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March 16, 2021  
THIRTY-FIFTH DAY



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Tuesday, March 16, 2021

**THIRTY-FIFTH DAY**

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

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

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

The Clerk proceeded to read the Journal of Monday, March 15, 2021, being the first order of business, when the further reading thereof was dispensed with and the same approved.

**Reordering of the Calendar**

Pursuant to the action of the Committee on Rules, Delegate Summers announced that H. B. 3131, on Second reading, Special Calendar, had been transferred to the House Calendar; and Com. Sub. for H. B. 2770, on Third reading, House Calendar, had been transferred to the Special Calendar.

**Committee Reports**

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

**H. B. 2174**, West Virginia Monument and Memorial Protection Act of 2021,

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

**Com. Sub. for H. B. 2174** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-1-8c, relating to the West Virginia Monument and Memorial Protection Act of 2020; prohibiting the relocation, removal, alteration, renaming, rededication, or other disturbance of any statue, monument, memorial, nameplate, or plaque which is located on public property and has been erected for, or named, or dedicated in honor of certain historical military, civil rights, natural disasters or accidents, and Native American events, figures, and organizations; prohibiting any person from preventing the governmental entity having responsibility for maintaining the items, structures, or areas from taking proper measures to protect, preserve, care for, repair, or restore the items, structures, or areas; and authorizing the West Virginia State Historic Preservation Office to grant waivers under certain circumstances,"

**H. B. 2633**, Creating the 2021 Farm Bill,

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

**Com. Sub. for H. B. 2633** - "A Bill to amend and reenact §19-1-2, §19-1-3a, and §19-1-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §19-1C-2, §19-1C-3, and §19-1C-4 of said code; to amend said code by adding thereto a new section, designated §19-1C-7; to amend

and reenact §19-9A-2 of said code; to amend and reenact §19-12A-5 of said code; to amend and reenact §19-14-1, §19-14-2, §19-14-3, §19-14-5, §19-14-6, §19-14-7, §19-14-8, §19-14-9, §19-14-10, §19-14-11, §19-14-12, and §19-14-14 of said code; to amend said code by adding thereto a new section, designated §19-14-16; to amend and reenact §19-21A-1, §19-21A-3, §19-21A-4, and §19-21A-8 of said code; to amend and reenact §19-25-1, §19-25-2, and §19-25-5 of said code; to amend and reenact §19-31-1 of said code; to amend and reenact §19-35-1, §19-35-2, §19-35-3, §19-35-4, §19-35-5, and §19-35-6 of said code; to amend said code by adding thereto two new sections, designated §19-35-3a and §19-35-3b; to amend and reenact §19-37-2 of said code; and to amend said code by adding thereto a new article, designated §19-38-1, §19-38-2, §19-38-3, §19-38-4, and §19-38-5, all relating to the 2021 Farm Bill; eliminating the requirement that the commissioner must be a farmer; eliminating requirement that certain duties of the department rest in a particular division; classifying materials received by the department in furtherance of its economic development duties and for the purpose of furnishing assistance to a new or existing business as confidential and exempt from disclosure under the Freedom of Information Act; clarifying role of department in economic development; clarifying that raw milk can be sold for purposes other than human consumption; defining terms related to the care of livestock; providing that commissioner of agriculture appoint members of Livestock Care Standards Board; directing commissioner to select members for board; modifying membership of board; granting commissioner authority to promulgate certain legislative rules in consultation with board; classifying complaints and related communications regarding inhumane treatment of livestock as confidential and exempt from disclosure under the Freedom of Information Act; directing board to review proposed rules on livestock care standards and provide recommendation to legislative rule-making review committee; directing commissioner of agriculture to administer and enforce established standards; defining scope of said administration and enforcement authority; authorizing commissioner to provide opinions to law-enforcement officers about application of livestock care standards; directing law-enforcement officers to notify commissioner of certain complaints and investigations; authorizing law-enforcement officers to seek advice of commissioner concerning application of livestock care standards; requiring commissioner to notify law-enforcement officers of changes made during 2021 Regular Legislative session; eliminating fee for permit to feed untreated garbage to swine; removing outdated language regarding procedures for leasing of farmland; authorizing the cancellation of certain leases; amending name of West Virginia Commercial Feed Law; defining and amending terms related to commercial feed; modifying powers and duties of commissioner; eliminating requirement to publish annual composite report; eliminating specific fee amounts in statute; modifying application deadlines, timelines and permit expiration dates; setting forth requirements for individuals to possess Commercial Feed Manufacturing Permit, Commercial Feed Distributor Permit, and Commercial Feed Guarantor Permit; eliminating requirement to register commercial feed products; establishing registration requirements for pet food and specialty pet food; requiring new application for registration in certain circumstances; identifying situations in which commissioner may refuse to grant, suspend, or revoke permits or registrations; providing opportunities and procedures for applicants, permittees or registrants to amend application and appeal adverse determinations; providing for review of commissioner's decisions; establishing labeling requirements; modifying requirements for tonnage reports and inspection fees; authorizing commissioner to inspect certain tonnage records; defining adulteration of commercial feed or feed ingredients; defining misbranding of commercial feed; make technical modifications; defining additional prohibited acts; establishing requirements for distribution of raw milk as commercial feed; authorizing establishment of analytical variation regulations; authorizing penalties for excessive deviations; providing for penalties to be returned to purchasers where possible; authorizing late payment penalties; expanding scope of authority for West Virginia Conservation Agency and State Conservation Committee to address water quality issues; modifying legislative determinations; defining terms related to conservation; expanding duties and powers of State Conservation Committee; eliminating outdated language; expanding scope of authority for conservation districts; limiting liability of landowner who invites or permits persons to enter for agricultural purposes; defining agricultural purposes; clarifying ownership of Guthrie Center; stating

legislative findings and purpose related to farmers markets and cottage foods; defining terms related to farmers markets and cottage foods; eliminating certain definitions; establishing requirements for farmers market registration; providing that registration be conspicuously displayed; clarifying that certain farmers markets are not required to obtain food establishment permit; providing for department to establish sampling regulations; authorizing penalties against non-compliant farmers markets; requiring farmers market vendors to obtain vendor permit from department; providing that farmers market vendor permit is valid in all counties; establishing requirements for farmers market vendor permits; clarifying that farmers market vendors are not required to obtain food establishment permit; exempting certain vendors from obtaining vendor permit; directing department to establish conditions and procedures for issuance of vendor permits; authorizing inspections and additional license or certifications as condition of issuing vendor permits; requiring vendor permits be displayed in a conspicuous manner; authorizing penalties against non-compliant farmers market vendors; clarifying role of local health departments in farmers markets; prohibiting local health department from requiring food establishment permits for farmers markets or vendors except for consignment farmers markets; authorizing certain actions by local health departments at farmers markets; requiring all actions by local health departments at farmers markets to be done in consultation with department of agriculture; directing department to promulgate rules; eliminating certain requirements for promulgation of legislative rules; establishing requirements for regulation of potentially hazardous foods; requiring vendors of potentially hazardous foods to obtain vendor permit; directing department to establish requirements for obtaining vendor permits; eliminating certain labeling requirements; establishing requirements for sale of nonpotentially hazardous foods; expanding permissible kitchens for nonpotentially hazardous foods; expanding West Virginia Fresh Food Act to include milk and other dairy products, expanding West Virginia Fresh Food Act to include other foods grown, produced, or processed by in-state producers; directing commissioner to establish criteria for food or food products to satisfy in-state requirement; directing commissioner to establish criteria for determining when exception or exemption should be granted to state institutions; requiring contracting entity to ensure that all contracts related to the purchase of food include provisions to ensure compliance with Fresh Food Act; establishing Agriculture Investment Program; setting forth legislative findings and purpose; defining terms related to the Agriculture Investment Fund; establishing fund in State Treasury; defining source of funds and permissible expenditures from fund; authorizing West Virginia Agriculture Investment Program; providing for program administration; authorizing either grants or loans from the fund; establishing certain criteria for awarding grants or loans; authorizing commissioner to establish committee to assist in program administration; and directing commissioner to propose legislative rules for program,”

And,

**H. B. 2823**, Exempting buildings or structures utilized exclusively for agricultural purposes from the provisions of the State Building Code,

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

**Com. Sub. for H. B. 2823** - “A Bill to amend and reenact §15A-11-3 and §15A-11-5 of the Code of West Virginia, 1931, as amended, relating to exempting buildings or structures utilized primarily for agricultural purposes from the provisions of the State Building Code and State Fire Code; exempting buildings or structures used exclusively for agricultural purposes from any county or municipal building code or ordinance that is adopted or may be adopted; defining the term “agricultural purposes”; requiring any county or municipality that adopts a property maintenance code or ordinance to exempt all property used primarily for agricultural purposes,”

With the recommendation that the committee substitutes each do pass.

Delegate Steele, Chair of the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration:

**H. B. 2742**, Providing explicit authority to process an online driver's license or identification renewal or reissuance when the applicant needs to update the address,

And,

**H. B. 2914**, To remove certain ex officio, voting members from the Archives and History Commission and update formatting,

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

Delegate Capito, Chair of the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration:

**H. B. 2496**, Relating to assessments of real property,

And,

**Com. Sub. for S. B. 469**, Permitting and establishing requirements for appearance by video for purpose of notarial acts,

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

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

Your Committee on Finance has had under consideration:

**H. J. R. 15**, Disabled Veteran's Property Tax Exemption Amendment,

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

In accordance with the former direction of the Speaker, the resolution (H. J. R. 15) was referred to the Committee on the Judiciary.

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

Your Committee on Finance has had under consideration:

**H. B. 2777**, Repeal municipal amusement tax,

**H. B. 2782**, Repeal domestic animal tax,

And,

**H. B. 2808**, Remove salt from list and definition of “mineral” for severance tax purposes,

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

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

Your Committee on Finance has had under consideration:

**H. B. 2630**, Requiring DEP to reimburse fines paid by towns, villages and communities in certain instances,

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

**Com. Sub. for H. B. 2630** - “A Bill to amend and reenact §22-1-16 of the Code of West Virginia, 1931, as amended, relating to the payment of fines assessed by the West Virginia Department of Environmental Protection against a political subdivision of the state; and authorizing certain forgiveness of a fine under certain circumstances,”

With the recommendation that the committee substitute do pass.

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

Your Committee on Finance has had under consideration:

**H. B. 2499**, Tax reduction for arms and ammo manufacturing,

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

**Com. Sub. for H. B. 2499** - “A Bill to amend and reenact §11-6F-2 and §11-13S-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §11-13KK-1, §11-13KK-2, §11-13KK-3, §11-13KK-4, §11-13KK-5, §11-13KK-6, §11-13KK-7, §11-13KK-8, §11-13KK-9, §11-13KK-10, §11-13KK-11, §11-13KK-12, §11-13KK-13, §11-13KK-14, §11-13KK-15, §11-13KK-16, §11-13KK-17, and adding thereto a new section designated §11-15-9t, all relating generally to taxation for the manufacturing, sale, and use of certain defined products to encourage economic growth; amending the definition of qualified capital addition to a manufacturing facility for purposes of special method for appraising qualified capital additions for property tax purposes; amending the formula for calculating the manufacturing investment tax credit amount allowed for manufacturing investment to include small arms ammunition manufacturing and small arms, ordinance and ordinance accessories manufacturing; increasing the amount of such allowable credit for said industries; creating the West Virginia Tax Credit For Federal Excise Tax Imposed Upon Small Arms And Ammunition Manufacturers; providing for administration and enforcement of the tax credit; making legislative findings; stating legislative purpose; defining terms; specifying an amount of credit allowable based upon the amount of federal excise tax paid, providing limitations based upon qualified investment amount; providing conditions for qualification and use; defining in service or use; providing for the application of the credit to the corporate net income tax and the personal income tax, as appropriate; providing for methods of calculation of the qualified investment; providing for carry over and forfeiture of unused tax credits; providing limitations for credits being carried over; allowing transfer of qualified investment property without forfeiture under certain circumstances; requiring identification of qualified investment property and record keeping; providing civil and criminal penalties for failure to keep required records; providing for interpretation and construction; requiring timely filing of application for credit; specifying burden of proof; requiring

periodic tax credit review and accountability reports; authorizing rulemaking; making credit subject to West Virginia Tax Procedure and Administration Act and West Virginia Tax Crimes and Penalties Act; providing for severability; and exempting sales of certain defined small arms and small arms ammunition from state sales and use taxes and providing effective dates, and removing obsolete code concerning the business franchise tax,”

With the recommendation that the committee substitute do pass.

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 15<sup>th</sup> day of March, 2021, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

**Com. Sub. for H. B. 2001**, Relating generally to creating the West Virginia Jumpstart Savings Program.

Delegate D. Jeffries, from 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 15<sup>th</sup> day of March, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

**Com. Sub. for S. B. 216**, Authorizing Department of Commerce to promulgate legislative rules,

**Com. Sub. for S. B. 272**, Relating to WV Employment Law Worker Classification Act,

**S. B. 296**, Relating generally to repealing certain rules,

**S. B. 338**, Creating Fire Service Equipment and Training Fund,

And,

**S. B. 372**, Providing greater discretion to WV Board of Medicine to approve graduate clinical training.

Delegate D. Jeffries, from 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 15<sup>th</sup> day of March, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

**Com. Sub. for S. B. 126**, Authorizing Department of Administration to promulgate legislative rules,

And,

**Com. Sub. for S. B. 277**, Creating COVID-19 Jobs Protection Act.



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

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

**H. B. 2982**, Relating to the Second Chances at Life Act of 2021,

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

In accordance with the former direction of the Speaker, the bill (H. B. 2982) was referred to the Committee on the Judiciary.

### **Messages from the Senate**

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

**Com. Sub. for H. B. 2011**, Eliminating any time requirements for part time personnel to work during a working year.

On motion of Delegate Summers, the House of Delegates concurred in the following amendment of the bill by the Senate:

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

#### **“ARTICLE 6. CIVIL SERVICE SYSTEM.**

##### **§29-6-4. Classified-exempt service; additions to classified service; exemptions.**

(a) The classified-exempt service includes all positions included in the classified-exempt service on the effective date of this article.

