and Natural Resources then Judiciary
28. By Del. Deem - **Relating to the creation of a Citizens Redistricting Commission to redistrict Senate, House of Delegates and Congressional Districts** - Introduced 1/20/2016 - To Judiciary - To House Judiciary 1/20/2016
29. By Del. Campbell, Cooper, Ferro, Kurcaba, Perry, Morgan, Pethtel, Kessinger, Statler, Wagner and Romine - **Reducing the length of terms for members of the West Virginia Board of Education** - Introduced 1/20/2016 - To Education then Judiciary - To House Education 1/20/2016
30. By Del. Foster - **Exemption from ad valorem taxation of manufacturing inventory and equipment** - Introduced 1/21/2016 - To Finance then Judiciary
31. By Del. Howell, Mr. Speaker (Mr. Armstead), Espinosa, Stansbury, Frich, Butler, Cadle, Blair, Cooper, Hamrick and Waxman - **Property tax limitation and homestead exemption amendment of 1982** - Introduced 1/21/2016 - To Finance then Judiciary
32. By Del. Deem and Overington - **Redistricting of Senate, House of Delegates and Congressional Districts** - Introduced 1/26/2016 - To Judiciary
33. By Del. Sobonya, Moffatt, Miller, Frich, Rohrbach, Butler, Cowles, Householder, Kurcaba and Summers - **Supervision of Free Schools** - Introduced 1/26/2016 - To Education then Judiciary
34. By Del. Sobonya, Moffatt, Miller, Rohrbach, Cadle, Summers, Cowles, Nelson, J., Kurcaba, Ihle and Frich - **Supervision of Free Schools** - Introduced 1/27/2016 - To Education then Judiciary
35. By Del. Shaffer, Smith, R., Lynch, Smith, P., Blackwell, Faircloth, Byrd and Ireland - **Senior Citizen Homestead Valuation Amendment** - Introduced 1/27/2016 - To Finance then Judiciary
36. By Del. Ferro, Lynch, Pethtel, Fluharty, Hamilton, Skinner, Storch, Caputo, Hartman and Perry - **The Simple Majority Levy Approval Amendment** - Introduced 1/29/2016 - To Judiciary
37. By Del. Marcum, Phillips, Sobonya, McCuskey, Westfall, Storch, Frich, Reynolds, Rohrbach, Shott and Householder - **Senators and Delegates Term Limit Amendment** - Introduced 2/1/2016 - To Judiciary
38. By Del. Bates - **Term Limits for Senators and Delegates in the West Virginia Legislature** - Introduced 2/3/2016 - To Judiciary
39. By Del. Bates, Lane and Pushkin - **State Apportionment Commission** - Introduced 2/3/2016 - To Judiciary

ALL HOUSE CONCURRENT RESOLUTIONS OFFERED

1. By Mr. Speaker (Mr. Armstead) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016 - To Senate 1/13/2016 - Committee reference dispensed - Adopted by Senate 1/14/2016
2. By Del. Rowan and Cowles - **U.S. Army PV2 William Frederick Kump Memorial Bridge** - Introduced 1/14/2016 - To Roads and Transportation then Rules
3. By Del. Rowan and Cowles - **North River Mills Historic Trace** - Introduced 1/14/2016 - To Roads and Transportation then Rules
4. By Del. Rowan - **CSA LTG Thomas J. "Stonewall" Jackson Bridge** - Introduced 1/14/2016 - To Roads and Transportation then Rules
5. By Del. Ambler, Canterbury and Cowles - **U.S. Army PV2 Eskridge A. Waggoner Memorial Bridge** - Introduced 1/15/2016 - To Roads and Transportation then Rules
6. By Del. Phillips, Marcum, Eldridge, Moffatt and White, P. - **U.S. Army CPL F. Lee Noel Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
7. By Del. Miller, Morgan, Moffatt, Hornbuckle, Reynolds, Sobonya and Rohrbach - **U.S. Army PFC Cecil Ray Ball Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
8. By Del. Westfall, McCuskey, White, B., Atkinson, Stansbury, Blair, Foster, Ihle, Butler and Storch - **Harry Ripley Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
9. By Del. Kelly, Kessinger, Azinger, Statler, Evans, D., Zatezalo, Weld, McGeehan, Ireland, Border and Nelson, J. - **Navy Chief Petty Officer Nicholas Heath Null Memorial Bridge** - Introduced 1/20/2016 - To Roads and Transportation then Rules - To House Roads and Transportation 1/20/2016
10. By Del. White, P., Phillips, Marcum and Eldridge - **U.S. Marine Corps GySgt Lionel Collins Memorial Road** - Introduced 1/21/2016 - To Roads and Transportation then Rules
11. By Del. Campbell, Moye, Rowan, Espinosa, Wagner, Hornbuckle, White, P., Marcum, Phillips, Stansbury and Hamilton - **World Autism Awareness Day** - Introduced 1/21/2016 - To Rules
12. By Del. Campbell, Hartman, Sponaugle, Espinosa, Wagner, White, P., Stansbury, Perry and Hamilton - **Cheat Mountain Salamander as the State symbol of conservation** - Introduced 1/21/2016 - To Agriculture and Natural Resources then Rules
13. By Del. Cooper and Ambler - **U.S. Army SPC 4 Everette R. Johnson Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules

