

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE
REGULAR SESSION, 2024
SIXTIETH DAY

Charleston, West Virginia, Saturday, March 9, 2024

The Senate met at 10:04 a.m.

(Senator Blair, Mr. President, in the Chair.)

Prayer was offered by the Honorable Vince S. Deeds, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Charles S. Trump IV, a senator from the fifteenth district.

Pending the reading of the Journal of Friday, March 8, 2024,

At the request of Senator Roberts, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Clerk presented the following communications from various state agencies as required by the provisions of law:

Economic Development Authority (Combined Financial Statements) (§31-15-29)

Tax Appeals, Office of (§11-10A-7)

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 190, Modifying definition of sexual contact.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Com. Sub. for Senate Bill 325, Relating to distribution of drugs to safety net providers and contract pharmacies.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 429, WV Farm Use Vehicle Tag Placement Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 452, Designating certain water and wastewater facilities as emergency project.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 466, Requiring State Board of Education develop Safety While Accessing Technology education program.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 475, Relating to recovery residences.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, after the enacting clause, by striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 59. CERTIFICATION OF RECOVERY RESIDENCES AND REGISTRATION.

§16-59-1. Definitions.

As used in this article, the term:

(1) "Certificate of compliance" means a certificate that is issued to a recovery residence by the department's appointed certifying agency.

(2) "Certified recovery residence" means a recovery residence that holds a valid certificate of compliance.

"Director" means the Director of the Office of Health Facility Licensure and Certification, or his or her designee.

(3) "Department" means the ~~Department of Health and Human Resources~~ Department of Human Services.

"Immediate jeopardy" means an issue of non-compliance that places the health and safety of residents of the recovery residence at risk for serious injury, serious harm, serious impairment, or death.

"Inspector General" means the Inspector General of the Office of Inspector General as described in §16B-2-1 of this code.

(4) "Recovery residence" means a single-family, drug-free, and alcohol-free residential dwelling unit, or other form of group housing, that is offered or advertised by any person or entity as a residence that provides a drug-free and alcohol-free living environment for the purposes of promoting sustained, long-term recovery from substance use disorder.

§16-59-2. Voluntary certification of recovery residences.

(a) The department shall contract with an entity to serve as the certifying agency for a voluntary certification program for drug-free and alcohol-free recovery residences based upon standards determined by the National Alliance for Recovery Residences (NARR) or a similar entity. The certifying agency shall establish and implement an accreditation program for drug-free and alcohol-free recovery residences that shall maintain nationally recognized standards that:

(1) Uphold industry best practices and support a safe, healthy, and effective recovery environment;

(2) Evaluate the residence's ability to assist persons in achieving long-term recovery goals;

(3) Protect residents of drug- and alcohol-free housing against unreasonable and unfair practices in setting and collecting fee payments.

(4) Protect residents from human trafficking that may occur in the recovery residence setting.

(5) Protect patients from predatory practices that lead to patient brokering.

(b) The department shall require the recovery residence to collect, retain, and submit the following:

(1) Documentation verifying certification as specified and administered by the certifying agency;

(2) If a municipality or county offers or requires verification of compliance with local building, maximum occupancy, fire safety, and sanitation codes applicable to single-family housing, documentation of verification by the municipality or county where the recovery residence is located stating that the recovery residence is in compliance.

(3) Data from each registered recovery residence at intervals determined by the department, but not less than annually. The data shall be uniform across all recovery residences. The department, in conjunction with applicable stakeholders to include, but not be limited to, the Office of Inspector General, the Superintendent, or designee, of the West Virginia State Police, the West Virginia Sheriff's Association, and a representative of West Virginia National Alliance for Recovery Residences, shall propose rules for legislative approval in accordance with the provisions of §29A-3-1 et seq. to specify the data to be collected. The data variables shall include, but not be limited to, variables to allow the department, certifying agency, Office of Inspector General, and the West Virginia Fusion Center-Human Trafficking Division to conduct an analysis of the performance of recovery residences and to determine if patient brokering or human trafficking is occurring. The data shall be shared in personally identifiable form with the Office of the Inspector General, the certifying agency, and the West Virginia Fusion Center-Human Trafficking Division,

with the appropriate Health Insurance Portability and Accountability Act safeguards in place to protect the data in transmission and in storage.

(4) Documentation verifying initial and continued registration as required in §16-59-4 of this code.