(b) Except for the period commencing on July 1, 1992, and ending on the first Monday after the second Wednesday of the following January and except for the same periods commencing in the year 1996, and in each fourth year thereafter, the Governor may, by executive order, with the written consent of the State Personnel Board and the appointing authority concerned, add to the list of positions in the classified service, but the additions may not include any positions specifically exempted from coverage as provided in this section.

(c) The following offices and positions are exempt from coverage under the classified service:

- (1) All judges, officers, and employees of the judiciary;
- (2) All members, officers, and employees of the Legislature;
- (3) All officers elected by popular vote and employees of the officer;
- (4) All secretaries of departments and employees within the office of a secretary;

(5) Members of boards and commissions and heads of departments appointed by the Governor or heads of departments selected by commissions or boards when expressly exempt by law or board order;

(6) Excluding the policy-making positions in an agency, one principal assistant or deputy and one private secretary for each board or commission or head of a department elected or appointed by the Governor or Legislature;

(7) All policy-making positions;

(8) Patients or inmates employed in state institutions;

(9) Persons employed in a professional or scientific capacity to make or conduct a temporary and special inquiry, investigation, or examination on behalf of the Legislature or a committee thereof, an executive department, or by authority of the Governor;

(10) All employees of the office of the Governor, including all employees assigned to the executive mansion;

(11) Part-time professional personnel engaged in professional services without administrative duties; ~~and personnel employed for 1,000 hours or less during a working year~~

(12) Temporary employees;

~~(12)~~(13) Members and employees of the board of trustees and board of directors or their successor agencies;

~~(13)~~(14) Uniformed personnel of the State Police; and

~~(14)~~(15) Seasonal Temporary employees in the state forests, parks, and recreational areas ~~working less than 1,733 hours per calendar year. Notwithstanding any provision of law to the contrary, seasonal employees are not considered full-time employees.~~

(d) The Legislature finds that the holding of political beliefs and party commitments consistent or compatible with those of the Governor contributes in an essential way to the effective performance of and is an appropriate requirement for occupying certain offices or positions in state government, such as the secretaries of departments and the employees within their offices, the heads of agencies appointed by the Governor and, for each such head of agency, a private secretary and one principal assistant or deputy, all employees of the office of the Governor including all employees assigned to the executive mansion, as well as any persons appointed by the Governor to fill policy-making positions, in that those offices or positions are confidential in character and require their holders to act as advisors to the Governor or the Governor's appointees, to formulate and implement the policies and goals of the Governor or the Governor's appointees, or to help the Governor or the Governor's appointees communicate with and explain their policies and views to the public, the Legislature, and the press.

(e) All county road supervisor positions are covered under the classified service effective July 1, 1999. A person employed as a county road supervisor on the effective date of this section is not required to take or pass a qualifying or competitive examination upon, or as a condition of, becoming a classified service employee. All county road supervisors who become classified service employees pursuant to this subsection who are severed, removed, or terminated in his or her employment must be severed, removed, or terminated as if the person was a classified service employee."

And,

By amending the title of the bill to read as follows:

**Com. Sub. for H. B. 2011** – “A Bill to amend and reenact §29-6-4 of the Code of West Virginia, 1931, as amended, relating to eliminating any time requirements for temporary employees to work during a working year to be exempt from classified service; and exempting temporary employees in state forests, parks, and recreational areas from classified service.”

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 166**), and there were—yeas 97, nays none, absent and not voting 3, with absent and not voting being as follows:

Absent and Not Voting: Hamrick, Hardy and Linville.

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. 2011) passed.

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

On this question, the yeas and nays were taken (**Roll No. 167**), and there were—yeas 98, nays none, absent and not voting 2, with absent and not voting being as follows:

Absent and Not Voting: Hamrick and Hardy.

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. 2011) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

**Com. Sub. for S. B. 295**, Relating generally to economic development loans and loan insurance issued by state.

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. 346** - “A Bill to amend and reenact §17A-2-19 of the Code of West Virginia, 1931, as amended, relating to the use by the Division of Motor Vehicles of electronic means and other alternate means when providing notice”; which was referred to the Committee on Technology and Infrastructure then Government Organization.

A message from the Senate, by

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

**Com. Sub. for S. B. 472** - "A Bill to amend and reenact §30-1A-1, §30-1A-2, §30-1A-3, §30-1A-4, §30-1A-5, and §30-1A-6 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §30-1A-1a, all relating to regulation of occupations and professions; establishing legislative policy; providing definitions; providing criteria to analyze a required application to regulate an occupation or profession; requiring Performance Evaluation and Research Division to conduct an analysis of application; establishing rebuttable presumption against regulating an occupation or profession absent certain conditions; setting out criteria to assess harms to consumers and possible recommendations that may be instituted against an occupation or profession; providing for an economic study of the recommendations made; setting time frame for the Performance Evaluation and Research Division to conduct analysis and return report; providing for recommendations based on the assessed harm to consumers in the Performance Evaluation and Research Division's report; authorizing additional recommendations and findings by the Joint Standing Committee on Government Organization; requiring additional findings by the Joint Standing Committee on Government Organization be made public; mandating committee's findings and recommendations along with any report be submitted to any committee considering legislation prior to voting; requiring Performance Evaluation and Research Division begin review of existing licenses under certain criteria; providing effective date for licensure review; mandating review of certain licenses annually; requiring annual licensing review to be set by the chairs of the Joint Standing Committee on Government Organization; setting eight-year review schedule; requiring Performance Evaluation and Research Division to report its findings and recommendations to the committee relating to licensing review; establishing effective date for the Performance Evaluation and Research Division to begin reporting its findings and recommendations to the committee; and establishing standards of statutory interpretation relating to government regulation of occupations or professions"; which was referred to the Committee on Government Organization.

A message from the Senate, by

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

**S. B. 523** - "A Bill to amend and reenact §24-2H-3, §24-2H-5, and §24-2H-8 of the Code of West Virginia, 1931, as amended, all relating to correcting certain code references."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 523) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

A message from the Senate, by

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

**S. B. 529** - "A Bill to amend and reenact §17A-6-6 of the Code of West Virginia, 1931, as amended, relating to refusal or issuance of a license certificate; and correcting an erroneous code citation"; which was referred to the Committee on Technology and Infrastructure then Government Organization.

### **Resolutions Introduced**

Delegates Cooper, J. Pack and Longanacre offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 51** - "Requesting the Division of Highways name a portion of County Route 19/1, Ballangee Road, from its intersection with County Route 17/1, known as War Ridge Road, to its

intersection with County Route 19/3, known as Big Stony Creek Road, in Summers County, the 'U.S. Army PVT Lomer Elmo Davis Memorial Road'."

Whereas, Lomer Elmo Davis, born November 29, 1921, at Ballengee, in Summers County, was a son of the late Lomer A. and Allie Lyons Davis; and

Whereas, Lomer Elmo Davis volunteered his service to the Army in early 1942 during WWII; he trained and deployed as an infantryman with the 85<sup>th</sup> infantry division. He fought with the 85<sup>th</sup> in Patton's Campaign in Sicily during the summer of 1943 along with his brother, Thomas who was assigned to the 3<sup>rd</sup> Infantry Division; and

Whereas, At the battle of Messina, U.S. Army PVT Lomer Elmo Davis was severely wounded and eventually evacuated back to the U.S.; he was awarded the three signature awards of a WWII warrior for his bravery; the Combat Infantryman's Badge, the Bronze Star and the Purple Heart. His wounds troubled him the remainder of his adult life; and

Whereas, U.S. Army PVT Lomer Elmo Davis was a truck driver for Shanklin's Trucking and later purchased his own truck and began hauling miscellaneous goods for local residents and neighbors. Mr. Davis owned and operated Davis Grocery at Ballengee from 1963-1980; and

Whereas, U. S. Army PVT Lomer Elmo Davis was a member of the Ballengee Farm Club and a trustee of the Oak Grove Cemetery; and

Whereas, U.S. Army PVT Lomer Elmo Davis passed away on Saturday, May 31, 2014, at Main Street Care in Hinton following a short illness; and

Whereas, U.S. Army PVT Lomer Elmo Davis was preceded in death by one brother, Thomas "Verdo" Davis and three sisters, Winnie McMillion, Ruby Riffe and Lena Clair Hedrick; those left to cherish his memory include his daughter, Anita Tabor and husband Dean of Marie; step-son, Floyd Light and wife Audra of Leesburg, Va.; four step-grandchildren; five step-great grandchildren; many loved nieces and nephews; and

Whereas, It is fitting that an enduring memorial be established to commemorate U S. Army PVT Lomer Elmo Davis and his contributions to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name a portion of County Route 19/1, Ballengee Road, from its intersection with County Route 17/1, known as War Ridge Road, to its intersection with County Route 19/3, known as Big Stony Creek Road, in Summers County, the "U.S. Army PVT Lomer Elmo Davis Memorial Road"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs at both ends identifying the portion of road as the "U.S. Army PVT Lomer Elmo Davis Memorial Road"; and, be it

*Further Resolved*, That the Clerk of the House is hereby directed to forward a copy of this resolution to the commissioner of the Division of Highways.

Delegates G. Ward, Mallow and Garcia offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 52** - "Requesting the Division of Highways name bridge number: 25-001/00-010.40 (25A004), (39.53091, -80.34410) locally known as Mannington Arch, carrying CR 1 over Pyles Fork in Marion County, the WW II Veterans Toothman Brothers Memorial Bridge'."

Whereas, The Toothman family of Mannington, West Virginia had five brothers who served in the military during World War II; and

Whereas, Osborne Dale Toothman, age 95, died on October 14, 2016, at his home in Charlottesville, Virginia. Born on March 5, 1921, he was one of nine sons born to Charles and Mae Toothman in Mannington, West Virginia. He served in World War II as a Marine from 1938 to 1946; and

Whereas, Rupert Clyde Toothman served in the U. S. Army. He was seriously injured in Germany and discharged in 1945. He died in Page, Arizona in 1986; and

Whereas, Harold Herman Toothman served in the U. S. Army, discharged in 1945. He died in Mesa, Arizona in 1987; and

Whereas, Lawrence Reid Toothman was a U. S. Army Air Force B-24 pilot. He was shot down over Linz, Austria during his eighth mission, parachuted from the plane and captured by the Germans. He was freed from a POW hospital by Russians. He was discharged in 1946. He died in Orlando, Florida in 1984; and

Whereas, Hubert Earl Toothman served in the U. S. Army, was wounded in France near the Germany border. He was discharged in 1945 and died in Waycross, Georgia in 1972; and

Whereas, It is fitting that an enduring memorial be established to commemorate the Toothman brothers and their contributions to our state and country; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name bridge number 25-001/00-010.40 (25A004), (39.53091, -80.34410) locally known as Mannington Arch, carrying CR 1 over Pyles Fork in Marion County, the "WW II Veterans Toothman Brothers 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 "WW II Veterans Toothman Brothers Memorial Bridge"; and, be it

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

Delegates Howell, Burkhammer, Cooper, Criss, Fast, Gearheart, Hamrick, Hanna, Hardy, Haynes, Hott, Householder, Jennings, Keaton, D. Kelly, J. Kelly, Linville, Martin, Maynard, J. Pack, Paynter, Phillips, Pinson, Pritt, Riley, Summers, Tully and Wamsley offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 53** - "Requesting the Division of Highways name a portion of Interstate 68 from the Maryland State line to the intersection of Interstate 79 in Monongalia County, the 'President Donald J. Trump Highway'."

Whereas, West Virginia thrived under President Trump's leadership; and

Whereas, President Trump strongly supported West Virginia's energy production; and

Whereas, President Trump deserves enormous credit for his inspiring leadership of Operation Warp Speed that has given us multiple Covid 19 vaccines, now saving West Virginia lives; and

Whereas, For the first time in a quarter-century, Arab nations agreed to normalized relations with Israel with President Trump's Abraham Accords, created the **Afghan Peace Deal**, and ended Isis's reign, ending the need for the West Virginia National Guard to go into harm's way; and

Whereas, President Trump built some 423 new miles of impressive border wall now standing guard at our southern border protecting Americans for the massive influx of Illegal Aliens that were making it harder for West Virginians to find jobs; and

Whereas, President Trump in 2020 signed the USMCA pact with our neighbors Mexico and Canada, a material improvement over the outdated and unfair NAFTA that destroyed West Virginia jobs; and

Whereas, It is fitting that West Virginia honors Donald J. Trump's commitment to West Virginia by naming Interstate 68 in his honor; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name a portion of Interstate 68 from the Maryland State line to the intersection of Interstate 79 in Monongalia County, the "President Donald J. Trump Highway"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs at both ends identifying the portion of road as the "President Donald J. Trump Highway"; and, be it

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

Delegates Sypolt, Hansen, Fleischauer, Walker, Statler and Williams offered the following resolution, which was read by its title and referred to the Committee on Technology and Infrastructure then Rules:

**H. C. R. 54** - "Requesting the Division of Highways name a portion of Old Route 73 (39.659317, -79.772097 to 39.658476, -79.645041), in Preston County, West Virginia, the 'Robin W. Ames Memorial Road'."

Whereas, Robin Wendell Ames was tragically killed by the careless actions of a distracted driver who was texting on her phone and hit and killed him while he rode his bike along Old Route 73 in Bruceton Mills on the day of February 17, 2020; and

Whereas, Robin Wendell Ames was married to Karrah Ames and had two young children: Charlotte Ames and Elliette Ames; and

Whereas, Mr. Ames was 37 years old when the negligent actions of another forever altered the lives of his family; and

Whereas, The driver was sentenced to home confinement for 30 days and served no time in jail as her actions were only deemed a misdemeanor offense, and has continued her life without

significant consequence, while to this day his family is still trying to adjust to their lives without a father and husband; and

Whereas, Mr. Ames was educated at West Virginia University as a mechanical engineer and had launched a successful and promising career, where at the time of his death he was employed at the National Energy and Technology Laboratories of the United States Department of Energy in Morgantown, quickly rising through the ranks to become Project Manager; and

Whereas, Programs he managed were of vital importance to regional coal and natural gas industries such as the supercritical Carbon Dioxide Power Cycle Program; and

Whereas, He was an active and respected member of outdoor sports and recreation communities, volunteered for and donated to the Cooper's Rock Foundation, Friends of Decker's Creek, and Heartwood in the Hills, resulting in the loss of his life not only irreparably harming his family, but his community and the State of West Virginia; and.