14. By Del. Howell, Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Azinger, Border, Butler, Cadle, Cooper, Cowles, Duke, Ellington, Espinosa, Evans, D., Frich, Hamrick, Hanshaw, Hill, Householder, Ihle, Ireland, Kelly, Kessinger, Kurcaba, McGeehan, Miller, Moffatt, O'Neal, Overington, Rowan, Shott, Smith, R., Sobonya, Stansbury, Statler, Storch, Walters, Waxman and Zatezalo - **Second Friday in July as West Virginia Collector Car Appreciation Day** - Introduced 1/21/2016 - To Roads and Transportation then Rules
15. By Mr. Speaker (Mr. Armstead) - **U.S. Marine Corps PFC Clayton Andrew Craft Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
16. By Del. Morgan, Perdue, Hornbuckle, Sobonya, Rohrbach, Miller, Reynolds and Hicks - **U.S. Army PFC John Ira Pinkerman Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
17. By Del. Phillips, Marcum, Rodighiero and White, P. - **SGT Larry Joseph Whitt Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
18. By Del. Phillips, Marcum, Rodighiero and White, P. - **U.S. Air Force Staff Sergeant William Henry 'Bill' Whitman Memorial Highway** - Introduced 1/21/2016 - To Roads and Transportation then Rules
19. By Del. Waxman, Trecost, Miley and Hamrick - **H. Laban White Memorial Bridge** - Introduced 1/21/2016 - To Roads and Transportation then Rules
20. By Del. Cooper, Evans, D., Nelson, J., Fleischauer, Longstreth, Rowan and Weld - **Funding for the West Virginia National Guard** - Introduced 1/21/2016 - To Veterans' Affairs and Homeland Security then Rules
21. By Del. Howell, Blair, Cowles, Duke, Espinosa, Evans, A., Faircloth, Fleischauer, Folk, Frich, Householder, Kurcaba, Flanigan, Overington, Rowan, Shaffer, Skinner, Smith, R., Statler and Upson - **Study impact of reimbursing the State of Maryland for the use of its helicopter Maryland Trooper Five for runs into West Virginia** - Introduced 1/22/2016 - To Finance then Rules
22. By Del. White, B., Miller, Lane, Cowles, Evans, A., Kessinger, Shott, McCuskey, Sobonya, Stansbury, Byrd, Mr. Speaker (Mr. Armstead), Atkinson, Azinger, Blackwell, Blair, Deem, Ellington, Faircloth, Fleischauer, Folk, Hamrick, Householder, Ireland, Kelly, Kurcaba, McGeehan, Nelson, E., Overington, Pushkin, Rohrbach, Rowan, Rowe, Shaffer, Smith, P., Smith, R., Statler, Storch, Upson, Waxman, Weld, Westfall and Zatezalo - **U. S. Army SGT Gary Lee DeBoard Memorial Intersection** - Introduced 1/25/2016 - To Roads and Transportation then Rules
23. By Del. Marcum, Rodighiero, Phillips, White, P., Moffatt, Eldridge, Westfall and McGeehan - **Ingram's Way** - Introduced 1/25/2016 - To Roads and Transportation then Rules
24. By Del. Marcum, Phillips, Hamrick, White, P., Nelson, J., Smith, R., Arvon and Howell - **Cpl. Ronald Duke Varney Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules

25. By Del. Howell, Evans, A., Rowan and Smith, R. - **Frosty the Snowman Day** - Introduced 1/26/2016 - To Rules
26. By Del. Romine, Rowan, Pethtel and Hamilton - **Corporal Gary Wayne Weekley Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
27. By Del. Hamrick, Trecost, Waxman and Miley - **Michael Angiulli Memorial Bridge** - Introduced 1/26/2016 - To Roads and Transportation then Rules
28. By Del. Miley, Waxman, Trecost, Lane, Hamrick and Caputo - **U.S. Army CPL John Belcastro Bridge** - Introduced 1/29/2016 - To Roads and Transportation then Rules
29. By Del. Manchin, Caputo and Longstreth - **Harry C. "Buck" Markley Jr. Memorial Bridge** - Introduced 1/29/2016 - To Roads and Transportation then Rules
30. By Del. Hamilton, Lynch and Smith, P. - **U.S. Army PFC Everett Henry Woody Memorial Bridge** - Introduced 2/2/2016 - To Roads and Transportation then Rules
31. By Del. Sponaugle, Evans, A., Romine, Hamilton, Hartman, Lynch and Campbell - **Wilbur Lee Clayton Memorial Bridge** - Introduced 2/2/2016 - To Roads and Transportation then Rules
32. By Del. Marcum, White, P., Hamrick, Nelson, J., O'Neal, Summers, Foster, Blair, Sobonya, Kessinger, Smith, R., Hicks, Atkinson, Bates, Butler, Byrd, Eldridge, Evans, A., Fast, Ferro, Folk, Frich, Hamilton, Ireland, Kelly, Kurcaba, McCuskey, Moffatt, Morgan, Moye, Phillips, Reynolds, Rodighiero, Romine, Rowan, Storch, Weld, Westfall and Zatezalo - **Johnny Mack Bryant Memorial Bridge** - Introduced 2/2/2016 - To Roads and Transportation then Rules

ALL HOUSE RESOLUTIONS OFFERED

1. By Mr. Speaker (Mr. Armstead) - **Authorizing the appointment of employees for this, the Second Regular Session of the 82nd Legislature, 2016** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
2. By Mr. Speaker (Mr. Armstead) - **Authorizing printing and distribution of Acts of the Legislature and Journals of the House of Delegates** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
3. By Mr. Speaker (Mr. Armstead) - **Creating a Select Committee on Prevention and Treatment of Substance Abuse** - Introduced 1/13/2016 - Reference dispensed - Adopted by House 1/13/2016
4. By Del. O'Neal, Cooper, Moye, Mr. Speaker (Mr. Armstead), Ambler, Anderson, Arvon, Atkinson, Azinger, Bates, Blackwell, Blair, Boggs, Border, Butler, Byrd, Cadle, Campbell, Canterbury, Caputo, Cowles, Deem, Duke, Eldridge, Ellington, Espinosa, Evans, A., Evans, D., Faircloth, Fast, Ferro, Fleischauer, Fluharty, Folk, Foster, Frich, Gearheart, Guthrie, Hamilton, Hamrick, Hanshaw, Hartman, Hicks, Hill, Hornbuckle, Householder, Howell, Ihle, Ireland, Kelly, Kessinger, Kurcaba, Lane, Longstreth, Lynch, Manchin, Marcum, McCuskey, McGeehan, Miley, Miller, Moffatt, Moore, Morgan, Nelson, E.,

Nelson, J., Overington, Perdue, Perry, Pethtel, Phillips, Pushkin, Reynolds, Rodighiero, Rohrbach, Romine, Rowan, Rowe, Shaffer, Shott, Skinner, Smith, P., Smith, R., Sobonya, Sponaugle, Stansbury, Statler, Storch, Summers, Trecoast, Upson, Wagner, Walters, Waxman, Weld, Westfall, White, B., White, P. and Zatezalo - **Memorializing the life of the Honorable Arnold W. Ryan** - Introduced 1/18/2016 - Reference dispensed - Adopted by House 1/18/2016

