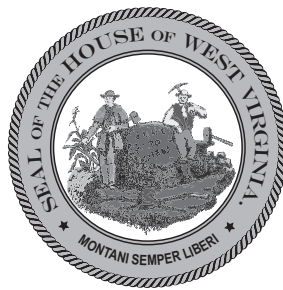


West Virginia Legislature

JOURNAL  
of the  
HOUSE of DELEGATES

Eighty-Second Legislature  
Second Regular Session

Held at Charleston  
Published by the Clerk of the House



February 9, 2016  
TWENTY-EIGHTH DAY



---

Tuesday, February 9, 2016

**TWENTY-EIGHTH 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 Monday, February 8, 2016, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Committee Reports**

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 8<sup>th</sup> day of February, 2016, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

**(S. B. 1)**, Establishing WV Workplace Freedom Act,

And,

**(H. B. 4005)**, Repealing prevailing hourly rate of wages requirements.

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

Your Committee on Education has had under consideration:

**H. B. 4147**, Making the West Virginia Schools for the Deaf and Blind eligible to participate in any and all funding administered or distributed by the West Virginia School Building Authority,

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

At the request of Delegate Cowles, and by unanimous consent, second reference of the bill (H. B. 4147) to the Committee on Finance was dispensed with.

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

Your Committee on Education has had under consideration:

**H. B. 2202**, Relating to more equitable disbursement of funds to county boards,

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. 2202) was referred to the Committee on Finance.

### Messages from the Senate

A message from the Senate, by

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

**Com. Sub. for S. B. 278** - "A Bill to amend and reenact §33-20F-2 and §33-20F-4 of the Code of West Virginia, 1931, as amended, all relating to clarifying that a physicians' mutual insurance company is not a state actor or a quasi-state actor, allowing it to operate as any other commercial insurance company licensed in West Virginia; and clarifying and revising findings and purpose"; which was referred to the Committee on Banking and Insurance then the Judiciary.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

**Com. Sub. for H. B. 4007**, Relating generally to appointment of attorneys to assist the Attorney General.

On motions of Delegate Cowles, the bill was taken up for immediate consideration and the House of Delegates concurred in the following Senate amendment:

On page one, by striking out everything after the enacting section and inserting in lieu thereof the following:

#### **"ARTICLE 3. ATTORNEY GENERAL.**

##### **§5-3-3. Assistants to Attorney General.**

(a) The Attorney General may appoint such deputy or assistant attorneys general as may be necessary to properly perform the duties of his or her office. The total compensation of all such deputies or assistants shall be within the limits of the amounts appropriated by the Legislature for personal services. All deputy or assistant attorneys general so appointed shall serve at the will and pleasure of the Attorney General and shall perform such duties as ~~he~~ the Attorney General may require of them.

(b) The Attorney General may appoint such special assistant attorneys general as may be necessary to properly perform the duties of his or her office: *Provided*, That if the appointment relates to a contingency fee legal arrangement or contract as defined in W. Va. Code §5-3-3a(a)(1), then the appointment must be in accordance with the procedures and compensation set forth in W.Va. Code §5-3-3a. All special assistant attorneys general appointed shall serve at the will and pleasure of the Attorney General and shall perform such duties as the Attorney General may require of them.

(c) All laws or parts of laws inconsistent with the provisions hereof are hereby amended to be in harmony with the provisions of this section.

##### **§5-3-3a. Competitive bidding required for private attorneys, special assistant attorneys general.**

(a) The following terms, wherever used or referred to in this section, have the following meanings:

(1) 'Contingency fee legal arrangement or contract' means any legal fee arrangement that provides for a private attorney or special assistant Attorney General to be paid a percentage of any recovery associated with any claims brought by the private attorney or special assistant Attorney General on behalf of the state or to be paid through a court-approved award of attorney's fees.

(2) 'Deputy or assistant Attorney General' means an attorney employed by the state as a staff attorney in the Attorney General's office.

(3) 'Private attorney' means any attorney who is neither an assistant Attorney General on the Attorney General's staff nor an employee of another state agency.

(4) 'Special assistant Attorney General' means an attorney that has been retained or appointed by the Attorney General to assist in the legal representation of the state.

(5) 'State' means the State of West Virginia, including state officers, departments, boards, commissions, divisions, bureaus, councils and units of organization, however designated, of the executive branch of state government and any of its agents.

(b) The state may not enter into any contingency fee legal arrangement or contract with a private attorney unless the Attorney General, or his or her designee, makes a written determination prior to entering into such a contract that the legal representation is both cost-effective and in the best interest of the public. Any written determination shall include specific findings for each of the following factors:

(1) Whether sufficient and appropriate legal and financial resources exist within the Attorney General's office to handle the matter;

(2) The time and labor required; the novelty, complexity and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;

(3) The geographic area where the attorney services are to be provided, as well as any potential costs associated with providing legal services in that geographic area; and

(4) The amount of experience desired for the particular kind of legal services to be provided and the need for a private attorney's experience with similar issues or cases.

(c) If the Attorney General, or his or her designee, makes the written determination described in subsection (b) of this section, the Attorney General shall request proposals from private attorneys to represent the state accordingly on the basis of a fee arrangement as set forth in subsection (h) of this section, unless the Attorney General, or his or her designee, makes a written determination that one of the following factors applies:

(1) An emergency situation exists that requires time-sensitive legal services that cannot be adequately provided by the Office of Attorney General and for which insufficient time exists to complete the customary competitive bidding process;

(2) An appointment, or the continuation of an appointment, is necessary to avoid disruption in pending legal matters by allowing previously appointed outside counsel to continue providing legal representation; or

(3) The legal services are to be provided on a pro bono basis and, therefore, will not benefit from a competitive bidding process.

(d) Any requests for proposal shall be posted to the website of the Office of the Attorney General. The time period under which the proposal is open should be clearly stated.

(e) When soliciting proposals from private attorneys to represent the state on the basis of a fee arrangement as set forth in subsection (h) of this section, the Attorney General, or his or her designee, shall consider the following factors when determining the most competitive proposal for legal services and make a written determination as to the application of these factors, prior to entering into any contract for outside legal services:

(1) Whether the private attorneys possess the requisite skills and expertise needed to handle the legal matters in question;

(2) Whether the private attorneys possess requisite staffing and support to handle the scope of the litigation or matter;

(3) Whether the private attorneys or any members of the private attorneys' law firm have been subject to discipline by the West Virginia State Bar, or other entities, for unethical conduct;

(4) Whether the private attorneys have been peer rated and, if so, what peer ratings they have received, along with any other recognitions or awards for legal services;

(5) The estimated fees, costs and expenses of the private attorneys to perform the legal services requested;

(6) The willingness of the private attorneys to enter into alternative billing arrangements;

(7) Whether the private attorneys are in compliance with all applicable laws of the State of West Virginia;

(8) Any potential disqualifying conflicts of interest between the private attorneys and the state;

(9) Any relevant input from the state entity client, if applicable, regarding the needed legal services; and

(10) Any such other relevant factors as may be identified by the Attorney General or his or her designee.

(f) If, after soliciting proposals for legal services, the Attorney General, or his or her designee, determines that the proposals received are insufficient based on an application of the factors set forth in subsection (e) of this section, additional proposals may be solicited pursuant to subsections (b), (c) and (e) of this section.

(g) The state shall not enter into a contingency fee legal arrangement or contract as defined herein for private attorney services unless the following requirements are met throughout the contract period and any extensions thereof:

(1) The Attorney General, or the deputy or assistant Attorney General involved in the case, shall retain control over the course and conduct of the case;

(2) The Attorney General, or the deputy or assistant Attorney General with supervisory authority, is personally involved in overseeing the litigation;

(3) The Attorney General, or the deputy or assistant Attorney General involved in the case, retains veto power over any decisions made by any appointed private attorneys; and

(4) Decisions regarding settlement of the case are reserved exclusively to the discretion of the state or other client entity. An appropriate representative of the Attorney General's office shall attend settlement conferences whenever possible.

(h) The state may not enter into any fee arrangement that provides for the private attorney to receive an aggregate fee in excess of:

- (1) Twenty-five percent of the first \$10 million recovered; plus
- (2) Twenty percent of any portion of the recovery between \$10 million and \$15 million; plus
- (3) Fifteen percent of any portion of the recovery between \$15 million and \$20 million; plus
- (4) Ten percent of any portion of the recovery between \$20 million and \$25 million; plus
- (5) Five percent of any portion of the recovery exceeding \$25 million.

In no event shall the aggregate fee for any legal matter exceed \$50 million for any matters arising from a single event or occurrence, exclusive of reasonable costs and expenses, and irrespective of the number of lawsuits filed or the number of private attorneys retained to achieve the recovery. Any legal fees shall not be based on penalties or fines awarded or any amounts attributable to penalties or fines.

To the extent that any private attorneys are to be paid through a court-approved award of attorney's fees, their appointment to represent the state is contingent upon the acceptance of the fee limitations set forth herein. To the extent that any award of attorney fees is subject to judicial discretion, the private attorneys appointed pursuant to this section may not accept an award of attorney fees greater than the fee limitations outlined in this subsection.

(i) The Attorney General shall develop a standard addendum to every contract for private attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the Attorney General's office, including, without limitation, the requirements listed in subsection (h) of this section.

(j) Subject to the provisions of subsection (l) of this section, the Attorney General's written determination to enter into any legal arrangement or contract with a private attorney shall be posted on the Attorney General's website for public inspection within ten business days after the selection of a private attorney and shall remain posted on the website for the duration of the contract for legal services, including any extensions or amendments thereto. Any and all written determinations made pursuant to subsection (b) or (c) of this section shall also be posted on the Attorney General's website for public inspection within ten business days after the issuance of the written determination. Any payment of fees as set forth in subsection (h) of this section shall be posted on the Attorney General's website within thirty calendar days after the payment of such fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five calendar days thereafter.