Whereas, It is fitting that an enduring memorial be established to commemorate his loss, to honor his memory for his family and friends, to recognize his importance to his community, and to promote awareness of the dangers of texting and driving; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Division of Highways is hereby requested to name a portion of Old Route 73 (39.659317, -79.772097 to 39.658476, -79.645041), in Preston County, West Virginia, the "Robin W. Ames Memorial Road"; and, be it

*Further Resolved*, That the Division of Highways is hereby requested to have made and be placed signs at both ends identifying the portion of road as the "Robin W. Ames Memorial Road" *include the words "Don't text and drive."*; and, be it

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

Delegates Hamrick and Ferrell offered the following resolution, which was read by its title and referred to the Committee on Education then Rules:

**H. C. R. 55** - "Requesting the Higher Education Policy Commission to study the feasibility of creating an accredited school of veterinary medicine with coordination between Fairmont State University, Glenville State College and/or the West Virginia School of Osteopathic Medicine."

Whereas, West Virginia residents and college students will benefit from the creation of a formal, nationally accredited school of veterinary medicine; and

Whereas, Current student enrollment and interest in animal and nutritional science programs at state colleges and universities is indicative of the need for a formal program and school of veterinary medicine within the state; and

Whereas, West Virginia has a rich history of agriculture and the state is intent on developing a sustainable plan to maximize the agricultural sector for economic growth and prosperity, including the development and retention of large animal veterinarians to service our state's growing cattle industry; and



Whereas, One strategy identified by the West Virginia Agriculture Advisory Board in its 2018 Strategic Plan for long-term growth of this industry is the need for enhanced collaboration between academic agencies and groups involved in agriculture; and

Whereas, There exists a need for educated and experienced professionals within the state to support the long-term prosperity of the agricultural industry; and

Whereas, Fairmont State University, Glenville State College, and/or the West Virginia School of Osteopathic Medicine could move forward with a single school of veterinary medicine to increase educational opportunities within the state and attract students from outside the state for purposes of a specialized program of study; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Higher Education Policy Commission study the feasibility of creating an accredited school of veterinary medicine with coordination between Fairmont State University, Glenville State College, and/or the West Virginia School of Osteopathic Medicine, or any combination of these institutions in collaboration; and, be it

*Further Resolved,* That any such study focus on the most efficient and practical use of existing programs of study at Fairmont State University, Glenville State College, and/or the West Virginia School of Osteopathic Medicine and the opportunity to develop and retain large animal veterinarians within the state; and, be it

*Further Resolved,* That such study include a report on all barriers and/or impediments to creating an accredited school of veterinary medicine; and, be it

*Further Resolved,* That the final report of such study be presented to the Joint Committee on Government and Finance of the West Virginia Legislature on or before January 1, 2022.

Delegates Hamrick and Kimble offered the following resolution, which was read by its title and referred to the Committee on Rules:

**H. C. R. 56** - "Urging the FDA to not pass proposed new rules which would hurt and unfairly burden West Virginia farmers."

Whereas, Congress recognized in the 2002 Bioterrorism Act that foods can be traced without imposing requirements on the very first or last links in the chain – the farmer/rancher and the entity that sells or serves the food to the consumer (grocers, restaurants, and other "retail food establishments"); and

Whereas, Congress re-affirmed that approach to traceability in the Food Safety Modernization Act in 2010; and

Whereas, Moreover, Congress recognized the importance of protecting small food businesses from expensive regulations that are not needed for small operations; and

Whereas, In adopting the initial regulations under FSMA, the FDA identified that food businesses grossing less than \$1 million annually were "very small businesses" in the context of our food system; and

Whereas, In these newest proposed regulations, the FDA is contradicting all these principles and imposing costly, burdensome requirements on farms, retail food establishments, and very small businesses; and

Whereas, If FDA's Additional Traceability Records for Certain Foods Proposed Rule ("Traceability Proposed Rule") is implemented, it will hurt West Virginia farmers, the entire farming community, West Virginia food sources, and others; therefore, be it,

*Resolved by the Legislature of West Virginia:*

That the FDA make the following changes:

- (a) Limit the scope of the rule to "facilities", as that term is used in the other FSMA regulations;
- (b) Exclude farms, unless they conduct activities that would classify them as "farm mixed type facilities";
- (c) Exclude retail food establishments, whose primary purpose is to sell or serve food directly to consumers;
- (d) Exempt very small businesses, defined consistent with other FSMA rules and the Small Business Administration's classifications;
- (e) Exempt foods that are "identity preserved" from farm to consumer, without requiring that individual items be in sealed plastic packaging;
- (f) Remove the electronic spreadsheet requirement;
- (g) If farms are included, remove the requirement for GPS coordinates for where the crops are grown; and
- (h) Modify the requirements for "first receivers", so that they are not required to keep records that go beyond the underlying requirements for the farms and food manufacturers they receive items from.

*Further Resolved,* That the Clerk of the House of Delegates forward a copy of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, the office of the FDA, and to each member of West Virginia's congressional delegation.

### **Petitions**

Delegate Boggs presented a petition signed by residents and community members of Riley Run Road, requesting a bridge to provide passage from Gassaway Road to Riley Run Road; which was referred to the Committee on Technology and Infrastructure.

### **Bills Introduced**

Bills were introduced, pursuant to House Rule 92, and severally referred as follows:

#### **By Delegate Walker:**

**H. B. 3176** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-7-18, relating to requiring sharps containers in all state buildings and facilities where the public is allowed"; to the Committee on Health and Human Resources then Finance.

**By Delegates Ellington, Hanna, Higginbotham, Hamrick, Kessinger, Smith, Toney, Mazzocchi, Horst, Holstein and Mandt:**

**H. B. 3177** - "A Bill to repeal §18-2-5d, §18-2-13b, §18-2-24, §18-2-29, and §18-2-35 of the Code of West Virginia, 1931, as amended; to repeal §18-2E-4a of said code; to repeal §18-3-9b of said code; to repeal §18-4-12 of said code; to repeal §18-5-18e, and §18-5-43 of said code; to repeal §18-7A-36 of said code; to repeal §18-9A-8a of said code; to repeal §18-9B-11a of said code; to repeal §18-10H-4 of said code; to amend and reenact §18-9A-6a, §18-9A-7, and §18-9A-16 of said code; and to amend and reenact §18-9B-1, §18-9B-2, §18-9B-3, §18-9B-4, §18-9B-5, §18-9B-6, §18-9B-6a, §18-9B-7, §18-9B-8, §18-9B-9, §18-9B-10, §18-9B-12, §18-9B-13, §18-9B-14, §18-9B-15, §18-9B-17, §18-9B-18, §18-9B-19, §18-9B-20 and §18-9B-21 of said code, all relating to removing expired, outdated, inoperative and antiquated provisions and report requirements in education code; updating references; repealing expired report requirement related to productive and safe schools; repealing authorization of state board respecting use of revenues from dormitories, home or refectories; repealing outdated structure for collaboration on professional development delivery among state universities, regional education service agencies and center for professional development; repealing unused competitive grant program for selected schools and school districts; repealing unused requirement for state board rule on school uniforms for students; repealing outdated exception to mailing school report cards; repealing outdated mandated reduction in budgeted amount for personal services in certain fiscal year; repealing outdated exception for county board meeting related to fixing salaries of county superintendent; repealing expired study and report on pupils per teacher; repealing expired report requirement relating to county-wide council on productive and safe schools; repealing expired report requirement relating to joint study of retirement systems; removing reference to repealed allocation to teachers retirement fund; removing expired provisions related to additional funding bus system using bio-diesel alternative fuel; repealing expired allowance for regional education service agencies; replacing reference to state board of school finance with state superintendent; removing expired provision prohibiting salary reduction of certain persons due to passage of school finance article; correcting references to tax commissioner for functions previously transferred to state auditor; deleting outdated references to employment term and instructional term; and removing outdated provisions creating state board of school finance and requiring state superintendent to exercise powers and perform duties; repealing outdated authorization for adjustments to average daily attendance; and repealing mandate for establishment of certain interdisciplinary doctoral program"; to the Committee on Education.

**By Delegate Pritt:**

**H. B. 3178** - "A Bill to amend and reenact §5-1-30 of the Code of West Virginia, 1931, as amended, relating to halting payment of salaries of all employees of state government, during periods of a pandemic, if private businesses are ordered closed; and exceptions for emergency personnel"; to the Committee on Government Organization then Finance.

**By Delegates Mallow, Conley, Mandt and Forsht:**

**H. B. 3179** - "A Bill to amend and reenact § 11-6B-3 of the Code of West Virginia, 1931, as amended, relating to property tax exemptions; providing for an exemption from increasing property tax for eligible individuals"; to the Committee on Finance.

**By Delegates Mallow, Conley, Mandt and Forsht:**

**H. B. 3180** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-2C-9a, relating to fair and equitable assessment of real property; providing Legislative findings; providing that it is unlawful to increase the assessed value of real property for no apparent reason than to establish a new or additional source of revenue; and providing that increased assessments may be made only upon the periodic evaluation of the property"; to the Committee on Finance.

**By Delegate Riley:**

**H. B. 3181** - "A Bill to amend and reenact §24-2-2 of the Code of West Virginia, 1931, as amended, relating to giving water and/or sewer utilities that are political subdivisions the same authority as is currently experienced by water and/or sewer providers that exceed 4500 customers and \$3 million in revenue; and, to provide that the proper place for compelling action by a utility is with the Public Service Commission or Supreme Court, not the circuit court"; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegate Rowe:**

**H. B. 3182** - "A Bill amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-15-23; to amend said code by adding thereto a new section, designated §33-24-46; to amend said code by adding thereto a new section, designated §33-16-19; and to amend said code by adding thereto a new section, designated §33-25-23; all relating to requiring insurers to provide benefits for telemedicine treatment and evaluation services at the same rate for the same in person medical services"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegates J. Pack, Householder, Summers and Steele:**

**H. B. 3183** - "A Bill to amend and reenact §6B-3-1, §6B-3-3b, §6B-3-7, and §6B-3-9 of the Code of West Virginia, 1931, as amended, all relating to lobbyist; requiring notification of potential conflict of interests; and providing penalties"; to the Committee on the Judiciary.

**By Delegate Bates:**

**H. B. 3184** - "A Bill to amend and reenact §5-16-7f of the Code of West Virginia, 1931, as amended; to amend and reenact §23-4-3 of said code; to amend and reenact §33-15-4s of said code; to amend and reenact §33-16-3dd of said code; to amend and reenact §33-24-7s of said code; to amend and reenact §33-25-8p of said code; and to amend and reenact §33-25A-8s of said code, all relating to ensuring that sections of the code that were modified during the 2019 legislative to include workers' compensation providers in the insurance prior authorization process"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegate Dean:**

**H. B. 3185** - "A Bill to amend and reenact §20-2-5g of the Code of West Virginia, 1931, as amended, relating to allowing the use of a crossbow to hunt in counties that have no big game firearms season by residents age 65 or older"; to the Committee on Agriculture and Natural Resources then the Judiciary.

**By Delegate Bates:**

**H. B. 3186** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-30; relating to PEIA hospital inpatient rates, and requiring the plan to reimburse any hospital that provides inpatient care to a beneficiary covered by the plan no less than 90 percent of the Inpatient Prospective Payment System Diagnostic Related Group assigned amount then in effect for the federal fee for service component of the Medicare program by July 1, 2023; and requiring the plant to reimburse the Inpatient Prospective Payment System Diagnostic Related Group assigned amount then in effect for the federal fee for service component of the Medicare program by July 1, 2024"; to the Committee on Banking and Insurance then Finance.

**By Delegate Pritt:**

**H. B. 3187** - "A Bill to amend and reenact §18-5F-4 of the Code of West Virginia, 1931, as amended, relating to prohibiting county boards of education from restricting parents from monitoring virtual instruction programs; and providing for injunctive relief"; to the Committee on Education then the Judiciary.

**By Delegates Walker, Pushkin, Fleischauer, Fluharty, Young and Hansen:**

**H. B. 3188** - "A Bill to amend and reenact §61-11-25 of the Code of West Virginia, 1931, as amended, relating to expungement of criminal records; making expungement of records for certain defendants found not guilty or have had charges dismissed to occur without petitioning the court; and allowing the prosecutor to petition the court to object because of lack of eligibility for expungement"; to the Committee on the Judiciary.

**By Delegates Walker, Evans, Thompson, Pushkin, Fluharty and Young:**

**H. B. 3189** - "A Bill to amend and reenact §49-2-1003 of the Code of West Virginia, 1931, as amended; and to amend §49-4-721 of the said code, all relating to establishing requirements for confining juveniles in juvenile facilities; placing limitations on when in room confinement; providing requirements for confinement rooms; providing what services juveniles in confinement shall have along with further limitations and conditions; and providing these provisions do not mandate fencing or similar structures at any juvenile facility"; to the Committee on Veterans' Affairs and Homeland Security then the Judiciary.

**By Delegates Dean, Paynter, Cooper, Kimes, Maynard, Booth, Haynes, G. Ward, Hanna, Ferrell and Wamsley:**

**H. B. 3190** - "A Bill to amend and reenact §30-2-1 of the Code of West Virginia, 1931, as amended, relating to permitting persons with master's degrees, regardless of the course of study, to take an examination for admission to practice law in the courts of this state"; to the Committee on Education then the Judiciary.