5. By Del. Howell, Arvon, Atkinson, Cadle, Canterbury, Fast, Folk, Foster, Gearheart, Hamrick, Ihle, Ireland, Kessinger, Flanigan, Overington, Phillips, Wagner, Waxman and Zatezalo - **Expressing concern of the House of Delegates to the growth of the federal government's power over the individual states of the United States** - Introduced 1/25/2016 - To Rules
6. By Del. Howell, Evans, A., Rowan and Smith, R. - **Honoring the town of Piedmont's 160th anniversary** - Introduced 1/26/2016 - To Rules
7. By Del. Sobonya, Arvon, Azinger, Rohrbach, Deem, Duke, Espinosa, Evans, A., Faircloth, Fast, Fleischauer, Folk, Frich, Hamilton, Hamrick, Hicks, Hill, Howell, Ihle, Kelly, Kessinger, Marcum, McCuskey, Moffatt, Morgan, Moye, Pushkin, Rodighiero, Romine, Rowan, Rowe, Shaffer, Smith, P., Stansbury, Statler, Storch, Waxman, Weld, Westfall, Zatezalo, Mr. Speaker (Mr. Armstead) and Del. Blackwell - **Designating that the month of April be proclaimed as Sarcoidosis Awareness Month beginning in 2016.** - Introduced 1/26/2016 - To Rules

HOUSE BILLS PASSED HOUSE AND COMMUNICATED TO SENATE

- *2101. By Del. Morgan, Caputo, Faircloth, Folk, Howell and Smith, R. - **Eliminating obsolete government entities** - Introduced 1/13/2016 - To Government Organization - Passed House 1/21/2016 - To Senate 1/25/2016 - To Government Organization - Amended - On 3rd reading 2/4/2016
- *2130. By Del. Westfall, Espinosa, Hamrick, McCuskey, Stansbury, White, B. and Ihle - **Including law-enforcement officers among those professionals the assault or battery of which leads to enhanced criminal penalties** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/27/2016 - To Senate 1/28/2016 - To Judiciary
2147. By Del. Folk, Hamilton, Frich, Shott, Householder, Ireland, Weld, Gearheart, Hanshaw and Azinger - **Requiring the circuit court, when appointing counsel for alleged protected persons, to make appointments from a listing of all interested attorneys in the circuit** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - Title amended - To Senate 1/27/2016 - To Judiciary
2584. By Del. Rohrbach, Sobonya, Shott, Miller, Hicks, Reynolds and Rowe - **Allowing a judge to excuse a potential juror from jury duty until a later date based on seasonal employment** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Amended - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- *2588. By Del. Nelson, E., Lane, Kurcaba, O'Neal, Westfall, McCuskey, Byrd, Gearheart, Storch and Espinosa - **Relating to the filing of financial statements with the Secretary of**

- State** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
2796. By Mr. Speaker (Mr. Armstead) - **Providing paid leave for certain state officers and employees during a declared state of emergency** - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Government Organization
- *2800. By Del. Miller, Ferro, Sobonya, Border, Rohrbach, Folk and Eldridge - **Adding law-enforcement officers' contact information and names of family members to the list of exemptions from public records requests**(original similar to SB 310) - Introduced 1/13/2016 - To Judiciary - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Judiciary
- *4002. By Del. Howell, Anderson, Mr. Speaker (Mr. Armstead), Faircloth, Frich, Hanshaw, McCuskey, Rohrbach, Summers, Shott and Walters - **Relating to rule making under the state Administrative Procedures Act** (original similar to SB3) - Introduced 1/13/2016 - To Judiciary - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - Title amended - To Senate 1/26/2016 - To Government Organization
4005. By Del. Cowles, Duke, Foster, Gearheart, Miller, Overington, Shott, Walters, Waxman, Westfall and Householder - **Repealing prevailing hourly rate of wages requirements** (original similar to SB2) - Introduced 1/13/2016 - To Government Organization - Laid over until 1/25/16 - Written motion to suspend Rule 95c rejected - Passed House 1/27/2016 - To Senate 1/28/2016 - To Government Organization - On 3rd reading 2/4/2016
- *4007. By Del. Rohrbach, Weld, Espinosa, Cooper, Butler, Waxman, Moffatt, Arvon, Cowles, Hill and Anderson - **Relating generally to appointment of attorneys to assist the Attorney General**(original similar to SB8) - Introduced 1/13/2016 - To Judiciary - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - To Senate 1/26/2016 - To Judiciary - On 1st reading 2/4/2016
- *4031. By Del. Frich, Sobonya, Howell, Moffatt, Hanshaw, McCuskey, Shott, Overington, Mr. Speaker (Mr. Armstead), Rowe and Fleischauer - **Requiring agencies to respond to public comments received during the rule-making process** - Introduced 1/15/2016 - To Government Organization - Amended - Laid over until 1/25/16 - Passed House 1/25/2016 - Title amended - To Senate 1/26/2016 - To Government Organization
4033. By Del. Ellington, Summers, Householder, Rohrbach, Stansbury, Waxman, Perdue and Rodighiero (Originating in House Health and Human Resources) - **Adding criminal penalties for the unauthorized practice of pharmacists care** - Introduced 1/15/2016 - Passed House 1/20/2016 - To Senate 1/21/2016 - To Health and Human Resources then Judiciary - To Health and Human Resources 1/21/2016
- *4038. By Del. Ellington, Summers, Bates, Faircloth, Householder, Rohrbach and Stansbury - **Relating to insurance requirements for the refilling of topical eye medication** - Introduced 1/18/2016 - To Health and Human Resources - Laid over until 1/25/16 - Passed House 1/26/2016 - To Senate 1/27/2016 - To Health and Human Resources
- *4175. By Del. Kurcaba, Faircloth, Statler, Espinosa, McGeehan, Azinger, Upson, Kelly, Trecost and Ihle - **Relating generally to home schooling**(original similar to SB318) - Introduced