(k) Any private attorney under contract to provide services to the state shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such legal services. In conjunction with the Attorney General's office, the private attorney shall make all such records that are not covered by the attorney-client privilege or otherwise confidential in nature available for inspection and copying upon request in accordance with the West Virginia Freedom of Information Act, sections one through seven, inclusive, article one, chapter twenty-nine-b of this code. In addition, the private attorney shall maintain detailed contemporaneous time records for the attorneys, other professionals and paraprofessionals working on the matter for a period of at least four years and shall promptly provide these records to the Attorney General upon request.

(l) The Attorney General retains the right to temporarily waive the disclosure requirements set forth in subsection (j) of this section upon making a written determination that:

(1) A waiver is necessary to protect attorney-client or privileged information; or

(2) Immediate disclosure of the existence of an arrangement or contract with a private attorney, or any other sensitive information, could compromise the initiation, handling or conclusion of any investigation or case matter handled by the office of Attorney General.

Once any risks to the attorney-client privilege or confidential work product are no longer present, the office of Attorney General shall make any and all suspended disclosures as soon as possible and all subsequent disclosures in accordance with the time frame and manner set forth by subsection (j) of this section.

(m) Once a private attorney is appointed pursuant to this section, he or she may thereafter be designated as a special assistant Attorney General, and, upon such appointment, shall provide representation subject to the terms contained in subsection (g) of this section.

(n) If the Attorney General's office chooses to not be involved in a legal matter as a result of a conflict of interest, and thus cannot implement in good faith the provisions of this section as a result of the conflict, then the process set forth herein shall be implemented by the client state entity needing representation, with the assistance of the Department of Administration if necessary.

(o) Nothing in this section expands the authority of any state agency or state agent to enter into contracts nor shall it be deemed to change any existing law that authorizes a state agency or state agent to employ its own counsel or enter into contracts for legal services.

#### **§5-3-4. Annual report to Governor, President of the Senate and Speaker of the House.**

(a) The Attorney General shall annually, on or before November 1, deliver to the Governor, President of the Senate and Speaker of the House a report of detailing:

(1) The state and condition of the several causes, in which the state is a party, pending in courts mentioned in section two of this article.

(2) The use of any fee arrangements as provided in subsection (h), section three-a of this article with private attorneys in the preceding year. At a minimum, the report shall:

(A) Identify all new fee arrangements entered into during the year and all previously executed fee arrangements that remain current during any part of the year and for each contract describe:

(i) The name of the private attorney with whom the state has contracted, including the name of the attorney's law firm;

(ii) The nature and status of the legal matter;

(iii) The name of the parties to the legal matter;

(iv) The amount of the recovery; and

(v) The amount of any legal fees paid.

(B) Include copies of any written determinations made pursuant to section three-a of this article during the year.



(b) The Attorney General's annual report shall be posted on the Attorney General's website within thirty days of submitting the report to the Governor, President of the Senate and Speaker of the House and shall remain posted on the website for at least two years thereafter.

(c) Nothing in this section shall be considered to require the Attorney General to report or disclose any information protected by the attorney-client or other privilege."

Delegate Reynolds requested to be excused from voting on the passage of Com. Sub. for H.B. 4007 under the provisions of House Rule 49.

The Speaker replied that any impact on Delegate Reynolds would be indirect and as a member of a class of persons possibly to be affected by passage of the bill and refused to excuse the Gentleman from voting.

The bill, as amended by the Senate, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 51**), and there were—yeas 64, nays 33, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Bates, Boggs, Byrd, Campbell, Caputo, Eldridge, Ferro, Fleischauer, Fluharty, Guthrie, Hartman, Hicks, Hornbuckle, Longstreth, Lynch, Manchin, Marcum, Miley, Moore, Morgan, Moyer, Perdue, Perry, Pethtel, Pushkin, Rodighiero, Rowe, Shaffer, Skinner, P. Smith, Sponaugle, Trecost and P. White.

Absent and Not Voting: Blackwell, Hanshaw and J. Nelson.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4007) passed.

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

### **Resolutions Introduced**

Delegates Sponaugle, A. Evans, Campbell and Hartman offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

**H. C. R. 42** – “Requesting the Division of Highways to name bridge number 36-33-44.10 (36A103) (latitude 38.63100, longitude -79.24376), locally known as the Brandywine Bridge, carrying U.S. Route 33 over the South Fork South Branch of the Potomac River in Pendleton County, the ‘WVSP Tpr. Phillip S. Kesner Memorial Bridge’.”

Whereas, Phillip S. Kesner was born in Pendleton County, WV, on September 29, 1956, the son of Orlando and Mary Kesner; and

Whereas, Phillip S. Kesner graduated from Franklin High School in 1974 and attended West Virginia Institute of Technology upon a football scholarship awarded to him due to his athletic prowess and leadership; and

Whereas, Phillip S. Kesner then was accepted into the West Virginia State Police Academy and graduated on May 17, 1977; and

Whereas, following his graduation, Trooper Kesner was stationed at the Moundsville Detachment of the West Virginia State Police in Marshall County, West Virginia; and

Whereas, In 1979, Tpr. Kesner learned of a breakout at the State Penitentiary in Moundsville and, though he was not on duty at the time and was driving with his wife in their own vehicle, Tpr. Kesner responded to the scene of the breakout while it was in progress; and

Whereas, Tpr. Kesner encountered the escaping inmates outside of the prison and they attempted to overpower him and steal his vehicle, but Tpr. Kesner fought off the armed inmates who tried to drag him and his wife from the vehicle; and

Whereas, Despite being shot in the chest at close range, Tpr. Kesner continued to fight the escape of the prison inmates and engaged them in a gun battle; and

Whereas; Tpr. Phillip S. Kesner was fatally injured and made the ultimate sacrifice in service to the state and the people of West Virginia on November 7, 1979, at the age of just twenty-three; and

Whereas, It is fitting that an enduring memorial be established to commemorate his service to his community and state; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 36-33-44.10 (36A103) (latitude 38.63100, longitude -79.24376), locally known as the Brandywine Bridge, carrying U.S. Route 33 over the South Fork South Branch of the Potomac River in Pendleton County, the "WVSP Tpr. Phillip S. Kesner Memorial 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 bridge as the "WVSP Tpr. Phillip S. Kesner Memorial Bridge"; and, be it

*Further Resolved*, That the Clerk of the House of Delegates, forward a certified copy of this resolution to the Commissioner of the Division of Highways and to the surviving members of his family.

Delegates Hartman, Sponaugle, Perry, Campbell, Longstreth and P. White offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

**H. C. R. 43** – "Requesting the Division of Highways to name the Keren's Bridge on Corridor H (U.S. Route 48) located in Kerens, Randolph County, Bridge Number 42-48-41.0 NB-SB (42A211 and 42A212) at latitude 39.01366, longitude -79.81116, originally called the Kerens Bridge Lazy Run, the 'PVT Preston D. Vanscoy Memorial Bridge'."

Whereas, Private Preston D. Vanscoy was born at Kerens in Randolph County, West Virginia on April 26, 1912; and

Whereas, Prior to entering the military service to serve in WWII he was employed by Monongahela Power Company; and

Whereas, He trained at Camp Walters, Texas and Fort George B. Meade in Maryland before entering the war; and

Whereas, After receiving his military training, he was sent overseas to France to enter combat against the German military; and

Whereas, Private Vanscoy was engaged in ferocious combat against the German military in Normandy, Northern France and the Rhineland and Ardennes-Alsace in Central Europe as a member of the United States Army, 134<sup>th</sup> Infantry Regiment, 35<sup>th</sup> Infantry Division; and

Whereas, Private Vanscoy was killed in action in France on September 30, 1944, and for his courage exhibited in combat, he was posthumously awarded the Purple Heart; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Commissioner of the Division of highways is hereby requested to name the Keren's Bridge on Corridor H (U.S. Route 48) located in Kerens, Randolph County, Bridge Number 42-48-41.0 NB-SB (42A211 and 42A212) at latitude 39.01366, longitude -79.81116, originally called the Kerens Bridge Lazy Run, the "PVT Preston D. Vanscoy Memorial Bridge"; and, be it

*Further Resolved,* That the Commissioner of the Division of Highways is hereby requested to erect signs at both ends of the bridge proclaiming the bridge the "PVT Preston D. Vanscoy Memorial Bridge"; and, be it

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

Delegates Perdue, Rohrbach and Hicks offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

**H. C. R. 44** – "Requesting the Division of Highways to name Bridge Number 50-52-30.52 (50A087), carrying United States Route 52 over Mill Creek, in Wayne County, West Virginia, the 'US Navy Medic 3<sup>rd</sup> Roy Elmer "Doody" Moon Bridge'."