**By Delegates Boggs, Storch, Pethtel, Householder and Westfall:**

**H. B. 3191** - "A Bill to amend and reenact §5-10-19 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18-7A-13a of said code, all relating to requiring employers to send certain notifications when retirants are hired as temporary, part-time employees"; to the Committee on Finance.

**By Delegate Graves:**

**H. B. 3192** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-38-1, §19-38-2, §19-38-3, §19-38-4, §19-38-5, §19-38-6, §19-38-7, and §19-38-8 relating to agriculture; creating the West Virginia Farm Fresh Dairy Act; exempting certain sales from licensure and certification; providing definitions; providing conforming amendments; and providing for an effective date"; to the Committee on Agriculture and Natural Resources then Health and Human Resources.

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

**H. B. 3193** - "A Bill to amend and reenact §16-5-18 of the Code of West Virginia, 1931, as amended; to amend and reenact §17B-2-8 of said code; to amend and reenact §17B-2-13 of said code; and to amend said code by adding thereto a new article, designated §55-19-1, §55-19-2, §55-19-3, §55-19-4, and §55-19-5, all relating to obtaining an appropriate gender marker for state documents; to providing an avenue by which persons may petition the courts to change their gender; providing for an objection process; providing guidelines for when judges may or may not grant the request; and providing for a joint petition process"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates Smith, Gearheart, Clark, Keaton, Barnhart, Hanna, Hamrick, Foster and Steele:**

**H. B. 3194** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto two new sections, designated §11A-3-5a and §11A-3-6a; and to amend and reenact §11A-3-42 of said code, all relating to sales of tax liens, delinquent properties, and nonentered lands; prohibiting

delinquent entities from bidding on or purchasing properties at public auction; providing for rescission of sale and forfeiture of property when a delinquent entity bids on or purchases properties at public auction; requiring registration for public auctions requiring signed statement of bidders; and providing that sales of lands by the deputy commissioner of delinquent and nonentered lands be conducted as provided under this bill"; to the Committee on the Judiciary.

**By Delegates Hamrick and Hanna:**

**H. B. 3195** - "A Bill to repeal §17A-10-3C of the Code of West Virginia, 1931, as amended, relating to removing the \$200 fee for electric vehicle registration and the \$100 fee for hybrid vehicle registration"; to the Committee on Technology and Infrastructure then Finance.

**By Delegates Hamrick, Hornbuckle and Higginbotham:**

**H. B. 3196** - "A Bill to amend and reenact §61-11-26 of the Code of West Virginia, 1931, as amended, relating to automating the expungement of criminal records"; to the Committee on the Judiciary.

**By Delegates Kimble, Sypolt, Steele, Foster, Kimes, Pritt, Horst, Fast, G. Ward, Mazzocchi and McGeehan:**

**H. B. 3197** - "A Bill to amend and reenact §5A-1-3 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-3-4 of said code; and to amend said code by adding thereto a new section, designated §18B-1-12, all relating to exemptions from mandated immunizations for religious reasons"; to the Committee on Health and Human Resources.

**By Delegates Hansen, Queen, Evans, Anderson, Hornbuckle and Skaff:**

**H. B. 3198** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2K-1, §5B-2K-2, §5B-2K-3, §5B-2K-4, §5B-2K-5, §5B-2K-6, and §5B-2K-7, all relating to establishing a program to facilitate the recovery of areas of the state that have been impacted by the reduction of coal production and consumption; providing legislative findings; authorizing the Department of Commerce to administer the program; providing for a Just Transition Advisory Committee to study and advise the department; defining terms; requiring submission of plans to the Legislature; providing that certain coal operations and electric utilities provide information to the department relating to job losses when a facility is closing; and providing for expiration of the article"; to the Committee on Small Business, Entrepreneurship and Economic Development then Finance.

**By Delegate Phillips:**

**H. B. 3199** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-9-9, relating to ensuring that students use the bathroom or restroom that correlates with their biological sex"; to the Committee on Education then the Judiciary.

**By Delegate Sypolt:**

**H. B. 3200** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2A-6b; to amend said code by adding thereto a new section, designated §17-3-11; and to amend said code by adding thereto a new article, designated §17-30-1, §17-30-2, §17-30-3, §17-30-4, and §17-30-5, all relating generally to enhancing maintenance and repair of the state's roads and highways; establishing roads accountability and transparency; directing the State Auditor to develop and maintain a searchable website of funding actions and expenditures relating to state and public roads; setting forth the minimum content to be contained in the website; directing the commissioner of Highways to provide information and data to the State Auditor; requiring an annual update to the Joint Committee on Government and Finance; creating the Special Road Repair Fund as a subaccount of the State Road Fund; authorizing the commissioner to transfer certain funds into the subaccount for certain purposes; creating the Enhanced Road Repair and Maintenance Program;

stating legislative findings and purpose of program; requiring Division of Highways county supervisors consult with county commissions and legislators to submit project requests to the Division of Highways; setting forth a funding formula; setting forth requirements concerning bidding, vendors, and contracts with private vendors; specifying uses of Special Road Repair Fund; defining terms; providing requirements for commissioner of Highways and districts; requiring for rulemaking; and requiring reporting by Division of Highways and Legislative Auditor”; to the Committee on Technology and Infrastructure then Finance.

**By Delegate Young:**

**H. B. 3201** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-10-1, §5B-10-2, §5B-10-3, and §5B-10-4, all relating to creating the ‘Food Pantry Assistance Grant Program;’ providing legislative findings and definitions; and, in connection therewith, authorizing an allocation of money the state receives from the federal coronavirus relief fund”; to the Committee on Health and Human Resources then Finance.

**By Delegate Barnhart:**

**H. B. 3202** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-44, relating to ensuring that allowing public high schools to have full-time athletic trainers”; to the Committee on Education then Finance.

**By Delegate Hornbuckle:**

**H. B. 3203** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5B-1-10, relating to creating the West Virginia Small Business COVID Relief Act to be established under the West Virginia Department of Commerce; providing legislative findings; creating the act and providing qualifications for relief; and providing an effective date”; to the Committee on Small Business, Entrepreneurship and Economic Development then Finance.

**By Delegate Steele:**

**H. B. 3204** - “A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section designated §62-1A-12; relating to custodial interrogation of a child; requiring the child have contact with legal counsel by certain means; requiring the child have contact with a parent, guardian, legal custodian, or other legally recognized equivalent by certain means; permitting a law-enforcement officer to ask questions reasonably believed to be necessary to protect life or property without requiring contact with counsel, parents, guardians, or other recognized persons; and requiring questions of a child be limited to obtaining such information reasonably believed to be necessary to protect life or property”; to the Committee on the Judiciary.

**By Delegate Foster:**

**H. B. 3205** - “A Bill to amend and reenact §16A-15-4 of the Code of West Virginia, 1931, as amended, relating to medical marijuana; clarifying certain provisions relating to employment of individuals using medical marijuana that would otherwise be denied employment due to the use of marijuana; clarifying federal provisions for employers to prohibit the use of medical marijuana; preserving an employer’s right to continue or establish a drug-free workplace program or policy; and prohibiting a cause of action be brought against an employer for wrongful termination or discrimination due to an employee’s use of medical marijuana”; to the Committee on Workforce Development then the Judiciary.

**By Delegates Hornbuckle, Lovejoy, Rohrbach, Barach, Hansen, Pushkin, Williams and Worrell:**

**H. B. 3206** - “A Bill to amend and reenact §22-15-2 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §22-15-24, all relating to the development and implementation of a program to regulate source-separated organic

material waste; requiring permits for the facilities and general operation; providing for general handling of organic material waste; authorizing the secretary to promulgate rules; authorizing the secretary to provide exemptions; and to provide for curb-side pickup of composting”; to the Committee on Health and Human Resources then Government Organization.

**By Delegates Thompson and Barach:**

**H. B. 3207** - “A Bill to amend and reenact §18-2-5 of the Code of West Virginia, 1931, as amended, relating to providing that teachers using in-person teaching, distance learning, and virtual teaching may not be required to teach these modes at the same time”; to the Committee on Education.

**By Delegates Graves, Cooper, Dean, Maynard, Ferrell, Storch, J. Pack, Toney and L. Pack:**

**H. B. 3208** - “A Bill to amend and reenact §5-10-22I of the Code of West Virginia, 1931, as amended, and to amend and reenact §18-7A-26W of said code, as amended, relating to modifying the minimum amount of monthly retirement annuity for certain retirants with 25 or more years of credited service”; to the Committee on Pensions and Retirement then Finance.

**By Delegates Barach, Young, Linville, Rowe, Ferrell, Pritt, Skaff, Pushkin, L. Pack, Graves and Griffith:**

**H. B. 3209** - “A Bill to amend and reenact §39-4-20 of the Code of West Virginia, 1931, as amended, relating to excepting persons previously commissioned as a notary public from the requirement that notary publics have a high school diploma or its equivalent in order to be recommissioned as a notary public”; to the Committee on the Judiciary.

**By Delegates Doyle, Hansen, Evans, Hornbuckle and Fleischauer:**

**H. B. 3210** - “A Bill to amend and reenact §5B-1-9 of the Code of West Virginia, 1931, as amended, relating to providing authority to the county commission to hold a referendum to approve tourism development projects; requiring developer to have sought a building permit for the project at least 5 years prior; and providing that amendments to the section are prospective”; to the Committee on Political Subdivisions then Government Organization then the Judiciary.

**By Delegates Doyle, Walker, Hornbuckle, Barach, Young, Griffith and Fleischauer:**

**H. B. 3211** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-2F-1, §15-2F-2, §15-2F-3, §15-2F-4 §15-2F-5, §15-2F-6, §15-2F-7 §15-2F-8, §15-2F-9 and §15-2F-10; creating an Independent Police Review and Accountability Board; establishing membership of board; providing complaint procedures; establishing jurisdiction of the board; providing for the disposition of complaints; establishing requirements for final action; providing that board process does not abrogate rights; establishing procedures for suspension and dismissal; establishing procedural requirements; creating rules of procedure; authorizing rulemaking; and establishing reporting of the board”; to the Committee on the Judiciary then Finance.

**By Delegate Thompson:**

**H. B. 3212** - “A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new article, designated §9-11-1, §9-11-2, §9-11-3, and §9-11-4, all relating to establishing a Child Care Assistance for Essential Employees Program; reciting legislative findings; defining ‘essential employee’ and detailing categories of essential businesses and operations; establishing program; defining eligibility criteria; specifying the scope of the program benefit; and requiring the Department of Health and Human Resources to conduct a study and submit a report”; to the Committee on Workforce Development then Finance.



**By Delegates Barach, Griffith, Zukoff, Diserio, Ferrell, Doyle, Walker, Hansen, Evans, Fleischauer and Hornbuckle:**

**H. B. 3213** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5B-2-18; and to amend said code by adding thereto a new section, designated §11-15-3d, all relating to assessing an impact fee on internet sales originating or ending in the state; establishing a special revenue account administered by the West Virginia Development Office; providing legislative findings relating to the need to preserve retail businesses; authorizing investment of funds and use of their proceeds; assessing a two percent internet impact fee; providing for the use of the fund to promote and assist retail storefronts in the state; defining terms; and authorizing legislative rules by the Department of Revenue"; to the Committee on Small Business, Entrepreneurship and Economic Development then Finance.

**By Delegates Storch, Queen, Riley, D. Kelly, Barnhart, Reynolds, Fluharty and Zukoff:**

**H. B. 3214** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13A-5c, relating to reallocating and dedicating three percent of oil and gas severance tax revenues up to \$20 million annually to the oil and gas producing counties of origin and their respective municipalities; establishing state and local oil and gas county reallocated severance tax funds and providing for distribution of the moneys to the county commissions and governing bodies of the municipalities by the State Treasurer; establishing amounts each oil and gas producing county and their respective municipalities are to receive; requiring the creation of local funds into which moneys are to be deposited; requiring moneys be expended solely for economic development projects and infrastructure projects; providing definitions; providing restrictions on the expenditure of moneys; providing duties of State Tax Commissioner; requiring report of expenditures to Joint Committee on Government and Finance; providing audits of distributed funds when authorized by the Joint Committee on Government and Finance; and authorizing legislative and emergency rules"; to the Committee on Energy and Manufacturing then Finance.

**By Delegate Brown:**

**H. B. 3215** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-4-1a, relating to the requirements of a prosecuting attorney"; to the Committee on the Judiciary.

**By Delegate Thompson:**

**H. B. 3216** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-24-22, relating to establishment of an excess executive compensation tax; defining terms; levying tax on corporations based upon employee salary ratios; setting rate of the tax; and specifying when the tax is to be paid"; to the Committee on Workforce Development then the Judiciary then Finance.

**By Delegates Hornbuckle, Thompson, Dean, Lovejoy, Ferrell, Zukoff, Griffith and Kessinger:**

**H. B. 3217** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-2L-1, §18-2L-2, §18-2L-3, and §18-2L-4, all relating to the establishment of the 'Student Rescue Act;' allowing for students of all grades in West Virginia to be able to attend these courses if they so desire, and if there is enough interest, in order to make up instructional time or educational opportunities lost for a pandemic, natural disaster, or other singular event lasting more than 21 days; providing for a source of funding; and providing an effective date"; to the Committee on Education then Finance.

**By Delegates Hott and Westfall:**

**H. B. 3218** - "A Bill to amend and reenact §23-4-2 of the Code of West Virginia, 1931, as amended, relating to eliminating the cause of action for deliberate intent for injuries that arise during the course of employment"; to the Committee on the Judiciary.

