

West Virginia Legislature

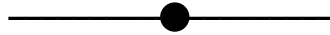
JOURNAL
of the
HOUSE of DELEGATES

Eighty-Sixth Legislature
First Extraordinary Session

Held at Charleston
Published by the Clerk of the House



May 21, 2024
THIRD DAY



Tuesday, May 21, 2024

THIRD DAY

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

The House of Delegates was called to order by the Honorable Roger Hanshaw, Speaker.

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

The Clerk proceeded to read the Journal of Monday, May 20, 2024, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Messages from the Executive

And Other Communications

The following communication was read by the Clerk:

MARK A. ROSS

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AGRICULTURE AND NATURAL RESOURCES

FIRE DEPARTMENTS AND EMERGENCY
MEDICAL SERVICES

EDUCATION

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**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

The Honorable Jim Justice
State Capitol Building
1900 Kanawha Blvd.
Charleston, W.V. 25305

May, 21 2024

Governor Justice,

This letter is to inform you effective June 15, 2024, I am resigning my position as Delegate for District 28 in Wayne County.

It has been an honor to serve the citizens of West Virginia and District 28 in Wayne County.

Regards,

A handwritten signature in black ink that reads "Mark Ross".

Delegate Mark Ross

Cc: The Honorable Roger Hanshaw, Speaker of the House

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 113, Prohibiting payment to residential substance use disorder treatment facilities that do not meet certain requirements.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had reconsidered the effective date, and made the following bill effective May 22, 2024:

S. B. 1011, Expiring funds from Department of Revenue, PEIA Rainy Day Fund.

Delegate Householder moved that the bill take effect May 22, 2024.

On this question, the yeas and nays were taken (**Roll No. 834**), and there were--yeas 78, nays 12, absent and not voting 10, with the nays and the absent and not voting being as follows:

Nays: Brooks, T. Clark, Coop-Gonzalez, Dillon, Foggin, Foster, Kirby, Longanacre, Martin, E. Pritt, Stephens and Toney.

Absent and Not Voting: Bridges, W. Clark, Fast, Hansen, Hardy, Horst, Nestor, Ross, Vance and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1011) takes effect May 22, 2024.

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

Delegate Householder moved that the House of Delegates adjourn *sine die*.

Subsequently,

Delegate Householder obtained unanimous consent to have the motion to adjourn withdrawn.

Delegate Pinson asked that the House stand in recess for 10 minutes to consider getting a motion for reconsideration in place. The Speaker noted that it could be done at that time, there was nothing on the floor.

Delegate Foster moved to reconsider his vote from yesterday on concurrence in the Senate amendment to **S. B. 1001**, Supplementing and amending appropriations to Department of Health and Department of Human Services.

There being no objections, the motion by Delegate Foster was reformed to first reconsider the motion whereby the House asked the Senate to recede from its position, and this motion was adopted.

The question then before the House being that the House request that the Senate recede from its position with respect to S. B. 1001, the same was put and rejected.

During debate on the motion that the House reconsider its action with respect to the motion to concur in the Senate amendment, Delegate Longanacre moved the previous question, which demand was sustained.

On this question, the yeas and nays were taken (**Roll No. 835**), and there were--yeas 61, nays 28, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Anderson, Burkhammer, Coop-Gonzalez, Dean, Ellington, Ferrell, Fluharty, Foggin, Garcia, Griffith, Hamilton, Hillenbrand, Holstein, Hornbuckle, Kirby, Lewis, Lucas, Phillips, Pinson, Pushkin, Rowe, Statler, Summers, Tully, Williams, Winzenreid, Worrell and Young.

Absent and Not Voting: Bridges, W. Clark, Fast, Hansen, Hardy, Horst, Kump, Nestor, Ross, Vance and Westfall.

So, a majority of the members present having voted in the affirmative, the motion for the previous question was adopted.

The motion to reconsider the action by the House on the motion to concur in the Senate position was then adopted.

The motion that the House concur in the Senate amendment on S. B. 1001 was adopted.

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 836**), and there were--yeas 87, nays 2, absent and not voting 11, with the yeas and the absent and not voting being as follows:

Nays: Coop-Gonzalez and Worrell.

Absent and Not Voting: Bridges, W. Clark, Fast, Hansen, Hardy, Horst, Kump, Nestor, Ross, Vance and Westfall.

So, a majority of the members elected having voted in the affirmative, the Speaker declared the bill (S. B. 1001) passed.

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

On this question, the yeas and nays were taken (**Roll No. 837**), and there were--yeas 89, nays none, absent and not voting 11, with the absent and not voting being as follows:

Absent and Not Voting: W. Clark, Fast, Hansen, Hardy, Horst, Kump, Nestor, Ross, Vance and Westfall.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 1001) takes effect from its passage.

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

Pursuant to House Rule 48, Delegate Summers arose to explain her vote on S. B. 1001.

Miscellaneous Business

Consent was obtained for the comments of Delegate Summers regarding her vote on S. B. 1001 to be printed in the Appendix to the Journal.

Delegate Householder moved that the House of Delegates adjourn *sine die*.

Note: House Rule 68 provides that, Messages and reports received by the Clerk after *sine die* adjournment which do not require actions by the House, shall be considered received by the House and filed with the Clerk and shall be recorded in the Journal.

Messages from the Senate

A message from the Clerk of the Senate, notified the House that the Senate had completed its labors for the extraordinary session and adjourned *sine die*.

Messages from the Executive and

Other Communications

Communications from the Clerks' offices of each house to His Excellency, the Governor, advised that the following enrolled bills were presented to him on the dates listed below:

May 22, 2024

S. B. 1002, Supplementing and amending appropriations to DOT, Division of Highways,

S. B. 1003, Supplementing and amending appropriations to Governor's Office, Civil Contingent Fund,

S. B. 1004, Supplementing and amending appropriations to Governor's Office, Posey Perry Emergency Food Bank Fund,

S. B. 1005, Supplementing and amending appropriations to Department of Education, BOE,

S. B. 1006, Making supplementary appropriation to Bureau for Medical Services, Policy and Programming, and to BOE,

S. B. 1014, Clarifying procedure for political party nomination of presidential electors,

And,

S. B. 1015, Amending amount of surplus deposited into Revenue Shortfall Reserve Fund.

May 23, 2024

H. B. 113, Prohibiting payment to residential substance use disorder treatment facilities that do not meet certain requirements.

Messages from the Executive

Subsequent to the adjournment of the session, communications were received from His Excellency, the Governor, advising that on May 24, 2024, he approved **H. B. 113, S. B. 1001, S. B. 1002, S. B. 1003, S. B. 1004, S. B. 1005, S. B. 1006, S. B. 1007, S. B. 1008, S. B. 1009, S. B. 1010, S. B. 1011, S. B. 1012, S. B. 1014 and S. B. 1015.**

At 2:32 p.m., the House of Delegates adjourned *sine die*.

We hereby certify that the forgoing record of the proceedings of the House of Delegates, First Extraordinary Session, 2024, is the Official Journal of the House of Delegates for said session.

Roger Hanshaw
Speaker of the House of Delegates

Stephen J. Harrison
Clerk of the House of Delegates

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