Whereas, Roy Elmer "Doody" Moon was born on July 2, 1945, in Cove Gap, Wayne County, West Virginia; and

Whereas, Roy Elmer "Doody" Moon was a navy medic (Medical Assistant) with 2<sup>nd</sup> Battalion 3<sup>rd</sup> Marines, 1<sup>st</sup> Marine Division in Vietnam. He received for his service the Vietnam Service Medal (One Bronze Star) (Fleet Marine Force Combat Operations Insignia), Navy Unit Commendation Medal and Vietnam Campaign Medal; and

Whereas, Marines and Naval men with which he served have stated about US Navy Medic 3<sup>rd</sup> Roy Elmer "Doody" Moon that he was everything from "the bravest man I know" to "he never thought of his own safety; the injured came first." All who attended a unit reunion had praise for "Doody" Moon. Some said they would not be alive today if it had not been for "Doody" Moon. The platoon leader stated that he worried that the new medic would not be as capable to do the job of their former medic, but he stated that "Doody" Moon more than filled the shoes left by the former medic; and

Whereas, US Navy Medic 3<sup>rd</sup> Roy Elmer "Doody" Moon is a person who served his fellow man without considering his own safety. He is an outstanding citizen and a well-respected member of our community today; and

Whereas, The Fort Gay Veterans Park Committee respectfully requests that accomplishments and contributions of Roy Elmer "Doody" Moon to his community, state and country not go unnoticed and that he be recognized by naming a bridge for him; therefore, be it

*Resolved by the Legislature of West Virginia:*

That Bridge Number 50-52-30.52 (50A087), carrying United States Route 52 over Mill Creek, Wayne County, West Virginia, be named the "US Navy Medic 3<sup>rd</sup> Roy Elmer 'Doody' Moon Bridge"; and, be it

*Further Resolved*, That the Commissioner of the Division of Highways is hereby requested to erect signs at both ends of the bridge containing bold and prominent letters proclaiming the bridge the "US Navy Medic 3<sup>rd</sup> Roy Elmer 'Doody' Moon Bridge"; and, be it

*Further Resolved*, That the Clerk of the House of Delegates forward a certified copy of this resolution to the Commissioner of the Division of Highways and to Roy Elmer "Doody" Moon.

Delegates Eldridge, Phillips, Rodighiero, Moffatt, Morgan, Hornbuckle and Miller offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

**H. C. R. 45** – "Requesting the Division of Highways to name, Bridge Number 22-37-4.35 (22A059), latitude 38.10346, longitude -82.17775, on Route 37 in Lincoln County, locally known as East Fork Bridge, as the 'U.S. Army PFC Cornelious Wiley Memorial Bridge'."

Whereas, Cornelious Wiley was born May 24, 1921, in Ranger, Lincoln County, West Virginia; and

Whereas, Cornelious Wiley served in the Army 80th Division, 905th Field Artillery Battalion; and

Whereas, Cornelious Wiley died serving his country on September 1, 1944; and

Whereas, It is fitting to honor Cornelious Wiley's life and service by naming the bridge at the mouth of Barberry Road after him; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name Bridge Number 22-37-4.35 (22A059), latitude 38.10346, longitude -82.17775, on Route 73 in Lincoln County, locally known as East Fork Bridge, as the "U.S. Army PFC Cornelious Wiley Memorial Bridge"; and, be it

*Further Resolved*, That the Commissioner of the Division of Highways is hereby requested to erect signs at both ends of the bridge, proclaiming the bridge the "U.S. Army PFC Cornelious Wiley Memorial Bridge", and, be it

*Further Resolved*, That the Clerk of the House of Delegates forward a certified copy of this resolution to the Secretary of the Department of Transportation; and Cornelious Wiley's surviving relatives.

Delegates Rohrbach, Perdue, Hicks and Reynolds offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

**H. C. R. 46** – "Requesting the Division of Highways to name Bridge Number 50-52-37.47 (50A049), (latitude 38.006184, longitude -82.506839), locally known as the Lost Creek Beam Span, carrying U.S. Route 52 over Lost Creek in Wayne County, the 'U.S. Army PFC Ernest D. Marcum Bridge'."

Whereas, Ernest D. "Doby" Marcum was born in Crum, WV, on September 12, 1947, the son of Oscar and Gladys Perry Marcum; and

Whereas, Ernest D. "Doby" Marcum entered service to his country with the United States Army during the Vietnam Conflict in 1967; and

Whereas, Ernest D. "Doby" Marcum served as an Armor Intelligence Specialist with the 9th Infantry Division, attaining the rank of Private First Class; and

Whereas, PFC Ernest D. Marcum paid the ultimate price on December 31, 1967, when he was killed by shrapnel from a grenade and he was posthumously awarded the Purple Heart therefor; and

Whereas, 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 50-52-37.47 (50A049), (latitude 38.006184, longitude -82.506839), locally known as the Lost Creek Beam Span, carrying U.S. Route 52 over Lost Creek in Wayne County, the "U.S. Army PFC Ernest D. Marcum 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 bridge as the "U.S. Army PFC Ernest D. Marcum Bridge"; and, be it

*Further Resolved*, That the Clerk of the House of Delegates, forward a certified copy of this resolution to the Commissioner of the Division of Highways and to the Wayne County Veterans' Association.

Delegates Rohrbach, Perdue, Reynolds and Hicks offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

**H. C. R. 47** – "Requesting the Division of Highways to name Bridge Number 50-52-54.27 (50A115) (37.85563, -82.41411), locally known as Marrowbone Creek Bridge, carrying US 52 over Marrowbone Creek in Wayne County, as the 'U.S. Army SFC Jesse Muncy Memorial Bridge'."

Whereas, Sergeant First Class Muncy was born in Mingo County on September 15, 1921, the son of Jeff and Sally (Sallie) Muncy. Growing up in Kermit with his sisters Lucy (later Marcum), Dicie (Hodge), and Mary (Waller) and his brother Birdie, he attended local schools through the elementary grades; and

Whereas, Following his July 17, 1941, enlistment, Sergeant First Class Muncy married Loda Lowe, with whom he had three children, Clyde, Sally ("Dot") and Peggy Carol; and

Whereas, Serving with the Company G, 13<sup>th</sup> Infantry Regiment, 8<sup>th</sup> Infantry, Sergeant First Class Muncy received a Silver Star for gallantry in action on April 9, 1945, when in the vicinity of Olpe, Germany, his company encountered two German tanks during an attack, and Sergeant First Class Muncy, along with four other men, knocked out the tanks; and

Whereas, On October 15, 1945, Sergeant First Class Muncy received that Silver Star, the citation reads, "By direction of the President, under the provisions of AR 600-45, 22 September 1943, as amended, the Silver Star is awarded to: Staff Sergeant Jesse Muncy, 35210666, Infantry, Company G, 13<sup>th</sup> Infantry Regiment, for gallantry in action on 9 April 1945 in the vicinity of Olpe, Germany. When his company encountered two German tanks during an attack, Sergeant Muncy, with four other men, proceeded into enemy lines in an attempt to knock out the tanks. Under direct enemy small arms, machine gun and tank fire, Sergeant Muncy, after directing his men to give him covering fire, maneuvered to within fifty yards of an enemy tank and, firing three rounds from his bazooka, knocked out the tank, captured seven enemy soldiers and wounded five others. Moving alone to another position, Sergeant Muncy placed fire upon a German convoy, capturing 23 enemy soldiers. Sergeant Muncy's outstanding courage and devotion to duty were in keeping with the highest traditions of the military service. Entered the military service from West Virginia"; and

Whereas, Sergeant First Class Muncy also received the Good Conduct Medal, the American Defense Service Medal, and the European-African-Middle Eastern Theater Service Medal, as well as a Bronze Star for heroic and meritorious service; and

Whereas, After his honorable discharge on October 18, 1945, Sergeant First Class Muncy returned to southern West Virginia and the coal mines and settled into a seemingly normal life. But life in the mines had its ups and downs, and when fighting erupted in Korea, Sergeant First Class Muncy willingly reenlisted. As a decorated war soldier and experienced infantryman, he became a participant in what is now known as “Bloody Ridge” in North Korea during August and September 1951; and

Whereas, Sergeant First Class Muncy was involved in fierce fighting – undoubtedly as harrowing as anything he had seen in World War II – had been going on for months, as reported in the following account: “After securing Hill 773 on the last day of August, the 9<sup>th</sup> Infantry struck anew at the two remaining peaks on ‘Bloody Ridge’, Hills 983 and 900.” The hilly terrain made any forward movement difficult, to say the least, and the intense fighting had scorched the earth. But the 9<sup>th</sup> Infantry persevered: “Dirty, unshaven, and miserable they backed down, tried again, circled, climbed, slid, suffered, ran, rolled, crouched and grabbed upward only to meet again the murderous fire, the blast of mortar and whine of bullets and jagged fragments. Minutes seemed like hours, hours like days, and days like one long, terrible, dusty, blood-swirled nightmare shivering at night, sweat clogged at day”; and

Whereas, It was in this hard-fought battle that Sergeant First Class Muncy lost his life on September 1, 1951. Sergeant First Class Muncy received a second Silver Star for his service in Korea, as well as the Purple Heart. His remains were interred in a family cemetery near Kermit on December 18, 1951. His funeral notice in the *Williamson Daily News*, December 17, 1951, described him as a “professional soldier”; and

Whereas, On August 10, 1951, less than a month before his death Sergeant First Class Muncy wrote a letter to his wife and children reiterating his love for them but inserting his uneasy concern for what his unit was about to face: “I will drop you a few lines tonight to let you know I am well and I miss you and the babies a lot. Honey, I am moving up tonight and we are all pretty quiet. Nobody has got anything to say, but you can tell [what] they’re thinking. Some of them are worried some, and I am for one, but they don’t know it, and honey I am thinking of you and the babies and if I will get to see you anymore... Well, honey, if this should be the last letter, take good care of the babies and keep them together and tell them that I love them....” So tell all the family hello and answer real soon, and tell Mom hello for me. So I will close with all my love... P.S. Take good care of my pup. Love, Dad”; and