**By Delegate Graves:**

**H. B. 3219** - "A Bill to amend and reenact §19-23-3, §19-23-7, §19-23-10, §19-23-12b, §19-23-13, and §19-23-13c of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §19-23-10a, to amend and reenact §29-22-18a of said code; to amend and reenact §29-22A-3, §29-22A-7, §29-22A-10, §29-22A-10b, §29-22A-10d, §29-22A-10e, and §29-22A-12 of said code; and to amend and reenact §29-22C-3, §29-22C-8, §29-22C-10, §29-22C-27, and §29-22C-27a of said code, all relating to dog racing requirements; modifying certain definitions; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to qualify for such a license; establishing procedure for licensee to discontinue live dog racing; discontinuing West Virginia Greyhound Breeding Development Fund; requiring that funds deposited in the West Virginia Greyhound Breeding development fund be paid out to licensees; requiring \$1 million from the fund be withheld and used for certain programs to care for and assist in adoption of greyhounds; eliminating the requirement that an applicant for a dog racing license race a minimum number of dates to contract to receive telecasts and accept wagers; providing that a dog racetrack is required to hold a racing license to conduct simulcast racing regardless of whether the racetrack continues to conduct live dog racing; eliminating the requirement that a video lottery licensee at a dog track must hold a racing license to renew a video lottery license or racetrack table games license; requiring that horse racetrack owners applying for video lottery license show agreement of proceeds from video lottery and representative of horse breeders association; establishing amounts, effective July 1, 2021, of net terminal income for both the West Virginia Thoroughbred Development Fund and licensees who discontinued greyhound racing at their respective racetracks; removing requirement that net terminal income be paid into the Workers' Compensation Debt Reduction Fund; providing that distribution to special funds established by licensees limited to amounts designated as either thoroughbred racetrack video lottery licensees or greyhound racetrack licensees; permitting a dog racetrack to continue to operate operational video lottery and racetrack table games in a location where live racing was previously conducted; providing for and eliminating the requirement that a racetrack table games licensee at a dog racetrack must race a minimum number of dates"; to the Committee on Government Organization then Finance.

**By Delegates L. Pack, Keaton, Mallow, Conley, Forsht, Longanacre, Haynes, Kimble, Burkhammer, Hanna and Pritt:**

**H. B. 3220** - "A Bill to amend and reenact §6D-1-2 of the Code of West Virginia, 1931, as amended, relating to require disclosure of information from state agencies, municipalities, counties, or county school districts that have contracted with a state agency for consulting services related to lobbying"; to the Committee on Government Organization.

**By Delegate Howell:**

**H. B. 3221** - "A Bill to amend and reenact §18-20-5 of the Code of West Virginia, 1931, as amended, relating to requiring the Department of Education to calculate and assume the full costs associated with wards of the state who are placed in out-of-state mental health facilities, residential institutions, private schools or correctional facilities before calculating and disbursing a county board of education's allocation of available appropriated funds; and removing from the county board of education all financial responsibility for the costs associated with out-of-state placement for such children"; to the Committee on Education then Finance.

**By Delegates Mallow, Conley, Mandt and Forsht:**

**H. B. 3222** - "A Bill to amend and reenact §24-2A-5 of the Code of West Virginia, 1931, as amended, relating to authorizing reduced rates for residential utility customers who are residents of a small community with fewer than 1000 residents"; to the Committee on the Judiciary then Finance.

**By Delegate L. Pack:**

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

**By Delegate Young:**

**H. B. 3224** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-63-1, establishing the food desert program under the Department of Agriculture"; to the Committee on Agriculture and Natural Resources then Government Organization.

**By Delegate Young:**

**H. B. 3225** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18B-20-1, §18B-20-2, §18B-20-3, §18B-20-4, §18B-20-5, and §18B-20-6, all relating to creating the Hunger Free Campus Act; providing for a short title; enacting the act and providing for a legislative purpose; providing qualifications for campuses to be designated as 'Hunger-Free' zones; giving a reporting requirement; appropriating money; and providing for an effective date"; to the Committee on Education then Finance.

**By Delegate Holstein:**

**H. B. 3226** - "A Bill to amend and reenact §19-20-8 of the Code of West Virginia, 1931, as amended, relating to providing a fee waiver for veterans who adopt a dog or cat from a public animal shelter or humane society; and providing limitations"; to the Committee on Veterans' Affairs and Homeland Security then Government Organization.

**By Delegate Griffith:**

**H. B. 3227** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-5A-1, relating to requiring medication status information be provided to a patient's pharmacy when updating prescriptions or changing medications; and authorizing the Board of Pharmacy to propose a legislative rule"; to the Committee on Health and Human Resources.

**By Delegate Griffith:**

**H. B. 3228** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-5A-1, relating to requiring documentation of changes to patient prescriptions and notification to patient's pharmacy"; to the Committee on Health and Human Resources.

**By Delegate Griffith:**

**H. B. 3229** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-5A-1, relating to requiring the purpose of a prescription to be clearly stated on the label"; to the Committee on Health and Human Resources.

**By Delegate Pethel:**

**H. B. 3230** - "A Bill to amend and reenact §17C-14-11 of the Code of West Virginia, 1931, as amended, relating to prohibiting dangerous materials being placed on highways"; to the Committee on Technology and Infrastructure then Government Organization.

**By Delegate Conley:**

**H. B. 3231** - "A Bill to amend and reenact §24-3-8 of the Code of West Virginia, 1931, as amended, relating to public utility security deposits and interest thereon; prohibiting the charging of

interest on security deposits held for up to five years; and updating reference to prior law”; to the Committee on the Judiciary.

**By Delegate Hornbuckle:**

**H. B. 3232** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-3-13, relating to teacher certification, requiring teachers attaining their initial licensure or renewing their license to participate in cultural competency training”; to the Committee on Education.

**By Delegate Pritt:**

**H. B. 3233** - “A Bill to repeal §3-4A-1, §§3-4A-2, §3-4A-3, §3-4A-4, §3-4A-5, §3-4A-6, §3-4A-7, §3-4A-8, §3-4A-9, §3-4A-10, §3-4A-11, §3-4A-12, §3-4A-13, §3-4A-14, §3-4A-15, §3-4A-16, §3-4A-17, §3-4A-18, §3-4A-19, §3-4A-20, §3-4A-21, §3-4A-22, §3-4A-23, §3-4A-24, §3-4A-25, §3-4A-26, §3-4A-27, §3-4A-28, §3-4A-29, §3-4A-30, §3-4A-31, §3-4A-32, §3-4A-33, and §3-4A-34 of the Code of West Virginia, 1931, as amended, relating to electronic voting systems”; to the Committee on the Judiciary.

**By Delegate Pritt:**

**H. B. 3234** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §62-17-1, §62-17-2, §62-17-3, §62-17-4, §62-17-5, §62-17-6, §62-17-7, §62-17-8, §62-17-9, §62-17-10, §62-17-11, §62-17-12, §62-17-13, §62-17-14, §62-17-15, §62-17-16, §62-17-17, §62-17-18, §62-17-19, §62-17-20, §62-17-21, §62-17-22, §62-17-23, §62-17-24, §62-17-25, §62-17-26, §62-17-27, §62-17-28, §62-17-29, §62-17-30, and §62-17-31, all relating to criminal forfeiture process act; titling the act; defining terms; establishing the process for seizure; defining jurisdiction; establishing restraints and exceptions for seizure; establishing process for property owned by innocent parties; establishing process for property covered by a lien; establishing process for payment of fees and costs”; to the Committee on the Judiciary.

**By Delegate Hamrick:**

**H. B. 3235** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §19-38-1, §19-38-2, §19-38-3, and §19-38-4, relating to vegetable garden protection; providing the protected right to cultivate vegetable gardens”; to the Committee on Agriculture and Natural Resources then Government Organization.

**By Delegate Toney:**

**H. B. 3236** - “A Bill to amend and reenact §18-5-4 of the Code of West Virginia, 1931, as amended, relating to county board of education compensation; increasing compensation to \$250 per meeting”; to the Committee on Education then Finance.

**By Delegate Pushkin:**

**H. B. 3237** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §55-19-1, §55-19-2, §55-19-3, §55-19-4, §55-19-5, §55-19-6, §55-19-7 and §55-19-8, all relating to the establishing of the West Virginia Public Participation Act; providing legislative findings and declarations; defining terms; authorizing litigants to petition for dismissal of strategic lawsuits against public participation; establishing procedures for dismissal; setting burdens of proof; providing for judicial review of any decision on a petition for dismissal; providing for the award of attorneys’ fees, costs and other relief; and providing for exceptions and limitations on the applicability of the West Virginia Public Participation Act”; to the Committee on the Judiciary.

**By Delegate Young:**

**H. B. 3238** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-63-1, relating to establishing the food waste task force”; to the Committee on Health and Human Resources then Government Organization.

**By Delegates Barach, Doyle, Walker, Hornbuckle, Griffith, Young, Pushkin, Fleischauer, Hansen, Diserio and Thompson:**

**H. B. 3239** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designating §24-21-1, §24-21-2, §24-21-3 §24-21-4 and §24-21-5, all relating to electric energy production; legislative findings and declarations; definitions; promoting the long-term development of a more diversified energy generation and production portfolio in this state; providing for the long term development of a diversified energy portfolio that includes additional renewable energy generating facilities; encouraging the development of cleaner burning fuel technologies that reduce our state's carbon footprint; establishing long-term goals which can be reasonably achieved for electric power generation diversification; creating an energy diversification study commission to review the status of the electric generation facilities located in our state; requiring the study commission to report its findings and recommendations on how the established goals can be achieved to the Joint Committee on Government and Finance, including recommendations for any additional legislation needed to meet the established goals; and requiring annual reporting requirements for each electric utility in this state advise the study commission, and in turn the Legislature, of their individual and collective progress toward meeting the established goals"; to the Committee on Energy and Manufacturing.

**By Delegate Bates:**

**H. B. 3240** - "A Bill to amend and reenact §11-21-22, and §11-21-22b of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §11-21-22c, all relating to providing an earned income tax credit against the personal income tax; and establishing a West Virginia Child Tax Credit"; to the Committee on Finance.

**By Delegate Evans:**

**H. B. 3241** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §4-16-1, §4-16-2, §4-16-3, §4-16-4, §4-16-5 and §4-16-6, all relating to the formation of a legislative commission to study implementation of the development of Coalwood Way and related sites in Big Creek District of McDowell County as historical, cultural and recreational facilities"; to the Committee on Government Organization then Finance.

**By Delegates Fluharty, Zukoff, Garcia, Young and Hornbuckle:**

**H. B. 3242** - "A Bill to amend and reenact §17-16A-6 of the Code of West Virginia, 1931, as amended, relating to exempting law enforcement and emergency vehicles from paying turnpike tolls"; to the Committee on Technology and Infrastructure then Finance.

**By Delegate Steele:**

**H. B. 3243** - "A Bill to amend and reenact §7-14-9 of the Code of West Virginia, 1931, as amended, relating to deputies transferring to another department within the civil service system; permitting deputies to transfer without the need to retake a written examination; requiring a medical screening examination prior to transfer; and requiring a background screening prior to transfer"; to the Committee on the Judiciary.

**By Delegate Toney:**

**H. B. 3244** - "A Bill to amend and reenact §12-1-1, §12-1-2, §12-1-3, §12-1-6, §12-1-7, §12-1-9, §12-1-10, §12-1-11, and §12-1-12 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §12-9-1, §12-9-2, §12-9-3, §12-9-4, §12-9-5, §12-9-6, §12-9-7, §12-9-8, §12-9-9, §12-9-10, §12-9-11, §12-9-12, §12-9-13, §12-9-14, §12-9-15, §12-9-16, §12-9-17, §12-9-18, §12-9-19, §12-9-20, §12-9-21, §12-9-22, §12-9-23, §12-9-24, and §12-9-25, all relating to creating the Bank of West Virginia as a state bank; transferring the banking authorities of the State Treasurer to the State Bank; designating the Bank of West Virginia be the depositor of all state funds; providing the Bank of West Virginia provide or contract for banking

services; authorizing contracting with state and federal credit unions; establishing the mission of the Bank of West Virginia; providing for a Citizens Advisory Commission; providing for the selection of an Advisory Board of Directors; describing the authority of the board of directors; providing for a bank president; establishing powers of the bank; providing for partnering with local financial institutions to create access to capital loans for community development; requiring annual audits; requiring reporting; authorizing the electronic transfer of funds; authorizing the bank to promulgate legislative rules; providing for the confidentiality of bank records; and prohibiting conflicts of interest"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegate Hamrick:**

**H. B. 3245** - "A Bill amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §62-1H-1, §62-1H-2, §62-1H-3, §62-1H-4, and §62-1H-5, all relating to creating the Protection of All Property from Warrantless Searches Act; providing a short title, legislative findings, and definitions; stating conditions for entry to homes or on land; defining illegal searches; and right to sue for damages"; to the Committee on the Judiciary.

**By Delegate Hamrick:**

**H. B. 3246** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §55-19-1, §55-19-2, §55-19-3, §55-19-4, §55-19-5, §55-19-6, §55-19-7, §55-19-8, §55-19-9, §55-19-10, §55-19-11, and §55-19-12, all relating to protecting everyone's constitutional rights; establishing findings, defining terms, establishing government is responsible for actions of its employees; providing a cause of action for individual against a government employee; describing judicial process; establishing jurisdiction in state court; providing that government may terminate contract, agreement or employment of employee found to have violated plaintiff's rights; providing a statute of limitations; providing immunity; designating information available to public; and providing effective date"; to the Committee on the Judiciary.

**By Delegates Fleischauer, Walker, Zukoff, Young, Storch, Rowan, Sypolt, Skaff, Lovejoy, Brown and Fluharty:**

**H. B. 3247** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §21-5I-1, §21-5I-2, §21-5I-3, §21-5I-4 and §21-5I-5, relating to the rights of applicants and employees to inquire about wages, benefits, and other compensation; and providing for a cause of action for violations"; to the Committee on the Judiciary.

**By Delegate Foster:**

**H. B. 3248** - "A Bill to amend and reenact §16-2-16 of the Code of West Virginia, 1931, as amended, relating to removing the requirement that a local county health department issue a food handler permit or card; and providing that food handlers shall follow United States Food and Drug Administration regulations applicable to food-handling operations"; to the Committee on Health and Human Resources.

**By Delegate Foster:**

**H. B. 3249** - "A Bill to amend and reenact §11A-4-4 of the Code of West Virginia, 1931, as amended, relating to reducing to one year the deadline for right to set aside deed when one entitled to notice of tax sale was not notified"; to the Committee on the Judiciary.