1/20/2016 - To Education - To House Education 1/20/2016 - Passed House 2/2/2016 - To Senate 2/3/2016 - To Education

- *4227. By Del. Howell, Arvon, Zatezalo, Border, Phillips, Hartman, Ihle, Cadle, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Real Estate Appraiser Licensing and Certification Board** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - Title amended - To Senate 2/1/2016 - To Government Organization
- *4230. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Smith, R., Hamrick and Morgan - **Relating to qualifications of members of the Board of Registration For Professional Engineers** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - To Senate 2/1/2016 - To Government Organization
- 4235. By Del. Shott - **Relating to the publication requirements of the administration of estates** - Introduced 1/22/2016 - To Judiciary - Passed House 2/1/2016 - Title amended - To Senate 2/2/2016 - To Judiciary
- *4238. By Del. Howell, Arvon, Blair, Phillips, Hill, Hartman, Stansbury, McGeehan, Smith, R., Hamrick and Morgan - **Relating to qualifications of members of the board of Professional Surveyors** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - Title amended - To Senate 2/1/2016 - To Government Organization
- *4241. By Del. Howell, Arvon, Zatezalo, Border, Phillips, Hartman, Ihle, Cadle, Moffatt, Atkinson and Morgan - **Relating to qualifications of members of the Real Estate Commission** - Introduced 1/22/2016 - To Government Organization - Passed House 1/29/2016 - To Senate 2/1/2016 - To Government Organization
- 4243. By Del. Border, Ellington, Arvon, Kelly, Sobonya, Anderson, Deem and Ireland - **Extending the time that certain nonprofit community groups are exempt from the moratorium on creating new nursing home beds** - Introduced 1/22/2016 - To Health and Human Resources - Passed House 2/3/2016

ALL SENATE BILLS PASSED BY SENATE AND COMMUNICATED TO HOUSE

- 1. By Sen. Cole (Mr. President), Blair, Boso, Ferns, Gaunch, Trump, Carmichael, Sypolt and Takubo - **Establishing WV Workplace Freedom Act**(original similar to HB4006) - Introduced 1/13/2016 - To Judiciary - Amended - Passed Senate 1/21/2016 - To House 1/25/2016 - To Judiciary - Amended - On 3rd reading, House Calendar 2/4/2016
- *13. By Sen. Carmichael, Boso, Gaunch, Leonhardt, Trump, Walters, Blair, Takubo, Miller and Unger - **Increasing penalties for overtaking and passing stopped school buses** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate with amended title 1/26/2016 - To House 1/27/2016 - To Judiciary
- *14. By Sen. Trump, Boso, Ferns, Leonhardt, Takubo and Blair - **Limiting successor corporation asbestos-related liabilities** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/26/2016 - Passed Senate 1/29/2016 - To House 2/1/2016 - To Judiciary