Whereas, Sergeant First Class Muncy’s widow Loda Muncy never remarried, preferring to raise her “babies” in the home where they planned to spend the rest of their lives. In a 2013 interview, Sally (“Dot”) explained that she and Peggy Carol worked for many years at an Ohio packing plant, and Peggy still lives in that state, while Dot has returned in her retirement to the old home place on Jennie’s Creek in Wayne County. Clyde, not yet retired, still works at a machine shop in Kenova. The family is determined that the legacy of Sergeant First Class Muncy and Loda Muncy not be forgotten, and they recall with pride that anyone who claims to have met Sergeant First Class Muncy during his years in the service has offered thanks for his selfless sacrifice; and

Whereas, It is fitting that an enduring memorial be established to commemorate U.S. Army Sergeant First Class Muncy, a native son who gave the ultimate sacrifice for his state and his country, by naming Bridge Number 50-52-54.27 (50A115) (37.85563, -82.41411), locally known as Marrowbone Creek Bridge, carrying US 52 over Marrowbone Creek in Wayne County, as the “U.S. Army SFC Jesse Muncy Memorial Bridge”; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Legislature hereby requests the Division of Highways to name the Bridge Number 50-52-54.27 (50A115) (37.85563, -82.41411), locally known as Marrowbone Creek Bridge, carrying US

52 over Marrowbone Creek in Wayne County, as the "U.S. Army SFC Jesse Muncy Memorial Bridge"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S. Army SFC Jesse Muncy Memorial Bridge"; and, be it

*Further Resolved*, That the Clerk of the House of Delegates forward a certified copy of this resolution to the Secretary of the Department of Transportation and to the family members of U.S. Army Sergeant First Class Jesse Muncy.

Delegates Hicks, Rohrbach, Perdue and Reynolds offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

**H. C. R. 48** – "Requesting the Division of Highways to name the bridge that traverses the left fork of Wilson Creek on County Route 17 located 0.01 mile south of County Route 22 in Wayne County, Bridge Number 50A026, latitude 39.33852, longitude -82.38409, as the 'Charles Edward Smith Memorial Bridge'."

Whereas, Charles Edward Smith was born on October 24, 1921; and

Whereas, Charles Edward Smith who served in the United States Army during World War II, received the Purple Heart, Good Conduct Medal and Eastern Service Ribbon as the result of the courage he displayed in battle, serving in the Ardennes in Northern France and being wounded in combat on December 30, 1944, in Belgium; and

Whereas, Charles Edward Smith passed away on April 6, 2013; and

Whereas, It is fitting and proper to memorialize the courageous and honorable actions taken on behalf of his country by Charles Edward Smith; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways name the bridge that traverses the left fork of Wilson Creek on County Route 17 located 0.01 mile south of County Route 22 in Wayne County, designated as Bridge Number 50A026, latitude 39.33852, longitude -82.38409, as the "Charles Edward Smith Memorial Bridge"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to make and place signs identifying the bridge as the "Charles Edward Smith Memorial Bridge"; and, be it

*Further Resolved*, That the Clerk of the House of Delegates forward a certified copy of this resolution to the Secretary of the Department of Transportation and to the Wayne County Veterans' Association.

Delegates Campbell, Hartman, Sponaugle, Reynolds and Byrd offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

**H. C. R. 49** - "Requesting the Division of Highways to name Bridge Number 42-219/34-0.12 (42A161) (38.91833, -79.84572), locally known as the 11th Street Bridge, carrying CR 219/34 over Tygart Valley River in Randolph County, the 'U.S. Navy BT2 Mark Edward Hutchison Memorial Bridge'."

Whereas, Boiler Technician Hutchison was born on March 30, 1963, in Elkins to Edward S. Hutchison and Helen Ruth (Purkey) Hutchison; and

Whereas, Boiler Technician Hutchison was the youngest of the five Hutchison children. He grew up in the Elkins area where he attended school as well as the Vo-Tech Center until graduation from Elkins High School in 1981. He was involved in many local organizations and activities including the Boy Scouts, the Izaak Walton League, and the Woodford United Methodist Church; and

Whereas, Boiler Technician Hutchison enlisted in the U.S. Navy on April 12, 1983, and served honorably as a BT2 Class Boiler Technician, and was deployed to the Middle East during Operation Desert Shield in August 1990; and

Whereas, Boiler Technician Hutchison was killed in a tragic boiler room accident aboard the USS Iwo Jima on October 30, 1990, and was hailed for his bravery and heroism by shipmates and the author Timothy Cummings who wrote an investigative report for Chief Engineer Magazine for his efforts to save the ship and protect his fellow shipmates when the horrific accident occurred; and

Whereas, Boiler Technician Hutchison's body was returned to his birthplace for final military rites and burial in the Mountain State Memorial Gardens on November 5, 1990; and

Whereas, Boiler Technician Hutchison's father, Edward S. Hutchison, is a 92 year-old WWII Navy Veteran who served from 1943 to 1945. He served in several theaters of war during this time including his participation as an operator of LCVP landing craft and the landing of troops on the beaches of Normandy on D-Day, June 6, 1944. Mr. Hutchison also served as an Elkins City Councilman for several years during the 1970s; and

Whereas, It is fitting that an appropriate memorial recognizing U.S. Navy Boiler Technician Mark Edward Hutchison and the sacrifice he made be established in the area where he lived; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Legislature hereby requests the Division of Highways to name Bridge Number 42-219/34-0.12 (42A161) (38.91833, -79.84572), locally known as the 11<sup>th</sup> Street Bridge, carrying CR 219/34 over Tygart Valley River in Randolph County, the "U.S. Navy BT2 Mark Edward Hutchison Memorial Bridge"; and, be it

*Further Resolved,* That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S. Navy BT2 Mark Edward Hutchison Memorial Bridge"; and, be it

*Further Resolved,* That the Clerk of the House of Delegates forward a certified copy of this resolution to the Secretary of Transportation, the Commissioner of Highways and the family of U.S. Navy Boiler Technician Mark Edward Hutchison.

### **Petitions**

Delegates Campbell and Hartman presented a petition signed by residents of Randolph County requesting the Governor and Legislature increase the amount of state funds allocated to PEIA; which was referred to the Committee on Finance.

### **Bills Introduced**

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



**By Delegates Waxman, Kurcaba, Folk, Hamrick, Foster, McCuskey, Summers, Ihle, Trecost, Hanshaw and Kessinger:**

**H. B. 4449** — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new chapter, designated §4A-1-1, §4A-2-1, §4A-3-1, §4A-3-2, §4A-3-3, §4A-3-4, §4A-4-1, §4A-4-2, §4A-4-3, §4A-4-4, §4A-4-5, §4A-4-6, §4A-4-7, §4A-4-8, §4A-4-9, §4A-5-1, §4A-5-2, §4A-5-3, §4A-6-1, §4A-6-2, §4A-6-3, §4A-6-4, §4A-6-5, §4A-6-6, §4A-6-7, §4A-6-8, §4A-6-9, §4A-7-1, §4A-7-2, §4A-7-3, §4A-7-4, §4A-7-5, §4A-7-6, §4A-7-7, §4A-7-8, §4A-7-9, §4A-7-10, §4A-7-11, §4A-8-1, §4A-8-2, §4A-8-3, §4A-9-1, §4A-9-2, §4A-10-1, §4A-10-2, §4A-10-3, §4A-10-4, §4A-10-5, §4A-10-6 and §4A-10-7, all relating to creating the Compact for a Balanced Budget; providing a declaration of policy, purpose and intent; defining terms; providing for Compact membership and withdrawal; providing for a Compact Commission and Compact Administrator; providing for a resolution applying for a Constitutional Convention; providing for the appointment of delegates, their instructions and limitations; providing for convention rules; providing a prohibition on ultra vires convention; providing for a resolution prospectively ratifying a balanced budget amendment; providing for the construction, enforcement, venue and severability; and providing effective dates for a termination date”; to the Committee on the Judiciary.

**By Delegates Skinner, Manchin, Marcum, Hicks, Shaffer, Rowe and Sponaugle:**

**H. B. 4450** — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-41-1, §30-41-2, §30-41-3, §30-41-4, §30-41-5, §30-41-6, §30-41-7, §30-41-8, §30-41-9, §30-41-10, §30-41-11, §30-41-12, §30-41-13, §30-41-14 and §30-41-15, all relating to the ‘West Virginia Court Reporter Act of 2016’; providing a short title; defining certain terms; providing licensure and reporting firm requirements; providing court reporters are not required to be involved in all legal proceedings; providing for the creation of the ‘West Virginia Board of Court Reporting’; designating membership requirements and setting terms of service for board members; establishing duties for the board; providing a procedure to handle complaints against court reporters and reporting firms; providing for fines for certain violations and noncompliance with the article; providing for reciprocal agreements with governmental or other entities; providing guidelines for determining when state licensure laws apply over another state’s licensure laws in case of conflict; requiring and providing for fees for licensure or registration; addressing license and registration renewal; requiring continuing legal education for licensees; requiring licensees to provide changes of address; providing guidelines for grandfathering licensure of court reporters; providing for the disposition and disbursement of moneys collected by the board; requiring the board to annually establish a budget; and authorizing the board to contract for services under certain circumstances”; to the Committee on Government Organization then the Judiciary.

**By Delegates Upton, Moore and Ihle:**

**H. B. 4451** — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-13A-26, relating to public service districts; providing that after the 2020 census, public service districts are to be combined into one district for each county; that the current system is to remain in effect until 2022 when there will be only one public service district in a county; and that the members of the one public district board are to be elected, one from each magisterial district in the county”; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates Sponaugle, Hartman, Campbell, Shaffer and A. Evans:**

**H. B. 4452** — “A Bill to amend and reenact §17A-3-4 of the Code of West Virginia, 1931, as amended, relating to exempting Class X vehicles from the tax provisions of this section”; to the Committee on Roads and Transportation then Finance.