**By Delegate Hanshaw (Mr. Speaker):**

**H. B. 3250** - "A Bill to amend and reenact §24A-2-2b of the Code of West Virginia, 1931, as amended, relating to the Public Service Commission; restricting the Public Service Commission from promulgating rules or regulations requiring wrecker companies to permit the registered owner of a towed vehicle to access the vehicle without a fee to retrieve his or her personal property; restricting the Public Service Commission from promulgating rules requiring wrecker companies to destroy

abandoned vehicles in lieu of selling such vehicles; and other technical corrections”; to the Committee on Government Organization.

**By Delegates Fluharty, Zukoff, Garcia, Young, Hornbuckle and Bates:**

**H. B. 3251** - “A Bill to amend and reenact §17-16A-6 of the Code of West Virginia, 1931, as amended, relating to exempting school buses with students on board from paying turnpike tolls”; to the Committee on Education then Finance.

**By Delegates Hornbuckle, Hanna, Fluharty, Griffith, Young, Doyle, Zukoff, Walker, Rowe and Fleischauer:**

**H. B. 3252** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-23-9b, relating to establishing the Commission on American History Enrichment; providing legislative findings relating to evaluating history lessons and materials for history courses that are more inclusive of the history of historic minorities; providing for appointment and membership of the commission; requiring commission to meet and submit reports; and providing for pay and expenses of commission”; to the Committee on Education.

**By Delegate Hamrick:**

**H. B. 3253** - “A Bill to amend and reenact §11A-1-3 and §11A-1-8 of the Code of West Virginia, 1931, as amended; to amend and reenact §11A-2-13 of said code; and to amend and reenact §11A-3-2 of said code, all relating to limiting the amount of fees for late payment of property taxes; limiting the amount of charges that may be levied on delinquent property; providing that no penalty may exceed the lesser of \$1000 or the amount of actual tax due; limiting publication charges; and providing for a limitation of late fees”; to the Committee on Finance.

**By Delegate Hanshaw (Mr. Speaker):**

**H. B. 3254** - “A Bill to amend and reenact §61-10-15 of the Code of West Virginia, 1931, as amended, relating to authorizing members of development authorities to accept federally authorized reimbursement for services which the members rendered on a voluntary basis”; to the Committee on the Judiciary.

**By Delegate Steele:**

**H. B. 3255** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, §5-30-5, and §5-30-6; all relating to establishing an Anti-Abuse of Power Act; providing for a legislative purpose; defining terms; prohibiting certain conduct of government employees, elected officials, and appointed officials; describing scope of act; restricting interpretations of provisions; and establishing criminal penalties”; to the Committee on the Judiciary.

**By Delegate Holstein:**

**H. B. 3256** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5B-1-10, relating to creating the West Virginia Safe House Act to be established; providing legislative findings; creating the act and providing for training; and providing an effective date”; to the Committee on Finance.

**By Delegate Pritt:**

**H. B. 3257** - “A Bill to amend and reenact §3-1-14 of the Code of West Virginia, 1931, as amended, relating to prohibit presidential electors from voting for the presidential and vice presidential party that did not win the majority of votes; and creating a felony offense and penalty for violation of this provision”; to the Committee on the Judiciary.

**By Delegate Pritt:**

**H. B. 3258** - “A Bill to amend and reenact §18-5-1 and §18-5-1b of the Code of West Virginia, 1931, as amended, relating to modifying county school board elections to provide that the candidate’s

party affiliation be displayed beside of the candidate's name on the ballot"; to the Committee on the Judiciary.

**By Delegate Pritt:**

**H. B. 3259** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-2Q-1, relating to public health; and prohibiting state funding of abortions"; to the Committee on the Judiciary then Finance.

**By Delegates Rowe, Pushkin, Skaff, Barach, Young and Griffith:**

**H. B. 3260** - "A Bill to amend and reenact §11-13J-6, §11-13J-8, and §11-13J-12 of the Code of West Virginia, 1931, as amended, all relating to extending the Neighborhood Investment Program Act; increasing the aggregate limit for the tax credit authorized under the program; and extending duration of the program until July 1, 2031"; to the Committee on Finance.

**By Delegate Pritt:**

**H. B. 3261** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §49-4-112a relating to adoption attorneys; allowing the direct payment of state adoption attorneys, prohibiting state payment of adoptive parent's attorney fees, and providing for an attorney referral list rather than direct attorney referral for adoptive parents"; to the Committee on the Judiciary then Finance.

**By Delegate Pritt:**

**H. B. 3262** - "A Bill to amend and reenact §48-18-205 of the Code of West Virginia, as amended, relating to expressly allowing for child support arrears agreements that a family court must accept"; to the Committee on the Judiciary.

**By Delegate Pritt:**

**H. B. 3263** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-15A-1, §15-15A-2, §15-15A-3, §15-15A-4, and §15-15A-5, all relating to enacting the Refugee Information Act; including short title and definitions; requiring the state office within the Department of Health and Human Resources which deals with refugees to prepare and distribute fiscal impact assessment reports; and including administrative and severability provisions"; to the Committee on the Judiciary then Finance.

**By Delegate Pritt:**

**H. B. 3264** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-31, relating to creating a misdemeanor offense for the impersonation of a nonpublic figure on social media"; to the Committee on the Judiciary.

**By Delegate Pritt:**

**H. B. 3265** - "A Bill to amend and reenact §16-2I-2 of the Code of West Virginia, 1931, as amended, relating to mandating an ultrasound imaging procedure prior to an abortion"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Statler:**

**H. B. 3266** - "A Bill to amend and reenact §18A-4-16 of the Code of West Virginia, 1931, as amended, relating to allowing teachers and service personnel to apply for, and contract for, extracurricular assignments after retirement"; to the Committee on Education.

**By Delegates Wamsley, Booth, Haynes and Bruce:**

**H. B. 3267** - "A Bill to amend and reenact §11-3-30 of the Code of West Virginia, 1931, as amended, relating to exceptions to assessments generally; and changing the method of assessing inventory property for tax purposes"; to the Committee on Finance.



**By Delegates Paynter, Gearheart, G. Ward, Dean, Bridges and Smith:**

**H. B. 3268** - "A Bill to amend and reenact §24-2-2 of the Code of West Virginia, 1931, as amended, relating to the powers of the Public Service Commission; and requiring independent third party audits of public utilities with 2000 or more customers"; to the Committee on the Judiciary.

**By Delegate Worrell:**

**H. B. 3269** - "A Bill to amend and reenact §22-14-22 of the Code of West Virginia, 1931, as amended, relating to requiring the Department of Environmental Protection to assume all costs necessary to certify and permit a privately owned dam before the secretary may recover costs for repair or remediation"; to the Committee on the Judiciary then Finance.

**By Delegates Paynter, Kessinger, Householder, Summers, Dean and Worrell:**

**H. B. 3270** - "A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exempting from adjusted gross income the first \$35,000 of retirement income for individuals age 60 and over"; to the Committee on Pensions and Retirement then Finance.

**By Delegate Haynes:**

**H. B. 3271** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25d, relating to requiring the secondary schools athletic commission to promulgate rules related to broadcasting interscholastic athletic events"; to the Committee on Education.

**By Delegate Thompson:**

**H. B. 3272** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §21-4A-1, §21-4A-2, §21-4A-3, §21-4A-4, §21-4A-5, §21-4A-6, §21-4A-7, §21-4A-8, §21-4A-9, §21-4A-10, §21-4A-11, §21-4A-12, §21-4A-13, §21-4A-14, §21-4A-15, and §21-4A-16, all relating to establish the Fair Workweek Act; defining purpose, legislative intent, and terms used; specifying covered employees and covered employers; requiring posting or publishing advance notice of work schedules; providing employee with right to decline additional, unscheduled work; providing acceptable methods of rescheduling employee work shifts; specifying exceptions and special circumstances; establishing a right to rest; specifying manner and forms of notice; providing for confidentiality of schedules in certain circumstances; authorizing rule-making; establishing monetary penalties and other sanctions for violations; providing for administrative resolution of complaints; providing for private cause of action; requiring employer retention of records; and providing for inspection and enforcement by the Division of Labor"; to the Committee on Workforce Development then the Judiciary.

**By Delegate Haynes:**

**H. B. 3273** - "A Bill to amend and reenact §47-14-10 of the Code of West Virginia, 1931, as amended, relating to allowing telephone solicitation for preneed funeral services"; to the Committee on the Judiciary.

**By Delegate L. Pack:**

**H. B. 3274** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10-14a, relating to legislative pensions; prohibiting the use of other state employment to acquire credited time for legislative pensions"; to the Committee on Pensions and Retirement then Finance.

**By Delegate Bates:**

**H. B. 3275** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §31G-6-1, §31G-6-2, and §31G-6-3, all relating to broadband resiliency, public safety and quality act; authorizing rulemaking; making findings; defining terms; authorizing

oversight of broadband and VoIP; authorizing council to audit; and providing reporting annual reporting”; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegate Bates:**

**H. B. 3276** - “A Bill to amend the Code of West Virginia, 1931, as amended, to amend and reenact §9-5-22 of said code to require managed care organizations to report certain mental health parity information; to amend said code by adding thereto a new section, designated §9-5-29, requiring contracts between managed care organizations and the state Medicaid agency to contain certain provisions mandating such managed care organizations to provide mental health parity between behavioral health, mental health, substance use disorders, and medical and surgical procedures; providing definitions; providing for liquidated damages; and setting forth an effective date”; to the Committee on Health and Human Resources.

**By Delegate Bates:**

**H. B. 3277** - “A Bill to amend and reenact §33-45-1 of the Code of West Virginia, 1931, as amended, relating to ethics and fairness in insurer business practices; modifying the definition of health plan under this section to include worker’s compensation”; to the Committee on Banking and Insurance then the Judiciary.

**By Delegate Young:**

**H. B. 3278** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, §5-30-5, §5-30-6, all relating to establishing the Intergenerational Poverty Task Force; giving criteria for members; establishing duties for the task force; providing for the power of the task force; creating a report to be submitted to the Joint Committee on Government and Finance; and creating a termination date”; to the Committee on Government Organization.

**By Delegate Griffith:**

**H. B. 3279** - “A Bill to amend and reenact §9-2-6 of the Code of West Virginia, 1931, as amended, relating to authorizing the Secretary of the Department of Health and Human Resources to implement a state-wide nutrition incentive program that encourages citizens who receive Supplemental Nutrition Assistance Program (SNAP) benefits to consume fresh, healthy, and locally grown food from eligible food items purchased at local farmer’s markets and participating grocers; and providing for an equal SNAP credit for the use of additional farmer market purchases up to \$40 a month”; to the Committee on Finance.

**By Delegate Rowe:**

**H. B. 3280** - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-10c, relating to creating a misdemeanor crime of assault upon a person with bodily fluid”; to the Committee on the Judiciary.

**By Delegates J. Kelly, Steele, Reynolds, Booth, Riley, Bridges, Cooper, Barnhart and D. Kelly:**

**H. B. 3281** - “A Bill to repeal §24D-1-26 of the Code of West Virginia, 1931, as amended; to amend and reenact §24-2-1 of said code; to amend said code by adding thereto a new section, designated §24-2-1q; and to amend and reenact §24D-1-5 of said code, all relating to recognizing cable television as a utility; establishing jurisdiction of the Public Service Commission over cable television providers; requiring commission determine if effective competition for cable services exists throughout the state and setting rates in localities where it does not; repealing section regarding cable television’s status as utility”; to the Committee on Government Organization.

**By Delegates Thompson, Pushkin and Hornbuckle:**

**H. B. 3282** - "A Bill to amend and reenact §18-5-18a of the Code of West Virginia, as amended, relating to maximum classroom ratios of teacher to pupils; applying the maximum ratio to all grades; limiting exceptions to the maximum ratios; removing outdated language; providing exceptions for certain programs and activities; mandating compensation for teachers in classrooms exceeding maximum ratio; and requiring a new report from the West Virginia Department of Education"; to the Committee on Education.

**By Delegates Fast, Householder and Criss:**

**H. B. 3283** - "A Bill to amend and reenact §7-18-14 of the Code of West Virginia, 1931, as amended, relating to reallocation of the distribution of the net proceeds of the hotel occupancy tax; providing that not more than 40 percent of the proceeds be distributed to convention and visitor's bureaus and for the promotion of tourism and travel"; to the Committee on Finance.

**By Delegates Rowan, Miller, Toney, Dean, Paynter and Cooper:**

**H. B. 3284** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-3C-1a, relating to school personnel; requiring school boards to staff distinct personnel for in-person and virtual instruction"; to the Committee on Education.

**By Delegate Rowan:**

**H. B. 3285** - "A Bill to amend and reenact §18B-10-4b of the Code of West Virginia, as amended, relating to expanding availability of health science and technology programs throughout the state in order for high school students to have the opportunity to participate and receive a tuition waiver to certain state institutions of higher education"; to the Committee on Education.

**Special Calendar****Unfinished Business**

The following resolutions, coming up in regular order as unfinished business, were, at the request of Delegate Summers and by unanimous consent, considered en masse, and adopted:

**S. C. R. 15**, Extending certain leases between US Army Corps of Engineers and Nicholas County Airport Authority,

**H. C. R. 8**, U.S. Army SFC Guy Hively Memorial Bridge,

**H. C. R. 13**, TEC 5 U. S. Army Donald "Tiny" Lucas Memorial Bridge,

And,

**H. C. R. 16**, PFC Franklin D. Frazier Memorial Road.

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

**H. C. R. 32**, To name Gatewood Road in Fayette County as the "Senator Shirley Love Memorial Road"; coming up in regular order, as unfinished business, was reported by the Clerk.

Delegate Fast requested to be excused from voting under the provisions of House Rule 49.

The Speaker replied that the Delegate was a member of a class of persons possibly to be affected and directed the Member to vote.

The question being on the adoption of the resolution, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 168**), and there were—yeas 98, nays none, absent and not voting 2, with absent and not voting being as follows:

Absent and Not Voting: Hardy and Maynard.