15. By Sen. Boso and Gaunch - **Adopting learned intermediary doctrine as defense to civil action due to inadequate warnings or instructions** - Introduced 1/13/2016 - To Judiciary - Passed Senate 2/1/2016 - To House 2/2/2016 - To Judiciary
- *27. By Sen. Kirkendoll, Miller and Gaunch - **Permitting county commissions hire outside attorneys for collection of taxes through courts** - Introduced 1/13/2016 - To Government Organization then Judiciary - Com. sub. reported 1/25/2016 - To Judiciary 1/25/2016 - Com. sub. for com. sub. reported 1/27/2016 - Passed Senate 2/1/2016 - To House 2/2/2016 - To Judiciary then Finance
32. By Sen. Palumbo, Beach and Miller - **Relating to withdrawal of candidates for office and filling vacancies** - Introduced 1/13/2016 - To Judiciary - Amended - Passed Senate 1/26/2016 - To House 1/27/2016 - To Judiciary - On 2nd reading, House Calendar 2/4/2016
- *102. By Sen. Trump, Boso and Gaunch - **Conforming to federal Law-Enforcement Officers Safety Act** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate 1/26/2016 - To House 1/27/2016 - To Judiciary
107. By Sen. Trump - **Uniform Interstate Depositions and Discovery Act** - Introduced 1/13/2016 - To Judiciary - Passed Senate with amended title 1/27/2016 - To House 1/28/2016 - To Judiciary
123. By Sen. Stollings - **Treatment for sexually transmitted diseases** - Introduced 1/13/2016 - To Health and Human Resources then Judiciary - 2nd reference dispensed - Passed Senate 2/3/2016
- *146. By Sen. Plymale and Unger - **Establishing instruction standards for early childhood education** - Introduced 1/13/2016 - To Education - Com. sub. reported 1/25/2016 - Passed Senate 1/29/2016 - Effective July 1, 2016 - To House 2/1/2016 - To Education
- *150. By Sen. Maynard - **Authorizing Department of Transportation promulgate legislative rules** (original similar to HB4082) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/27/2016 - Passed Senate 2/1/2016 - Effective from passage - To House 2/2/2016 - To Judiciary
- *157. By Sen. Maynard - **Authorizing Department of Revenue to promulgate legislative rules** (original similar to HB4088) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/20/2016 - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Judiciary
- *195. By Sen. Maynard - **Authorizing DHHR to promulgate legislative rules** (original similar to HB4114) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/21/2016 - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Judiciary
- *202. By Sen. Maynard - **Authorizing Department of Commerce promulgate legislative rules**(original similar to HB4126) - Introduced 1/13/2016 - To Natural Resources then Judiciary - To Judiciary 1/21/2016 - Com. sub. reported 1/26/2016 - Passed Senate 1/29/2016 - Effective from passage - To House 2/1/2016 - To Judiciary

- *216. By Sen. Maynard - **Authorizing Human Rights Commission promulgate legislative rule relating to Pregnant Workers' Fairness Act** (original similar to HB4141) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/26/2016 - Passed Senate 1/29/2016 - Effective from passage - To House 2/1/2016 - To Judiciary
- *254. By Sen. Trump - **Not allowing county park commissions to prohibit firearms in facilities** - Introduced 1/13/2016 - To Government Organization then Judiciary - Com. sub. reported 1/29/2016 - 2nd reference dispensed - Passed Senate 2/3/2016 - Effective from passage
- 261. By Sen. Blair - **Bringing state code relating to daylight saving time in conformity with federal code** - Introduced 1/13/2016 - To Government Organization - Passed Senate 2/3/2016
- *262. By Sen. Blair - **Eliminating need for law enforcement to obtain court order prior to having access to inmate mail and phone recordings** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 1/25/2016 - Passed Senate 1/28/2016 - To House 1/29/2016 - To Judiciary
- *263. By Sen. Blair and Snyder - **Allowing travel and other expense reimbursement for members of Municipal Home Rule Board** - Introduced 1/13/2016 - To Government Organization - Com. sub. reported 1/15/2016 - Passed Senate 1/20/2016 - To House 1/21/2016 - To Political Subdivisions then Finance
- *268. By Sen. Blair - **Abolishing Council of Finance and Administration** - Introduced 1/13/2016 - To Government Organization - Com. sub. reported 1/29/2016 - Passed Senate 2/3/2016
- 271. By Sen. Ferns and Gaunch - **Conforming definition of attest services to Uniform Accountancy Act**(original similar to HB4312) - Introduced 1/14/2016 - To Judiciary - Passed Senate 2/2/2016 - To House 2/3/2016 - To Judiciary
- *288. By Sen. Trump, Blair, Takubo, Walters, Romano and Palumbo - **Creating one-day special license for charitable events to sell nonintoxicating beer** - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 1/27/2016 - Passed Senate 2/1/2016 - Effective from passage - To House 2/2/2016 - To Judiciary then Finance
- *290. By Sen. Trump - **Assignment of wages by employers and payment by payroll card** - Introduced 1/14/2016 - To Judiciary - Com. sub. reported 1/25/2016 - Amended - Passed Senate with amended title 1/28/2016 - To House 1/29/2016 - To Judiciary
- 306. By Sen. Blair - **Permitting sale of county or district property online** - Introduced 1/15/2016 - To Government Organization - Passed Senate 2/3/2016
- 311. By Sen. Snyder, Romano, Gaunch, Kessler and Blair - **Allowing permanent exception for mortgage modification or refinancing loan under federal Making Home Affordable program** - Introduced 1/18/2016 - To Government Organization - Passed Senate 1/26/2016 - To House 1/27/2016 - To Banking and Insurance then Finance
- 323. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano and Williams - **Correcting statute subsection designations regarding trespassing on property** - Introduced 1/19/2016 -