**By Delegates Sobonya, Miller, Rohrbach, Perdue, Morgan, Arvon, Hill, Espinosa, Hornbuckle and Ihle:**

**H. B. 4453** — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-2-24c, relating to the Marshall University Forensic Science Center;

requiring the State Police to partner with the DNA and Digital Forensics sections of Marshall University Forensic Science Center, which sections are designated a Disaster Recovery Laboratory”; to the Committee on the Judiciary.

**By Delegates Upson, Espinosa, Border, Shott, Householder, O’Neal, Blair, McGeehan, Ihle, Kurcaba and Statler:**

**H. B. 4454** — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9-10-1, §9-10-2, §9-10-3, §9-10-4, §9-10-5, §9-10-6, §9-10-7, §9-10-8, §9-10-9, §9-10-10, §9-10-11 and §9-10-12, all relating to welfare fraud prevention”; to the Committee on the Judiciary.

**By Delegates Upson, Blair, Householder, Lane, Ihle, Statler and Kurcaba:**

**H. B. 4455** — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-12-11, relating to sex offender registrants; prohibiting Halloween related contact with children; and providing a misdemeanor criminal penalty”; to the Committee on the Judiciary.

**By Delegates Skinner and Manchin:**

**H. B. 4456** — “A Bill to amend and reenact §7-4-1 and §7-4-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §7-4-7, all relating to establishing the prosecuting attorney Modernization Act; eliminating gendered language referring to prosecuting attorneys; clarifying the duties of the prosecuting attorney; and codifying qualifications for the position of prosecuting attorney”; to the Committee on the Judiciary.

**By Delegates Skinner, Manchin, Perry, Rowe, Pushkin, Campbell, Fluharty, Hornbuckle and Fleischauer:**

**H. B. 4457** — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-12j, relating to creating the West Virginia Student Education Incentive Act; and providing taxpayers repaying their own student loans a modification reducing federal adjusted gross income in the amount of the principal and interest paid, for personal income tax purposes”; to the Committee on Finance.

**By Delegates Skinner and Manchin:**

**H. B. 4458** — “A Bill to amend and reenact §61-8-19a of the Code of West Virginia, 1931, as amended, relating to increasing the criminal penalties for participating in an animal fighting venture”; to the Committee on the Judiciary.

**By Delegates Hicks, Rodighiero, Rohrbach, Perdue, J. Nelson, Rowe, Azinger, Deem, Reynolds, Eldridge and Westfall:**

**H. B. 4459** — “A Bill to amend and reenact §48-11-105 and §48-11-106 of the Code of West Virginia, 1931, as amended; all relating to requiring in the event the amount of child support to be paid is modified by a later child support order, the amount to be paid is effective on the date the petition for the modification was filed, not the date the subsequent order was entered”; to the Committee on the Judiciary.

**By Delegates Howell, Arvon, Ihle, J. Nelson, Moffatt, Faircloth, Hill, Cadle, Lynch, Hamrick and Blair:**

**H. B. 4460** — “A Bill to amend and reenact §30-19-4 of the Code of West Virginia, 1931, as amended, relating to the Board of Registration of Foresters; changing qualifications for membership on the board; providing for continued service of qualifying board members; and providing for the disqualification of certain members who become licensees”; to the Committee on Government Organization.

**By Delegates Arvon, Duke, Espinosa, Howell, Hill, Blackwell and Border:**

**H. B. 4461** — “A Bill to amend and reenact §18-9D-15 of the Code of West Virginia, 1931, as amended, relating to School Building Authority School Major Improvement Fund eligibility; removing

requirement for certain annual amounts to be expended by county board for facility maintenance; and requiring county board to provide facility maintenance expenditure data for review to assist authority in project determinations”; to the Committee on Education then Finance.

**By Delegate Caputo:**

**H. B. 4462** — “A Bill to amend and reenact §17C-14-15 of the Code of West Virginia, 1931, as amended, relating to increasing driver’s license penalties for using wireless communication devices while operating a vehicle”; to the Committee on Roads and Transportation then the Judiciary.

**By Delegates Rohrbach, Sobonya, Waxman, Stansbury, Ellington, Summers, Kurcaba, Arvon, Perdue and Miller:**

**H. B. 4463** — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-13a; and to amend said code by adding thereto a new section, designated §30-14-12d, all relating to the practice of medicine, permitting the practice of telemedicine; establishing requirements; making exceptions; defining terms; and authorizing rule-making”; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Westfall, Hartman, Walters and Morgan:**

**H. B. 4464** — “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-4-22, relating generally to guaranteed asset protection waivers; providing short title, scope and legislative intent of section; defining certain terms; specifying requirements for offering guaranteed asset protection waivers; requiring contractual liability or other insurance policies; providing for disclosures and cancellation; exempting commercial transactions; providing for enforcement of section and severability; excluding waivers from consumers sales and service tax; specifying effective date of section and providing for section to apply to guaranteed asset protection waivers issued on and after specified date”; to the Committee on Banking and Insurance then Finance.

**By Delegates Duke, Espinosa, Westfall, Ambler, Rowan, Cooper, Kelly and Rohrbach:**

**H. B. 4465** — “A Bill to amend and reenact §18A-4-5 of the Code of West Virginia, 1931, as amended, relating to salary equity among school systems; removing definition of salary equity; making legislative findings; and requiring state board recommendation upon determination equity not being met”; to the Committee on Education then Finance.

**By Delegates Espinosa, Statler, Duke, Westfall, Rowan, Ambler, Romine, Rohrbach, Kelly, Cooper and Kurcaba:**

**H. B. 4466** — “A Bill to amend and reenact §18-9A-4, §18-9A-5, §18-9A-6a, §18-9A-7 and §18-9A-10 of the Code of West Virginia, 1931, as amended, all relating to public school support; basing the allowable number of state aid professional educators be on a ratio basis, rather than the number employed subject to a limit; providing a certain salary level be used when the number of professional positions exceed the number employed in a county; basing minimum professional instructional personnel required to be on a ratio basis of funded professional educators; providing for prorating professional instructional personnel among participating counties in a joint school or in joint programs and services; deleting obsolete language and mandated periodic legislative review; basing the allowable number of service personnel be on a ratio basis, rather than number employed subject to a limit; providing a certain salary level be used when the number of service positions exceed the number employed in a county; providing for proration of number and allowance of personnel employed in part by state and county funds; adding professional student support personnel allowance to calculation of teachers retirement fund allowance; updating employer retirement contribution rate percentage used for calculating retirement allowance to reflect both plans; allowing a limited portion of funds for bus purchases to be used for certain facility, equipment and other current expense priorities if requested and approved; reducing percent of growth in local share amount for improving

instructional programs; removing authorization for use of instructional improvement funds for implementation and maintenance of regional computer information system; increasing percent of growth in local share amount for improving instructional technology; increasing base dollar amount to be distributed to each county; authorizing the use of instructional technology improvement funds for employment of technology system specialist subject to a limit and authorization by state superintendent; and specifying when certain debt service funds payments are to be made into school building capital improvement fund"; to the Committee on Education then Finance.

**By Delegates Espinosa, Statler, Duke, Westfall, Rowan, Rohrbach and Ambler:**

**H. B. 4467** — "A Bill to amend and reenact §18-2-7c of the Code of West Virginia, 1931, as amended, relating to including financial aid planning and completion of the Free Application for Federal Student Aid in secondary school instruction in personal finance; including building student familiarity with variety of additional free resources to plan, apply and pay for education and training beyond high school; and making finding and declaration"; to the Committee on Education.

**By Delegates Howell, Arvon, R. Smith, Blair, Hill, Moffatt, Hamrick, Faircloth, Hartman, Lynch and P. White:**

**H. B. 4468** — "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §1-5-6, relating to requiring every state agency to submit a report to the Legislature containing a detailed inventory of all property owned by the agency and associated costs"; to the Committee on Government Organization.

**By Delegates Marcum, Perry, P. White, Walters, Zatezalo, Byrd, Phillips, Ireland, Ferro, Boggs and Moye:**

**H. B. 4469** — "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-14a, relating to providing a free lunch to all employees in a school building"; to the Committee on Education then Finance.

**By Delegates Rohrbach, Summers, Ellington, Waxman, Stansbury, Campbell, Longstreth, Arvon, Perdue and Miller:**

**H. B. 4470** — "A Bill to amend and reenact §16-22-3 of the Code of West Virginia, 1931, relating to the expansion of newborn testing to include Adrenoleukodystrophy"; to the Committee on Health and Human Resources.

**By Delegates Rohrbach, Stansbury, Ellington, Waxman, Kurcaba, Arvon, Perdue and Miller:**

**H. B. 4471** — "A Bill to amend and reenact §16-1-4 of the Code of West Virginia, 1931, as amended; and to amend and reenact §16-2-11 of said code, all relating to local health departments; clarifying the powers and duties of the Commissioner of Public Health as it relates to administration of local boards of health; clarifying provisions related to the submission of a program plan by local boards of health; authorizing local health departments to bill health insurance plans for services; and providing rule-making authority"; to the Committee on Political Subdivisions then Health and Human Resources.

**By Delegates McGeehan, Folk, Ihle, J. Nelson and Faircloth:**

**H. B. 4472** — "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-2-11a, relating to the rule-making authority of local boards of health; establishing a procedure by which a local governing body may review and vote upon the adoption, amendment or revocation of existing local board of health rules and requiring that the governing body adopt all proposed local board of health rules by a majority vote before any new rule may be enforced"; to the Committee on Government Organization.