So, a majority of the members present having voted in the affirmative, the Speaker declared the resolution (H. C. R. 32) adopted.

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

### Third Reading

**H. B. 2379**, Make criminal invasion of privacy a felony; 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. 169**), and there were—yeas 97, nays 2, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Jeffries and McGeehan.

Absent and Not Voting: Hardy.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2379) passed.

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

**H. B. 2493**, Providing valuation limitations for coal property taxation and clarifying the penalties for non-filers; on third reading, coming up in regular order, was read a third time.

Delegate Tully requested to be excused from voting under the provisions of House Rule 49.

The Speaker replied that the Delegate was a member of a class of persons possibly to be affected and directed the Member to vote.

At the request of Delegate Summers, and by unanimous consent, the bill (H. B. 2493) was recommitted to the Committee on Finance.

**Com. Sub. for H. B. 2770**, Including home confinement officers in definition of law-enforcement officers; on third reading, coming up in regular order, with the right to amend, was reported by the Clerk.

On motion of Delegate Barrett, the bill was amended on page 1, immediately following the enacting clause, by striking out the remainder of the bill in its entirety and inserting in lieu thereof the following:

**“CHAPTER 30. PROFESSIONS AND OCCUPATIONS.****ARTICLE 29. LAW-ENFORCEMENT TRAINING AND CERTIFICATION.****§30-29-1. Definitions.**

For the purposes of this article, unless a different meaning clearly appears in the context:

(1) ‘Approved law-enforcement training academy’ means any training facility which is approved and authorized to conduct law-enforcement training as provided in this article;

(2) ‘Chief executive’ means the Superintendent of the State Police; the chief Natural Resources police officer of the Division of Natural Resources; the sheriff of any West Virginia county; any administrative deputy appointed by the chief Natural Resources police officer of the Division of Natural Resources; or the chief of any West Virginia municipal law-enforcement agency;

(3) ‘County’ means the 55 major political subdivisions of the state;

(4) ‘Exempt rank’ means any noncommissioned or commissioned rank of sergeant or above;

(5) ‘Governor’s Committee on Crime, Delinquency, and Correction’ or ‘Governor’s committee’ means the Governor’s Committee on Crime, Delinquency, and Correction established as a state planning agency pursuant to §15-9-1 of this code;

(6) ‘Law-enforcement officer’ means any duly authorized member of a law-enforcement agency, who is authorized to maintain public peace and order, prevent and detect crime, make arrests, and enforce the laws of the state or any county or municipality thereof, other than parking ordinances, and includes any home incarceration supervisor employed by the county commission authorized pursuant to §62-11B-7a of this code, those persons employed as campus police officers at state institutions of higher education in accordance with the provisions of §18B-4-5 of this code, persons employed as hospital police officers in accordance with the provisions of §16-5B-19 of this code, and persons employed by the Public Service Commission as ~~motor carrier inspectors~~ commercial vehicle enforcement officers and weight-enforcement officers charged with enforcing commercial motor vehicle safety and weight restriction laws, although those institutions and agencies may not be considered law-enforcement agencies. The term also includes those persons employed as county litter control officers charged with enforcing litter laws: *Provided, That* those persons have been trained and certified as law-enforcement officers and that certification is currently active. The term also includes those persons employed as rangers by resort area districts in accordance with the provisions of §7-25-23 of this code, although no resort area district may be considered a law-enforcement agency: *Provided, however, That* the subject rangers shall pay the tuition and costs of training. As used in this article, the term ‘law-enforcement officer’ does not apply to the chief executive of any West Virginia law-enforcement agency or any watchman or special Natural Resources police officer;

(7) ‘Law-enforcement official’ means the duly appointed chief administrator of a designated law-enforcement agency or a duly authorized designee;

(8) ‘Municipality’ means any incorporated town or city whose boundaries lie within the geographic boundaries of the state;

(9) ‘Subcommittee’ or ‘law-enforcement professional standards subcommittee’ means the subcommittee of the Governor’s Committee on Crime, Delinquency, and Correction created by §30-29-2 of this code; and

(10) 'West Virginia law-enforcement agency' means any duly authorized state, county, or municipal organization employing one or more persons whose responsibility is the enforcement of laws of the state or any county or municipality thereof: *Provided, That* neither the Public Service Commission nor any state institution of higher education nor any hospital nor any resort area district is a law-enforcement agency.

## CHAPTER 61. CRIMES AND THEIR PUNISHMENT.

### ARTICLE 7. DANGEROUS WEAPONS

#### **§61-7-11a. Possessing deadly weapons on premises of educational facilities; reports by school principals; suspension of driver's license; possessing deadly weapons on premises housing courts of law and family law courts.**

(a) The Legislature finds that the safety and welfare of the citizens of this state are inextricably dependent upon assurances of safety for children attending and persons employed by schools in this state and for persons employed by the judicial department of this state. It is for the purpose of providing assurances of safety that §61-7-11a(b), §61-7-11a(g), and §61-7-11a(h), of this code and §61-7-11a(b)(2)(l) of this code are enacted as a reasonable regulation of the manner in which citizens may exercise the rights accorded to them pursuant to section 22, article III of the Constitution of the State of West Virginia.

(b) (1) It is unlawful to possess a firearm or other deadly weapon:

(A) On a school bus as defined in §17A-1-1 of this code;

(B) In or on the grounds of any primary or secondary educational facility of any type: *Provided, That* it shall not be unlawful to possess a firearm or other deadly weapon in or on the grounds of any private primary or secondary school, if such institution has adopted a written policy allowing for possession of firearms or other deadly weapons in the facility or on the grounds thereof;

(C) At a school-sponsored function that is taking place in a specific area that is owned, rented, or leased by the West Virginia Department of Education, the West Virginia Secondary Schools Activities Commission, a county school board, or local public school for the actual period of time the function is occurring.

(2) This subsection does not apply to:

(A) A law-enforcement officer employed by a federal, state, county, or municipal law-enforcement agency, including any home incarceration supervisor employed by the county commission authorized pursuant to §62-11B-7a of this code, in the performance of his or her duties;

(B) Any probation officer appointed pursuant to §62-12-5 or chapter 49 of this code in the performance of his or her duties;

(C) A retired law-enforcement officer who meets all the requirements to carry a firearm as a qualified retired law-enforcement officer under the Law-Enforcement Officer Safety Act of 2004, as amended, pursuant to 18 U.S.C. §926C(c), carries that firearm in a concealed manner, and has on their person official identification in accordance with that act;

(D) A person, other than a student of a primary and secondary facility, specifically authorized by the board of education of the county or principal of the school where the property is located to conduct programs with valid educational purposes;

(E) A person who, as otherwise permitted by the provisions of this article, possesses an unloaded firearm or deadly weapon in a motor vehicle or leaves an unloaded firearm or deadly weapon in a locked motor vehicle;

(F) Programs or raffles conducted with the approval of the county board of education or school which include the display of unloaded firearms;

(G) The official mascot of West Virginia University, commonly known as the Mountaineer, acting in his or her official capacity;

(H) The official mascot of Parkersburg South High School, commonly known as the Patriot, acting in his or her official capacity; or

(I) Any person, 21 years old or older, who has a valid concealed handgun permit may possess a concealed handgun while in a motor vehicle in a parking lot, traffic circle, or other areas of vehicular ingress or egress to a public school: *Provided, That:*

(i) When he or she is occupying the vehicle the person stores the handgun out of view from persons outside the vehicle; or

(ii) When he or she is not occupying the vehicle the person stores the handgun out of view from persons outside the vehicle, the vehicle is locked, and the handgun is in a glove box or other interior compartment, or in a locked trunk, or in a locked container securely fixed to the vehicle.

(3) A person violating this subsection is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for a definite term of years of not less than two years nor more than 10 years, or fined not more than \$5,000, or both fined and imprisoned.

(c) A school principal subject to the authority of the State Board of Education who discovers a violation of §61-7-11a(b) of this code shall report the violation as soon as possible to:

(1) The State Superintendent of Schools. The State Board of Education shall keep and maintain these reports and may prescribe rules establishing policy and procedures for making and delivering the reports as required by this subsection; and

(2) The appropriate local office of the State Police, county sheriff, or municipal police agency.

(d) In addition to the methods of disposition provided by §49-5-1 *et seq.* of this code, a court which adjudicates a person who is 14 years of age or older as delinquent for a violation of §61-7-11a(b) of this code may order the Division of Motor Vehicles to suspend a driver's license or instruction permit issued to the person for a period of time as the court considers appropriate, not to extend beyond the person's 19<sup>th</sup> birthday. If the person has not been issued a driver's license or instruction permit by this state, a court may order the Division of Motor Vehicles to deny the person's application for a license or permit for a period of time as the court considers appropriate, not to extend beyond the person's 19<sup>th</sup> birthday. A suspension ordered by the court pursuant to this subsection is effective upon the date of entry of the order. Where the court orders the suspension of a driver's license or instruction permit pursuant to this subsection, the court shall confiscate any driver's license or instruction permit in the adjudicated person's possession and forward to the Division of Motor Vehicles.

(e)(1) If a person 18 years of age or older is convicted of violating §61-7-11a(b) of this code and if the person does not act to appeal the conviction within the time periods described in §61-7-11a(e)(2)

of this code, the person's license or privilege to operate a motor vehicle in this state shall be revoked in accordance with the provisions of this section.

(2) The clerk of the court in which the person is convicted as described in §61-7-11a(e)(1) of this code shall forward to the commissioner a transcript of the judgment of conviction. If the conviction is the judgment of a magistrate court, the magistrate court clerk shall forward the transcript when the person convicted has not requested an appeal within 20 days of the sentencing for the conviction. If the conviction is the judgment of a circuit court, the circuit clerk shall forward a transcript of the judgment of conviction when the person convicted has not filed a notice of intent to file a petition for appeal or writ of error within 30 days after the judgment was entered.

(3) If, upon examination of the transcript of the judgment of conviction, the commissioner determines that the person was convicted as described in §61-7-11a(e)(1) of this code, the commissioner shall make and enter an order revoking the person's license or privilege to operate a motor vehicle in this state for a period of one year or, in the event the person is a student enrolled in a secondary school, for a period of one year or until the person's 20th birthday, whichever is the greater period. The order shall contain the reasons for the revocation and the revocation period. The order of suspension shall advise the person that because of the receipt of the court's transcript, a presumption exists that the person named in the order of suspension is the same person named in the transcript. The commissioner may grant an administrative hearing which substantially complies with the requirements of the provisions of §17C-5A-2 of this code upon a preliminary showing that a possibility exists that the person named in the notice of conviction is not the same person whose license is being suspended. The request for hearing shall be made within 10 days after receipt of a copy of the order of suspension. The sole purpose of this hearing is for the person requesting the hearing to present evidence that he or she is not the person named in the notice. If the commissioner grants an administrative hearing, the commissioner shall stay the license suspension pending the commissioner's order resulting from the hearing.

(4) For the purposes of this subsection, a person is convicted when he or she enters a plea of guilty or is found guilty by a court or jury.

(f)(1) It is unlawful for a parent, guardian, or custodian of a person less than 18 years of age who knows that the person is in violation of §61-7-11a(b) of this code or has reasonable cause to believe that the person's violation of §61-7-11a(b) of this code is imminent to fail to immediately report his or her knowledge or belief to the appropriate school or law-enforcement officials.

(2) A person violating this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or shall be confined in jail not more than one year, or both fined and confined.

(g)(1) It is unlawful for a person to possess a firearm or other deadly weapon on the premises of a court of law, including family courts.

(2) This subsection does not apply to:

(A) A law-enforcement officer acting in his or her official capacity; and

(B) A person exempted from the provisions of this subsection by order of record entered by a court with jurisdiction over the premises or offices.

(3) A person violating this subsection is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or shall be confined in jail not more than one year, or both fined and confined.



(h)(1) It is unlawful for a person to possess a firearm or other deadly weapon on the premises of a court of law, including family courts, with the intent to commit a crime.

(2) A person violating this subsection is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for a definite term of years of not less than two years nor more than 10 years, or fined not more than \$5,000, or both fined and imprisoned.

(i) Nothing in this section may be construed to be in conflict with the provisions of federal law.

## CHAPTER 62. CRIMINAL PROCEDURE

### ARTICLE 11B. HOME INCARCERATION ACT.

#### **§62-11B-7a. Employment by county commission of home incarceration supervisors; authority of supervisors.**

(a) The county commission may employ one or more persons with the approval of the circuit court and who shall be subject to the supervision of the sheriff as a home incarceration supervisor or may designate the county sheriff to supervise offenders ordered to undergo home incarceration and to administer the county's home incarceration program. Any person so supervising shall have authority, equivalent to that granted to a probation officer pursuant to §62-12-10 of this code, to arrest a home incarceration participant when reasonable cause exists to believe that such participant has violated the conditions of his or her home incarceration. Unless otherwise specified, the use of the term 'supervisor' in this article shall refer to a home incarceration supervisor.

(b) A home incarceration supervisor may carry a concealed firearm in the course of his or her employment, if the following criteria are met:

(1) The home incarceration program shall have a written policy authorizing home incarceration supervisors to carry a concealed firearm for self-defense purposes;

(2) There shall be in place in the home incarceration program a requirement that the home incarceration supervisors must regularly qualify in the use of a firearm with standards that are equal to or exceed those required of sheriff's deputies in the county in which the home incarceration supervisors are employed;

(3) The home incarceration program shall issue a photographic identification and certification card which identify the home incarceration supervisors as law-enforcement employees of the home incarceration program pursuant to the provisions of §30-29-12 of this code.

(c) Any policy instituted pursuant to subdivision (1), subsection (b) of this section shall include provisions which:

(1) Preclude or remove a person from participation in the concealed firearm program who is subject to any disciplinary or legal action which could result in the loss of the authority to participate in the program;

(2) Preclude from participation persons prohibited by federal or state law from possessing or receiving a firearm; and

(3) Prohibit persons from carrying a firearm pursuant to the provisions of this subsection while in an impaired state as defined in §17C-5-2 of this code.