- To Judiciary - Passed Senate with amended title 1/26/2016 - To House 1/27/2016 - To Judiciary
329. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano, Plymale, Stollings and Unger - **Eliminating sunset provision for commission to study residential placement of children** - Introduced 1/20/2016 - To Health and Human Resources then Judiciary - 2nd reference dispensed - Passed Senate 2/1/2016 - To House 2/2/2016 - To Health and Human Resources then Judiciary
333. By Sen. Karnes and Leonhardt - **Taking and registering of wildlife**(original similar to HB4255) - Introduced 1/20/2016 - To Natural Resources then Government Organization - 2nd reference dispensed - Passed Senate with amended title 2/2/2016 - To House 2/3/2016 - To Agriculture and Natural Resources then Judiciary
334. By Sen. Karnes - **Identifying coyote as fur-bearing animal and woodchuck as game animal**(original similar to HB4236) - Introduced 1/20/2016 - To Natural Resources then Government Organization - 2nd reference dispensed - Passed Senate 2/2/2016 - To House 2/3/2016 - To Agriculture and Natural Resources then Government Organization
336. By Sen. Karnes and Leonhardt - **Relating to crossbow hunting** - Introduced 1/20/2016 - To Natural Resources - Passed Senate 2/2/2016 - To House 2/3/2016 - To Agriculture and Natural Resources then Judiciary
- *338. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano, Stollings, Plymale and Yost - **Compiling and maintaining Central State Mental Health Registry** - Introduced 1/21/2016 - To Health and Human Resources then Judiciary - Com. sub. reported 1/27/2016 - 2nd reference dispensed - Passed Senate 2/1/2016 - To House 2/2/2016 - To Health and Human Resources then Judiciary
- *342. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Decreasing appropriations from State Fund, General Revenue, to DHHR, Division of Human Services and Bureau of Senior Services** - Introduced 1/21/2016 - To Finance - Com. sub. reported 1/27/2016 - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Finance - On 1st reading, House Calendar 2/4/2016
- *343. By Sen. Cole (Mr. President), Hall, Kessler and Trump - **Authorizing prosecuting attorneys designate law-enforcement officers and investigators as custodians of records** (original similar to HB4206, HB4289) - Introduced 1/21/2016 - To Judiciary - Com. sub. reported 1/28/2016 - Amended - Passed Senate with amended title 2/2/2016 - Effective from passage - To House 2/3/2016 - To Judiciary
357. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund** (original similar to HB4229) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - To Finance - On 1st reading, House Calendar 2/4/2016
360. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation to Division of Human Services**(original similar to HB4149) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 -

Effective from passage - To House 1/28/2016 - To Finance - On 1st reading, House Calendar 2/4/2016

364. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation expiring funds from General Revenue** (original similar to HB4189) - Introduced 1/21/2016 - To Finance - Constitutional rule suspended - Passed Senate 1/27/2016 - Effective from passage - To House 1/28/2016 - Reference dispensed - Motion to lay over adopted - Laid over until 2/1/16 - Passed House 2/2/2016 - Effective from passage
- *369. By Sen. Sypolt, Boso, Plymale, Prezioso and Williams - **Reducing legislative education reporting requirements** - Introduced 1/21/2016 - To Education - Com. sub. reported 1/29/2016 - Passed Senate 2/3/2016
379. By Sen. Trump, Palumbo, Gaunch, Williams, Beach, Yost and Miller - **Relating to candidate filing fees** - Introduced 1/25/2016 - To Judiciary - Passed Senate with amended title 2/1/2016 - Effective from passage - To House 2/2/2016 - To Judiciary