## House Calendar

### Third Reading

**Com. Sub. for H. B. 4186**, Relating to additional duties of the Public Service Commission; 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. 52**), and there were—yeas 96, nays 1, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Shaffer.

Absent and Not Voting: Blackwell, Hanshaw and J. Nelson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4186) passed.

On motion of Delegate Howell, the title of the bill was amended to read as follows:

**Com. Sub. for H. B. 4186** – “A Bill to amend and reenact §29A-1-3 of the Code of West Virginia, 1931, as amended, and to amend said code by adding thereto a new section, designated §24A-2-2b, all relating to the Public Service Commission; establishing a complaint review process; setting forth burden of proof on carrier; developing a process for aggrieved parties to recover charges; establishing factors for commission to consider whether charges are fair, just, and reasonable; providing commission authority to establish civil penalties for violations; prohibiting indemnification in certain instances; requiring carriers to list rates on invoices; authorizing commission to suspend or revoke operating authority; providing limited rule-making authority to the commission; providing for sunseting the rule unless reauthorized; and providing for a legislative audit.”

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

On this question, the yeas and nays were taken (**Roll No. 53**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Blackwell, Hanshaw and J. Nelson.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4186) takes effect from its passage.

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

### Second Reading

**Com. Sub. for H. B. 2444**, Providing for the assignment of economic development office representatives to serve as Small Business Allies as facilitators to assist small business entities and individuals; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

### First Reading

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

**Com. Sub. for H. B. 4012**, West Virginia Religious Freedom Restoration Act,

**H. B. 4148**, Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act,

**Com. Sub. for H. B. 4158**, Making a supplementary appropriation to the Department of Commerce, WorkForce West Virginia – Workforce Investment Act,

**H. B. 4161**, Relating to levies on classifications of property by the Board of Public Works,

And,

**H. B. 4362**, Establishing a felony offense of strangulation.

#### **Leaves of Absence**

At the request of Delegate Cowles, and by unanimous consent, leaves of absence for the day were granted Delegates Blackwell, Hanshaw and J. Nelson.

#### **Miscellaneous Business**

Delegate Byrd noted to the Clerk that he was absent on yesterday when the vote was taken on Roll No. 50, and that had he been present, he would have voted “Yea” thereon.

Delegate Ireland filed a form with the Clerk’s Office per House Rule 94b to be added as a cosponsor of H. C. R. 36.

At 12:14 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, February 10, 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 9, 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 - Passed Senate with amended title 2/4/2016 - House concurred in Senate amendment and passed 2/8/2016
- 2202. By Del. Rowan, Romine, Duke, Perry, Ambler, Butler, Pethtel, Cooper and Evans, D. - **Relating to more equitable disbursement of funds to county boards** - Introduced 1/13/2016 - To Education then Finance - To House Finance 2/9/2016
- \*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 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Judiciary
- \*2444. By Mr. Speaker (Mr. Armstead), Del. Miller, Waxman, Azinger, Upson, Kessinger, Summers, Hanshaw, Kurcaba, Hill and Nelson, E. - **Providing for the assignment of economic development office representatives to serve as Small Business Allies as facilitators to assist small business entities and individuals** - Introduced 1/13/2016 - To Small Business, Entrepreneurship and Economic Development - On 3rd reading, House Calendar 2/10/2016
- \*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 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Banking and Insurance
- \*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 - Amended - On 3rd reading 2/10/2016
- 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 - Passed Senate 2/4/2016 - To Governor 2/8/16

- \*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 - Amended - Passed Senate with amended title 2/6/2016 - House concurred in Senate amendment and passed 2/9/2016
- \*4012. By Del. O'Neal, Mr. Speaker (Mr. Armstead), Hanshaw, Moye, Fast, Evans, A., Azinger, Waxman, Romine, Rowan and Phillips - **West Virginia Religious Freedom Restoration Act** (original similar to SB11) - Introduced 1/26/2016 - To Judiciary - On 2nd reading, House Calendar 2/10/2016
- \*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 - Amendments pending - Amended - Passed House 2/8/2016 - Title amended - To Senate 2/9/2016 - To Judiciary
- 4147. By Del. Rowan, Mr. Speaker (Mr. Armstead), Cowles, Perry, Duke, Miley, Hamilton, Espinosa, O'Neal, Anderson and Nelson, E. - **Making the West Virginia Schools for the Deaf and Blind eligible to participate in any and all funding administered or distributed by the West Virginia School Building Authority** - Introduced 1/19/2016 - To Education then Finance - To House Education 1/19/2016 - 2nd reference dispensed - On 1st reading, House Calendar 2/10/2016
- 4148. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act** - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - On 2nd reading, House Calendar 2/10/2016
- \*4158. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Making a supplementary appropriation to the Department of Commerce, WorkForce West Virginia – Workforce Investment Act** - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - On 2nd reading, House Calendar 2/10/2016
- 4161. By Mr. Speaker (Mr. Armstead) and Del. Miley [By Request of the Executive] - **Relating to levies on classifications of property by the Board of Public Works** - Introduced 1/19/2016 - To Finance - To House Finance 1/19/2016 - On 2nd reading, House Calendar 2/10/2016
- \*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 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Government Organization



- \*4186. By Del. Cadle, Cooper, Foster, Ambler, Howell, Butler, Householder, Moffatt, Smith, R., Westfall and Hamrick - **Relating to additional duties of the Public Service Commission** - Introduced 1/20/2016 - To Government Organization - To House Government Organization 1/20/2016 - Amended - Passed House 2/9/2016 - Title amended - Effective from passage
4362. By Del. Kurcaba, Fleischauer, Statler, Householder, Espinosa, Overington, Weld, Summers, Blair, Byrd and Upson - **Establishing a felony offense of strangulation** - Introduced 2/2/2016 - To Judiciary - On 2nd reading, House Calendar 2/10/2016

## **BILLS INTRODUCED AND REFERRED**

Tuesday, February 09, 2016

4449. By Del. Waxman, Kurcaba, Folk, Hamrick, Foster, McCuskey, Summers, Ihle, Trecost, Hanshaw and Kessinger - **Creating the Compact for a Balanced Budget** - Introduced 2/9/2016 - To Judiciary
4450. By Del. Skinner, Manchin, Marcum, Hicks, Shaffer, Rowe and Sponaugle - **West Virginia Court Reporter Act of 2016** - Introduced 2/9/2016 - To Government Organization then Judiciary
4451. By Del. Upson, Moore and Ihle - **Relating to public service districts** - Introduced 2/9/2016 - To Political Subdivisions then Judiciary
4452. By Del. Sponaugle, Hartman, Campbell, Shaffer and Evans, A. - **Exempting Class X vehicles from the tax provisions of this section** - Introduced 2/9/2016 - To Roads and Transportation then Finance
4453. By Del. Sobonya, Miller, Rohrbach, Perdue, Morgan, Arvon, Hill, Espinosa, Hornbuckle and Ihle - **Requiring the State Police to partner with the DNA and Digital Forensics sections of Marshall University Forensic Science Center** - Introduced 2/9/2016 - To Judiciary
4454. By Del. Upson, Espinosa, Border, Shott, Householder, O'Neal, Blair, McGeehan, Ihle, Kurcaba and Statler - **Welfare Fraud Prevention Act** (original similar to SB312) - Introduced 2/9/2016 - To Judiciary
4455. By Del. Upson, Blair, Householder, Lane, Ihle, Statler and Kurcaba - **Prohibiting sex offender registrants from having Halloween related contact with children** - Introduced 2/9/2016 - To Judiciary
4456. By Del. Skinner and Manchin - **Establishing the prosecuting attorney Modernization Act** - Introduced 2/9/2016 - To Judiciary
4457. By Del. Skinner, Manchin, Perry, Rowe, Pushkin, Campbell, Fluharty, Hornbuckle and Fleischauer - **West Virginia Student Education Incentive Act** - Introduced 2/9/2016 - To Finance

4458. By Del. Skinner and Manchin - **Increasing the criminal penalties for participating in an animal fighting venture** (original similar to HB4201, HB4251) - Introduced 2/9/2016 - To Judiciary
4459. By Del. Hicks, Rodighiero, Rohrbach, Perdue, Nelson, J., Rowe, Azinger, Deem, Reynolds, Eldridge and Westfall - **Requiring the amount of child support to be paid is effective from the date the petition for the modification was filed** - Introduced 2/9/2016 - To Judiciary
4460. By Del. Howell, Arvon, Ihle, Nelson, J., Moffatt, Faircloth, Hill, Cadle, Lynch, Hamrick and Blair - **Changing qualifications for membership on the Board of Registration of Foresters** - Introduced 2/9/2016 - To Government Organization
4461. By Del. Arvon, Duke, Espinosa, Howell, Hill, Blackwell and Border - **Relating to School Building Authority School Major Improvement Fund eligibility** - Introduced 2/9/2016 - To Education then Finance
4462. By Del. Caputo (By Request) - **Placing penalty points on driver's licenses for using electronic communications devices while operating a motor vehicle** - Introduced 2/9/2016 - To Roads and Transportation then Judiciary
4463. By Del. Rohrbach, Sobonya, Waxman, Stansbury, Ellington, Summers, Kurcaba, Arvon, Perdue and Miller - **Permitting the practice of telemedicine** (original similar to SB320) - Introduced 2/9/2016 - To Health and Human Resources then Judiciary
4464. By Del. Westfall, Hartman, Walters and Morgan - **Clarifying that guaranteed asset protection waivers are not insurance** - Introduced 2/9/2016 - To Banking and Insurance then Finance
4465. By Del. Duke, Espinosa, Westfall, Ambler, Rowan, Cooper, Kelly and Rohrbach - **Relating to salary equity among school systems** - Introduced 2/9/2016 - To Education then Finance
4466. By Del. Espinosa, Statler, Duke, Westfall, Rowan, Ambler, Romine, Rohrbach, Kelly, Cooper and Kurcaba - **Relating to public school support** - Introduced 2/9/2016 - To Education then Finance
4467. By Del. Espinosa, Statler, Duke, Westfall, Rowan, Rohrbach and Ambler - **Including financial aid planning and completion of the Free Application for Federal Student Aid in secondary school instruction in personal finance** - Introduced 2/9/2016 - To Education
4468. By Del. Howell, Arvon, Smith, R., Blair, Hill, Moffatt, Hamrick, Faircloth, Hartman, Lynch and White, P. - **Requiring every state agency to submit a report to the Legislature containing a detailed inventory of all property** - Introduced 2/9/2016 - To Government Organization
4469. By Del. Marcum, Perry, White, P., Walters, Zatezalo, Byrd, Phillips, Ireland, Ferro, Boggs and Moye - **Providing a free lunch to all employees in a school building** - Introduced 2/9/2016 - To Education then Finance