(d) Any home incarceration supervisor who participates in a program authorized by the provisions of this subsection shall be responsible, at his or her expense, for obtaining and maintaining a suitable firearm and ammunition.

(e) The intent of the Legislature in enacting the amendments to this section during the 2021 regular session of the Legislature is to authorize home incarceration programs wishing to do so to allow home incarceration supervisors to meet the requirements of the federal Law-Enforcement Officer's Safety Act, 18 U.S.C. §926B: *Provided, That* it is the intent of the Legislature in enacting this section during the 2021 regular session of the Legislature that home incarceration supervisors attend a course conducted by the Law Enforcement Professional Standards Program prior to such certification, in order to give those home incarceration supervisors without prior law enforcement training the needed skills to fully qualify as law enforcement officers; and: *Provided, however,* The provisions of this section enacted in the 2021 Legislative session shall become effective July 1, 2022, in order to give all such home incarceration supervisors the opportunity to avail themselves of such training."

Having been engrossed, the bill was then read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 170**), and there were—yeas 93, nays 6, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Barach, Fleischauer, Hornbuckle, Lovejoy, Walker and Young.

Absent and Not Voting: Hardy.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2770) passed.

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

**Com. Sub. for H. B. 2770** - "A Bill to amend and reenact §30-29-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §61-7-11a of said code; and, to amend and reenact §62-11B-7a of said Code; all relating to the status of home incarceration supervisors; including home incarceration supervisors in definition of law-enforcement officers; authorizing home incarceration supervisors to carry a concealed firearm in certain facilities limited to other law-enforcement officers; authorizing home incarceration supervisors to carry firearms while performing their duties if their county has adopted a concealed firearms training program that complies with federal law enforcement training requirements; and, providing for training to enable home incarceration supervisors to fully qualify as law enforcement officers if they have not previously done so."

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

**H. B. 2776**, Creating the Air Ambulance Patient Protection Act; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 171**), and there were—yeas 85, nays 14, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Dean, Fast, Haynes, Holstein, Jeffries, Jennings, Kessinger, Martin, McGeehan, Pack, Paynter, Pritt, Sybolt and Tully.

Absent and Not Voting: Hardy.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2776) passed.

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

**H. B. 2776** – “A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-11B-1, relating to the creation of the Air Ambulance Patient Protection Act; declaring that an air ambulance service provider who solicits air ambulance membership subscriptions and charges membership fees, is an insurer and shall be regulated by the commissioner; requiring a valid license to solicit or sell air ambulance membership agreements or subscriptions; providing for rulemaking by the commissioner; providing for severability; and providing an internal effective date of July 1, 2021.”

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

**H. B. 2888**, Relating to when contentions can be revived based on forensic scientific evidence that was not available at time of conviction; 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. 172**), and there were—yeas 99, nays none, absent and not voting 1, with absent and not voting being as follows:

Absent and Not Voting: Hardy.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 2888) passed.

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

### **Second Reading**

**S. B. 404**, Modifying well work permits issued by DEP Office of Oil and Gas; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for H. B. 2400**, Authorizing the Department of Transportation to promulgate legislative rules; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for H. B. 2634**, Coverage for the treatment of chronic pain; on second reading, coming up in regular order, was reported by the Clerk.

At the request of Delegate Summers, and by unanimous consent, the bill was committed to the Committee on Finance.

**Com. Sub. for H. B. 2794**, To extend the Neighborhood Investment Program Act to July 1, 2026; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**Com. Sub. for H. B. 2817**, Donated Drug Repository Program; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3078**, Relating to powers and duties of the parole board; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3081**, Updating the West Virginia Business Corporations Act; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3128**, Relating to carrier fees on 911 fee revenues; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 3133**, Relating to motor carrier rates; 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 S. B. 5**, Relating to claims arising out of WV Consumer Credit and Protection Act,

**Com. Sub. for S. B. 42**, Creating Zombie Property Remediation Act of 2021,

**Com. Sub. for H. B. 2495**, Relating to the filing of asbestos and silica claims,

**H. B. 2830**, Relating generally to sex trafficking,

**H. B. 2854**, Relating to the West Virginia Municipal Police Officers and Firefighters Retirement System,

**Com. Sub. for H. B. 2855**, Relating to the Natural Resources Police Officers Retirement System,

**Com. Sub. for H. B. 2896**, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services,

**H. B. 2898**, Making a supplementary appropriation to WorkForce West Virginia – Workforce Investment Act

**H. B. 2901**, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services,

**H. B. 2903**, Making a supplementary appropriation to the Department of Homeland Security, West Virginia State Police,

**H. B. 2940**, Making a supplementary appropriation to the Department of Education, State Board of Education – State Department of Education,

**H. B. 2941**, Supplementary appropriation decreasing an existing item and adding a new item of appropriation to the Department of Revenue, Insurance Commissioner,

**H. B. 3129**, Relating to the Consumer Price Index rate increase,

**H. B. 3130**, Relating to elimination of sunset provisions concerning towing rates,

**H. B. 3132**, Relating to motor carrier inspectors,

**H. B. 3134**, Creating a new criminal defense prohibiting public disclosure of restricted information,

And,

**H. B. 3175**, Relating to removing certain felonies than can prohibit vehicle salespersons from receiving a license.

### **Leaves of Absence**

At the request of Delegate Summers, and by unanimous consent, leave of absence for the day was granted Delegate Hardy.

### **Miscellaneous Business**

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

**H. B. 2364**: Delegates Horst, J. Jeffries and Waverly;

**H. B. 2630**: Delegate Hott;

**H. B. 2704**: Delegate Mandt;

**H. B. 2752**: Delegate Ferrell;

**H. B. 2989**: Delegates Barnhart, Fast, Foster, Higginbotham, Holstein, D. Jeffries, J. Jeffries, Mazzocchi, J. Pack and Phillips;

**H. B. 3127**: Delegate Sypolt;

**H. B. 3203**: Lovejoy;

And,

**H. R. 7**: Delegates Conley, D. Jeffries, J. Jeffries, Mallow and Maynard.

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

**H. B. 2959**: Delegate Westfall.

At 12:02 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, March 17, 2021.



**SPECIAL CALENDAR**

**Wednesday, March 17, 2021**

**36<sup>th</sup> Day**

**11:00 A. M.**

**THIRD READING**

- S. B. 404 - Modifying well work permits issued by DEP Office of Oil and Gas (ANDERSON) (REGULAR)
- Com. Sub. for H. B. 2400 - Authorizing the Department of Transportation to promulgate legislative rules (CAPITO) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2794 - To extend the Neighborhood Investment Program Act to July 1, 2026 (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2817 - Donated Drug Repository Program (J. PACK) (REGULAR)
- H. B. 3078 - Relating to powers and duties of the parole board (CAPITO) (REGULAR)
- H. B. 3081 - Updating the West Virginia Business Corporations Act (WESTFALL) (EFFECTIVE FROM PASSAGE)
- H. B. 3128 - Relating to carrier fees on 911 fee revenues (CAPITO) (REGULAR)
- H. B. 3133 - Relating to motor carrier rates (CAPITO) (REGULAR)

**SECOND READING**

- Com. Sub. for S. B. 5 - Relating to claims arising out of WV Consumer Credit and Protection Act (CAPITO) (REGULAR)

- Com. Sub. for S. B. 42 - Creating Zombie Property Remediation Act of 2021 (CAPITO) (REGULAR)
- S. B. 523 - Correcting improper code references (REGULAR)
- Com. Sub. for H. B. 2495 - Relating to the filing of asbestos and silica claims (CAPITO) (REGULAR)
- H. B. 2830 - Relating generally to sex trafficking (CAPITO) (REGULAR)
- H. B. 2854 - Relating to the West Virginia Municipal Police Officers and Firefighters Retirement System (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2855 - Relating to the Natural Resources Police Officers Retirement System (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2896 - Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 2898 - Making a supplementary appropriation to WorkForce West Virginia – Workforce Investment Act (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 2901 - Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 2903 - Making a supplementary appropriation to the Department of Homeland Security, West Virginia State Police (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 2940 - Making a supplementary appropriation to the Department of Education, State Board of Education – State Department of Education (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)



- H. B. 2941 - Supplementary appropriation decreasing an existing item and adding a new item of appropriation to the Department of Revenue, Insurance Commissioner (HOUSEHOLDER) (EFFECTIVE FROM PASSAGE)
- H. B. 3129 - Relating to the Consumer Price Index rate increase (CAPITO) (REGULAR)
- H. B. 3130 - Relating to elimination of sunset provisions concerning towing rates (CAPITO) (REGULAR)
- H. B. 3132 - Relating to motor carrier inspectors (CAPITO) (REGULAR)
- H. B. 3134 - Creating a new criminal defense prohibiting public disclosure of restricted information (CAPITO) (REGULAR)
- H. B. 3175 - Relating to removing certain felonies than can prohibit vehicle salespersons from receiving a license (CAPITO) (REGULAR)

#### **FIRST READING**

- Com. Sub. for S. B. 469 - Permitting and establishing requirements for appearance by video for purpose of notarial acts (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2174 - West Virginia Monument and Memorial Protection Act of 2021 (STEELE) (REGULAR)
- H. B. 2496 - Relating to assessments of real property (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2499 - Tax reduction for arms and ammo manufacturing (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2630 - Requiring DEP to reimburse fines paid by towns, villages and communities in certain instances (HOUSEHOLDER) (REGULAR)

- Com. Sub. for H. B. 2633 - Creating the 2021 Farm Bill (STEELE) (REGULAR)
- H. B. 2742 - Providing explicit authority to process an online driver's license or identification renewal or reissuance when the applicant needs to update the address (STEELE) (REGULAR)
- H. B. 2777 - Repeal municipal amusement tax (HOUSEHOLDER) (REGULAR)
- H. B. 2782 - Repeal domestic animal tax (HOUSEHOLDER) (REGULAR)
- H. B. 2808 - Remove salt from list and definition of "mineral" for severance tax purposes (HOUSEHOLDER) (REGULAR)
- Com. Sub. for H. B. 2823 - Exempting buildings or structures utilized exclusively for agricultural purposes from the provisions of the State Building Code (STEELE) (REGULAR)
- H. B. 2914 - To remove certain ex officio, voting members from the Archives and History Commission and update formatting (STEELE) (REGULAR)

## HOUSE CALENDAR

Wednesday, March 17, 2021

36<sup>th</sup> Day

11:00 A. M.

### THIRD READING

- Com. Sub. for H. B. 2675 - Relating to costs and interest in eminent domain condemnation proceedings (CAPITO) (REGULAR)
- H. B. 2741 - Relating to expansion of the alcohol test and lock program to offenders with a drug related offense (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2785 - Relating to public school enrollment for students from out of state (ELLINGTON) (REGULAR)

### SECOND READING

- Com. Sub. for H. B. 2004 - Permit a licensed health care professional from another state to practice in this state through telehealth when registered with the appropriate West Virginia board (J. PACK) (EFFECTIVE FROM PASSAGE)
- Com. Sub. for H. B. 2015 - Requiring rules of local boards of health to be approved by the county commission except in cases of a public health emergency (J. PACK) (EFFECTIVE FROM PASSAGE)
- H. B. 2536 - Relating to expressions of legislative intent regarding equivalent instruction time (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2628 - Relating to the removal of the prohibition on having ATMs in the area where racetrack video lottery machines are located (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2702 - To require all public high school students to complete and submit a free application for federal student aid (FAFSA) prior to graduation (ELLINGTON) (REGULAR)
- Com. Sub. for H. B. 2792 - Relating to the expansion of direct access to natural gas service for new customers (ANDERSON) (REGULAR)
- H. B. 3131 - Relating to correcting internal code references and citations (CAPITO) (REGULAR)

## **FIRST READING**

- H. B. 2582 - Relating to creating a third set of conditions for the professional teaching certificate (ELLINGTON) (REGULAR)
- H. B. 2590 - Relating to the West Virginia Employment Law Worker Classification Act (CAPITO) (REGULAR)
- Com. Sub. for H. B. 2620 - Relating to a departmental study of the child protective services and foster care workforce (J. PACK) (REGULAR)

**WEST VIRGINIA  
HOUSE OF DELEGATES**

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**WEDNESDAY, MARCH 17, 2021**

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

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**VIRTUAL PUBLIC HEARING  
COMMITTEE ON THE JUDICIARY**

**8:00 A.M.**

**H. B. 2354, RELATING TO POLITICAL PARTY COMMITTEES.**

**AGRICULTURE AND NATURAL RESOURCES**

**8:00 A.M. – ROOM 215 E**

**FIRE DEPARTMENTS AND EMERGENCY MEDICAL SERVICES**

**9:00 A.M. – ROOM 215 E**

**VETERANS' AFFAIRS AND HOMELAND SECURITY**

**9:00 A.M. – HOUSE CHAMBER**

**PENSIONS AND RETIREMENT**

**10:00 A.M. – ROOM 462 M**

**COMMITTEE ON RULES**

**10:45 A.M. – ROOM 434 M**

**WORKFORCE DEVELOPMENT**

**1:00 P.M. – HOUSE CHAMBER**

**SENIOR, CHILDREN AND FAMILY ISSUES**

**1:00 P.M. – ROOM 215 E**

**VIRTUAL PUBLIC HEARING**

**COMMITTEE ON GOVERNMENT ORGANIZATION**

**3:00 P.M.**

**COM. SUB. FOR H. B. 2174, WEST VIRGINIA MONUMENT AND MEMORIAL PROTECTION ACT OF 2021.**

**VETERANS' AFFAIRS AND HOMELAND SECURITY**

**3:00 P.M. – ROOM 215 E**

**TECHNOLOGY AND INFRASTRUCTURE**

**3:00 P.M. – HOUSE CHAMBER**

**POLITICAL SUBDIVISIONS**

**4:00 P.M. – ROOM 215 E**

**VETERANS' AFFAIRS AND HOMELAND SECURITY**

**6:00 P.M. – ROOM 215 E**





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