SENATE CONCURRENT RESOLUTIONS ADOPTED BY SENATE AND COMMUNICATED TO HOUSE

2. By Sen. Leonhardt, Boley, Ashley, Facemire, Sypolt, Yost, Beach, Boso, Ferns, Miller, Palumbo, Plymale, Romano, Takubo, Unger, Williams, Prezioso and Blair - **Urging Congress provide funding for WV National Guard** - Introduced 1/19/2016 - To Military - Adopted by Senate 1/29/2016 - To House 2/1/2016 - To Rules - To House Rules 2/1/2016
16. By Sen. Romano, Facemire, Williams and Stollings - **U.S. Army CPL John Belcastro Bridge** - Introduced 2/1/2016 - Committee reference dispensed - Adopted by Senate 2/2/2016 - To House 2/3/2016 - To Rules - To House Rules 2/3/2016

HOUSE CONCURRENT RESOLUTIONS ADOPTED BY BOTH HOUSES

1. By Mr. Speaker (Mr. Armstead) - **Extending an invitation to His Excellency, the Governor, to deliver an address to the Legislature and raising a Joint Assembly therefor** - Adopted 1/13/2016

SENATE BILLS PASSED LEGISLATURE

364. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation expiring funds from General Revenue** (original similar to HB4189) - Passed 2/2/2016; Effective from passage

HOUSE CALENDAR

Thursday, February 4, 2016

23rd Day

11:00 A. M.

THIRD READING

- S. B. 1 - Establishing WV Workplace Freedom Act (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4311 - Relating to qualifications of members of the Board of Landscape Architects (HOWELL) (REGULAR)
- Com. Sub. for H. B. 4313 - Relating to qualifications of members of the Board of Architects (HOWELL) (REGULAR)

SECOND READING

- S. B. 32 - Relating to withdrawal of candidates for office and filling vacancies (SHOTT) (EFFECTIVE FROM PASSAGE) (JUDICIARY COMMITTEE AMENDMENT PENDING)
- Com. Sub. for H. B. 4244 - Eliminating the need for a public hearing when no objection is filed on an application from an out of state state-chartered credit union to establish a branch in West Virginia (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4245 - Requiring the cashier or executive officer of a banking institution to provide shareholders with the institution's most recent year-end audited financial statement (SHOTT) (REGULAR)

FIRST READING

- Com. Sub. for S. B. 342 - Decreasing appropriations from State Fund, General Revenue, to DHHR, Division of Human Services and Bureau of Senior Services (E. NELSON) (EFFECTIVE FROM PASSAGE)
- S. B. 357 - Supplemental appropriation from Lottery Net Profits to Bureau of Senior Services, Lottery Senior Citizens Fund (E. NELSON) (EFFECTIVE FROM PASSAGE)
- S. B. 360 - Supplemental appropriation to Division of Human Services (E. NELSON) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2366 - Relating generally to the solicitation of minors (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2511 - Health Care Sharing Ministries Freedom to Share Act (SHOTT) (REGULAR)

- Com. Sub. for H. B. 4145 - Relating to carry or use of a handgun or deadly weapon (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4163 - Providing the authority and procedure for municipalities to give notice to, and publish the names of, entities delinquent in paying business and occupation taxes (SHOTT) (REGULAR)
- H. B. 4393 - Relating to enhanced penalties for use of a firearm during commission of a felony (SHOTT) (REGULAR)

WEST VIRGINIA HOUSE OF DELEGATES

THURSDAY, FEBRUARY 4, 2016

HOUSE CONVENES AT 11:00 A. M.

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

**H. B. 4014, PREVENTING THE STATE BOARD OF EDUCATION FROM IMPLEMENTING COMMON
CORE ACADEMIC STANDARDS AND ASSESSMENTS**

**COMMITTEE ON SMALL BUSINESS, ENTREPRENEURSHIP
9:00 A.M. – 215E**

**COMMITTEE ON BANKING & INSURANCE
10:00 A.M. – 215E**

**COMMITTEE ON SENIOR CITIZEN ISSUES
1:00 P.M. – 434M**

**COMMITTEE ON HEALTH & HUMAN RESOURCES
2:00 P.M. – 215E**

**COMMITTEE ON ENERGY
2:00 P.M. – 418M**

TUESDAY, FEBRUARY 9, 2016

**PUBLIC HEARING – COMMITTEE ON HEALTH & HUMAN RESOURCES
1:00 P.M. HOUSE CHAMBER**

H. B. 4365, RELATING TO THE CERTIFICATE OF NEED PROCESS

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