4470. By Del. Rohrbach, Summers, Ellington, Waxman, Stansbury, Campbell, Longstreth, Arvon, Perdue and Miller - **Expanding newborn testing to include Adrenoleukodystrophy** - Introduced 2/9/2016 - To Health and Human Resources
4471. By Del. Rohrbach, Stansbury, Ellington, Waxman, Kurcaba, Arvon, Perdue and Miller - **Clarifying the powers and duties of the Commissioner of Public Health as it relates to administration of local boards of health** (original similar to SB506) - Introduced 2/9/2016 - To Political Subdivisions then Health and Human Resources
4472. By Del. McGeehan, Folk, Ihle, Nelson, J. and Faircloth - **Relating to the rule-making authority of local boards of health** - Introduced 2/9/2016 - To Government Organization

### 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. Sponaule, 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
33. By Del. Hamrick - **U.S. Army Air Force S/SGT Harold 'Dean' Baker Memorial Bridge** - Introduced 2/5/2016 - To Roads and Transportation then Rules
34. By Del. Miller - **U.S. Marine Corps PFC Billy Joe Vickers Memorial Bridge** - Introduced 2/5/2016 - To Roads and Transportation then Rules
35. By Del. Perdue, Marcum, Hicks, Rodighiero, Reynolds and Rohrbach - **U.S. Army PVT Charles E. Ellis and U.S. Army PVT Ira V. Ellis Memorial Bridge** - Introduced 2/5/2016 - To Roads and Transportation then Rules
36. By Del. Overington, Ambler, Anderson, Arvon, Atkinson, Azinger, Bates, Blair, Border, Butler, Cadle, Canterbury, Cooper, Deem, Ellington, Espinosa, Evans, A., Evans, D., Faircloth, Fast, Flanigan, Folk, Foster, Frich, Gearheart, Hamilton, Hamrick, Hanshaw, Hill, Householder, Howell, Ihle, Kelly, Kessinger, Kurcaba, Lane, Marcum, McCuskey, McGeehan, Miller, Moffatt, Moye, Nelson, E., O'Neal, Perry, Phillips, Rohrbach, Romine, Rowan, Shott, Smith, P., Smith, R., Sobonya, Stansbury, Statler, Storch, Summers, Trecost, Upson, Wagner, Walters, Waxman, Weld, Westfall, White, B., Ireland and Zatezalo - **Applying for an Article V Amendments Convention to Propose a Constitutional Amendment** - Introduced 2/8/2016 - To Judiciary
37. By Del. Westfall, Upson, Cadle, Ireland, Flanigan, Householder, Cooper, Foster, Lane, Howell and Weld - **U.S. Army SGT Arthur George Roush Memorial Bridge** - Introduced 2/8/2016 - To Roads and Transportation then Rules
38. By Del. Rodighiero, Phillips and Eldridge - **Lando Adkins, Sr. Memorial Road** - Introduced 2/8/2016 - To Roads and Transportation then Rules
39. By Del. Phillips, Marcum, Rodighiero, Moffatt and Eldridge - **U.S. Army PFC Corneliou Vance Memorial Bridge** - Introduced 2/8/2016 - To Roads and Transportation then Rules
40. By Del. Duke - **Max G. Parkinson Memorial Bridge** - Introduced 2/8/2016 - To Roads and Transportation then Rules
41. No Delegate(s) Selected - **U.S. Army Air Corps CPT Kenneth R. Winters, Sr. Memorial Bridge** - Introduced 2/8/2016 - To Roads and Transportation then Rules
42. By Del. Sponaugle, Evans, A., Campbell and Hartman - **WVSP Tpr. Phillip S. Kesner Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules



43. By Del. Hartman, Sponaugle, Perry, Campbell, Longstreth and White, P. - **PVT Preston D. Vanscoy Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
44. By Del. Perdue, Rohrbach and Hicks – **U.S. Navy Medic 3rd Roy Elmer “Moon” Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
45. By Del. Eldridge, Phillips, Rodighiero, Moffatt, Morgan, Hornbuckle and Miller - **U.S. Army PFC Cornelious Wiley Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
46. By Del. Rohrbach, Perdue, Hicks and Reynolds - **U.S. Army PFC Ernest D. Marcum Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
47. By Del. Rohrbach, Perdue, Reynolds and Hicks - **U.S. Army SFC Jesse Muncy Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
48. By Del. Hicks, Rohrbach, Perdue and Reynolds - **Charles Edward Smith Memorial Bridge** - Introduced 2/9/2016 - To Roads and Transportation then Rules
49. By Del. Campbell, Hartman, Sponaugle, Reynolds and Byrd - **U.S. Navy BT2 Mark Edward Hutchison Memorial Bridge** - Introduced 2/9/2016 - 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, Trecost, 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 - Passed Senate with amended title 2/4/2016 - House concurred in Senate amendment and passed 2/8/2016
- \*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
- \*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 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Judiciary
- \*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 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Banking and Insurance
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 - Amended - On 3rd reading 2/10/2016
- \*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 - Passed Senate 2/4/2016 - To Governor 2/8/16
- \*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 - Amended - Passed Senate with amended title 2/6/2016 - House concurred in Senate amendment and passed 2/9/2016
- \*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
- \*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 - Amendments pending - Amended - Passed House 2/8/2016 - Title amended - To Senate 2/9/2016 - To Judiciary
- \*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 - Passed House 2/8/2016 - To Senate 2/9/2016 - To Government Organization
- \*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
- \*4186. By Del. Cadle, Cooper, Foster, Ambler, Howell, Butler, Householder, Moffatt, Smith, R., Westfall and Hamrick - **Relating to additional duties of the Public Service Commission** - Introduced 1/20/2016 - To Government Organization - To House Government Organization 1/20/2016 - Amended - Passed House 2/9/2016 - Title amended - Effective from passage
- \*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 - To Senate 2/4/2016 - To Health and Human Resources
  
- \*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 - Passed House 2/5/2016 - To Senate 2/6/2016 - To Banking and Insurance
  
- \*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 - Passed House 2/5/2016 - To Senate 2/6/2016 - To Banking and Insurance
  
- \*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 - Passed House 2/4/2016 - To Senate 2/5/2016 - To Government Organization
  
- \*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 - Passed House 2/4/2016 - To Senate 2/5/2016 - To Government Organization

#### **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 - Passed House 2/4/2016 - Title amended - Senate concurred in House amendments and passed bill 2/5/2016 - To Governor 2/8/16
  
- \*6. By Sen. Ferns, Carmichael, Gaunch, Takubo, Trump, Prezioso, Stollings, Plymale, Blair, Karnes and Sypolt - **Requiring drug screening and testing of applicants for TANF program** (original similar to HB4010) - Introduced 1/13/2016 - To Health and Human Resources then Finance - Com. sub. reported 1/20/2016 - To Finance 1/20/2016 - Amended - Passed Senate 2/9/2016

- \*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
- 29. By Sen. Palumbo - **Tolling statute of limitations in certain cases** - Introduced 1/13/2016 - To Judiciary - Passed Senate 2/5/2016 - To House 2/8/2016 - To Judiciary
- 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 - Amended - Passed House 2/5/2016 - Title amended - Effective from passage - Senate concurred in House amendments and passed bill 2/6/2016 - Effective from passage
- \*39. By Sen. Stollings and Gaunch - **Regulating off-road motorcycles within Hatfield-McCoy Recreation Area** - Introduced 1/13/2016 - To Natural Resources then Judiciary - Com. sub. reported 1/21/2016 - To Judiciary 1/21/2016 - Passed Senate 2/9/2016
- \*40. By Sen. Stollings - **Changing definition of facilities eligible for funding assistance from Courthouse Facilities Improvement Authority** - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 2/1/2016 - Passed Senate 2/4/2016 - Effective from passage - To House 2/5/2016 - To Judiciary then Finance
- \*43. By Sen. Williams, Beach, Blair, Leonhardt and Miller - **Clarifying means of posting to prohibit hunting or trespassing** - Introduced 1/13/2016 - To Natural Resources then Judiciary - Com. sub. reported 1/21/2016 - To Judiciary 1/21/2016 - Passed Senate 2/9/2016
- \*68. By Sen. Ferns and Takubo - **Disallowing Health Care Authority to conduct rate review and set rates for hospitals** - Introduced 1/13/2016 - To Health and Human Resources then Finance - Com. sub. reported 2/3/2016 - 2nd reference dispensed - Passed Senate 2/6/2016 - To House 2/8/2016 - To Health and Human Resources
- \*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
- \*109. By Sen. Trump - **Repealing code provisions related to certain reports by trustees for property** - Introduced 1/13/2016 - To Banking and Insurance then Judiciary - Com. sub. reported 1/27/2016 - To Judiciary 1/27/2016 - Amended - Passed Senate with amended title 2/4/2016 - To House 2/5/2016 - To Banking and Insurance then 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 - To House 2/4/2016 - To Health and Human Resources
- \*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
- \*159. By Sen. Maynard - **Authorizing promulgation of legislative rules by miscellaneous boards and commissions** (original similar to HB4096) - Introduced 1/13/2016 - To Judiciary - Com. sub. reported 2/2/2016 - Passed Senate 2/5/2016 - Effective from passage - To House 2/8/2016 - 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 - To House \* 2/4/2016 - To House Judiciary 2/4/2016

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 - To House 2/4/2016 - To Government Organization
- \*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
- \*265. By Sen. Blair and Snyder - **Allowing library volunteers necessary access to user records** - Introduced 1/13/2016 - To Government Organization then Judiciary - To Judiciary 1/15/2016 - Com. sub. reported 2/2/2016 - Amended - Passed Senate 2/5/2016 - To House 2/8/2016 - To Judiciary
- \*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 - To House 2/4/2016 - To Government Organization then Finance
- \*270. By Sen. Gaunch - **Repealing code relating to insurance policies** - Introduced 1/14/2016 - To Banking and Insurance then Judiciary - To Judiciary 1/26/2016 - Com. sub. reported 2/2/2016 - Passed Senate 2/5/2016 - To House 2/8/2016 - To Banking and Insurance then Judiciary
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
- \*278. By Sen. Ferns, Takubo, Walters, Stollings and Palumbo - **Clarifying physicians' mutual insurance company is not state or quasi-state actor** - Introduced 1/14/2016 - To Banking and Insurance then Judiciary - To Judiciary 1/26/2016 - Com. sub. reported 2/4/2016 - Passed Senate 2/8/2016 - To House 2/9/2016 - To Banking and Insurance then 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 - To House 2/4/2016 - To Political Subdivisions then Government Organization



- \*309. By Sen. Blair - **Relating to child-care center licensing and exempting county parks and recreation from licensure** - Introduced 1/15/2016 - To Government Organization - Com. sub. reported 2/5/2016 - Amended - Passed Senate 2/9/2016
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 - To House Finance 2/5/2016
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
- \*326. By Sen. Trump, Kessler, Woelfel, Palumbo, Romano and Plymale - **Repeal and recodify law relating to contributing to delinquency of minor child** - Introduced 1/19/2016 - To Judiciary - Com. sub. reported 2/3/2016 - Passed Senate 2/6/2016 - To House 2/8/2016 - 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
- \*330. By Sen. Gaunch and Boso - **Requiring automobile liability insurers provide 10 days' notice of intent to cancel due to nonpayment of premium** - Introduced 1/20/2016 - To Banking and Insurance then Judiciary - Com. sub. reported 2/2/2016 - 2nd reference dispensed - Passed Senate 2/5/2016 - To House 2/8/2016 - To Banking and Insurance 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 - Passed House 2/8/2016 - Effective from passage
- \*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
345. By Sen. Hall - **Relating to parking on state-owned or leased property** - Introduced 1/21/2016 - To Finance - Passed Senate 2/9/2016
346. By Sen. Hall and Prezioso - **Updating projects managed by Project Management Office** - Introduced 1/21/2016 - To Finance - Passed Senate 2/9/2016
349. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Updating meaning of federal adjusted gross income**(original similar to HB4030) - Introduced 1/21/2016 - To Finance - Passed Senate 2/9/2016 - Effective from passage
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 - Passed House 2/8/2016 - Effective from passage
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 - Passed House 2/8/2016 - Effective from passage
- \*361. By Sen. Gaunch, Boso, Mullins, Palumbo, Walters, Williams and Prezioso - **Prohibiting persons who have committed crimes against elderly from performing community service involving elderly** (original similar to HB4306) - Introduced 1/21/2016 - To Judiciary - Com. sub. reported 2/3/2016 - Passed Senate 2/6/2016 - To House 2/8/2016 - To Judiciary
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 - To Governor 2/4/16 - Approved by Governor 2/4/16
- \*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 - To House 2/4/2016 - To Education

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
385. By Sen. Trump - **Allowing defendants 180 days to identify nonparties wholly or partially at fault in civil actions** - Introduced 1/25/2016 - To Judiciary - Passed Senate 2/5/2016 - To House 2/8/2016 - To Judiciary
- \*387. By Sen. Karnes - **Shared animal ownership agreements to consume raw milk** - Introduced 1/25/2016 - To Agriculture and Rural Development then Judiciary - Com. sub. reported 1/27/2016 - To Judiciary 2/2/2016 - Com. sub. for com. sub. reported 2/2/2016 - Passed Senate 2/5/2016 - To House 2/8/2016 - To Health and Human Resources
415. By Sen. Ashley - **Lengthening maximum term of negotiable certificates of deposit municipal funds can hold** - Introduced 1/28/2016 - To Banking and Insurance - Passed Senate 2/5/2016 - To House 2/8/2016 - To Banking and Insurance then Finance
426. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Continuing Office of Coalfield Community Development** (original similar to HB4214) - Introduced 1/29/2016 - To Energy, Industry and Mining then Government Organization - 2nd reference dispensed - Passed Senate 2/9/2016

#### 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
5. By Sen. Beach, Facemire, Kessler, Kirkendoll, Miller, Palumbo, Plymale, Prezioso, Romano, Snyder, Stollings, Unger, Williams, Woelfel, Yost, Laird, Leonhardt and Gaunch - **Coach Bill Stewart Exit** - Introduced 1/19/2016 - To Transportation and Infrastructure - Adopted by Senate 2/4/2016 - To House 2/5/2016 - To Rules - To House Rules 2/5/2016
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 BILLS PASSED LEGISLATURE

- \*2101. By Del. Morgan, Caputo, Faircloth, Folk, Howell and Smith, R. - **Eliminating obsolete government entities** - Passed 2/8/2016
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) - Passed 2/4/2016 - To Governor 2/8/16

- \*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) - Passed 2/9/2016

#### 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

1. By Sen. Cole (Mr. President), Blair, Boso, Ferns, Gaunch, Trump, Carmichael, Sypolt and Takubo - **Establishing WV Workplace Freedom Act** (original similar to HB4006) - Passed 2/5/2016 - To Governor 2/8/16
32. By Sen. Palumbo, Beach and Miller - **Relating to withdrawal of candidates for office and filling vacancies** - Passed 2/6/2016; Effective from passage
- \*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** - Passed 2/8/2016; Effective from passage
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) - Passed 2/8/2016; Effective from passage
360. By Sen. Cole (Mr. President) and Kessler [By Request of the Executive] - **Supplemental appropriation to Division of Human Services** (original similar to HB4149) - Passed 2/8/2016; Effective from passage
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 - To Governor 2/4/16 - Approved by Governor 2/4/16

## **HOUSE CALENDAR**

**Wednesday, February 10, 2016**

**29<sup>th</sup> Day**

**11:00 A. M.**

### **THIRD READING**

Com. Sub. for H. B. 2444 - Providing for the assignment of economic development office representatives to serve as Small Business Allies as facilitators to assist small business entities and individuals (MILLER) (REGULAR)

### **SECOND READING**

Com. Sub. for H. B. 4012 - West Virginia Religious Freedom Restoration Act (SHOTT) (REGULAR)

H. B. 4148 - Updating the meaning of federal taxable income and certain other terms used in the West Virginia Corporation Net Income Tax Act (E. NELSON) (EFFECTIVE FROM PASSAGE) (FINANCE COMMITTEE TITLE AMENDMENT PENDING)

Com. Sub. for H. B. 4158 - Making a supplementary appropriation to the Department of Commerce, WorkForce West Virginia – Workforce Investment Act (E. NELSON) (EFFECTIVE FROM PASSAGE)

H. B. 4161 - Relating to levies on classifications of property by the Board of Public Works (E. NELSON) (REGULAR)

H. B. 4362 - Establishing a felony offense of strangulation (SHOTT) (REGULAR) (JUDICIARY COMMITTEE AMENDMENT PENDING)

### **FIRST READING**

H. B. 4147 - Making the West Virginia Schools for the Deaf and Blind eligible to participate in any and all funding administered or distributed by the West Virginia School Building Authority (ESPINOSA) (EFFECTIVE FROM PASSAGE)

**WEST VIRGINIA  
HOUSE OF DELEGATES**

---

**WEDNESDAY, FEBRUARY 10, 2016**

---

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

---

**COMMITTEE ON GOVERNMENT ORGANIZATION  
9:00 A.M. – 215E**

**COMMITTEE ON THE JUDICIARY  
9:00 A.M. – 418M**

**COMMITTEE ON FINANCE  
9:00 & 9:30 A.M. & 2:00 & 3:00 P.M. – 464M**

**COMMITTEE ON VETERANS' AFFAIRS  
1:00 P.M. – 434M**

**COMMITTEE ON EDUCATION  
2:00 P.M. – 434M**

---

**THURSDAY, FEBRUARY 11, 2016**

**PUBLIC HEARING – COMMITTEE ON HEALTH & HUMAN RESOURCES  
2:00 P.M. HOUSE CHAMBER**

**H. B. 4334, CLARIFYING THE REQUIREMENTS FOR A LICENSE TO PRACTICE AS AN ADVANCED  
PRACTICE REGISTERED NURSE AND TO EXPAND THE PRESCRIPTIVE AUTHORITY THAT MAY BE  
GRANTED TO ADVANCED PRACTICE REGISTERED NURSES**



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