(c) If a municipality or county offers or requires verification of compliance with local building, maximum occupancy, fire safety, and sanitation codes applicable to single-family housing, the municipality or county must perform requested or required inspections within 30 days of receiving a request for verification. If a residence is located within a municipality or county that offers or requires verification of compliance with local building, maximum occupancy, fire safety, and sanitation codes applicable to single-family housing, and the municipality or county fails to perform requested or required inspections within 30 days of receiving a request for verification, the residence may apply for and be granted certification directly through the certifying agency without the aforementioned verification.

(d) Upon receiving a complete application, the certifying agency shall evaluate the residence to determine if the residence is in compliance with national best-practice standards, health, and safety requirements. Additionally, any application of the items specified in this section must comply with the Fair Housing Act, 42 U.S.C. §3601 *et seq.* and the Americans with Disabilities Act of 2008, 42 U.S.C. §12101 *et seq.*

(1) If it is determined that the residence is in compliance, the certification agency shall issue a certificate of compliance to the recovery residence operator for the specific recovery residence location set forth in the application.

(2) Each residence location, even if operated by the same person or entity, must maintain a certificate of compliance for the purposes of this article.

(e) The certifying agency may suspend or revoke a certificate of compliance if the recovery residence is not in compliance with any provision of this section or has failed to remedy any deficiency identified in writing and served by certified mail unless the deficiency is an immediate jeopardy in which case it may be served in person. Suspension or revocation may take place after a notice of deficiency is served and has existed for at least 30 days, except in cases of an immediate jeopardy. After receipt of a suspension or revocation notice, the recovery residence is prohibited from accepting new residents and may only work to transfer residents to another certified recovery residence. If the certifying agency determines that an immediate jeopardy exists, then the operator will be provided a notice of deficiency, at the time of the certification visit, and the recovery residence shall immediately take actions to correct the listed deficiencies before the certification agency departs the premises. If the operator is unable to correct all of the listed deficiencies prior to the certifying agency departing the premises, then the certifying agency has the authority to revoke any applicable certification immediately and give the operator of the recovery residence up to five days to transfer existing residents to another certified recovery residence.

(f) Notwithstanding any other provision to the contrary, the certifying agency shall implement and maintain a process by which a residence whose certification has been suspended or revoked may apply for, and be granted, reinstatement. If a municipality or county offers or requires verification of compliance with local building, maximum occupancy, fire safety, and sanitation codes applicable to single-family housing, and if the residence's certification suspended or revoked for noncompliance with local building, maximum occupancy, fire safety, and sanitation

codes applicable to single-family housing, the municipality or county may charge a fee of up to \$100 for any requested reinspection of a recovery residence by the residence seeking reinstatement.

(g) The department shall periodically evaluate the quality, integrity, and efficacy of the accreditation program developed. The department shall promulgate rules subject to legislative approval in accordance with §29A-3-1 *et seq.* of this code to implement this section that shall include a process for receiving complaints against drug-free and alcohol-free recovery residences and criteria by which such residences' certifications can be revoked.

(h) A person may not advertise to the public any recovery residence as a "certified recovery residence" unless the recovery residence has first secured a certificate of compliance under this section. A person who violates this subsection commits a misdemeanor, punishable by a fine of not less than \$1,000 nor more than \$5,000 for each infraction.

(i) This article does not permit a structure that would not be normally classified as a single-family dwelling to be exempt from the state building code or fire code.

(j) Nothing herein shall be read to require any recovery residence to obtain certifications set forth herein in order to conduct operations: Provided, That a recovery residence without a valid certificate of compliance, as provided in §16-59-2 of this code, is prohibited from receiving a referral or receiving a person released from prison for the placement of any prisoner, parolee, probationer, or prospective, current, or discharged patient, or client from the Division of Corrections and Rehabilitation, the Parole Board, the county probation offices, day report center, municipal courts, or a medical or clinical treatment facility that receives funds for its operations from the State Treasury. A person who violates this subsection commits a misdemeanor, punishable by a fine of not less than \$1,000 nor more than \$5,000 for each infraction.

§16-59-3. Referrals to recovery residences; prohibitions; receipt of state funds.

~~(a) The certifying agency shall maintain, publish, and disseminate a list of drug and alcohol-free housing certified pursuant to this section. This list shall be disseminated to the department for use by each state agency or vendor with a statewide contract that provides substance use disorder treatment services. The list shall also be posted on the website maintained by the certifying agency.~~

~~(b)~~ (a) The Division of Corrections and Rehabilitation, the Parole Board, county probation offices, day report centers, municipal courts, and a medical or clinical treatment facility that receives any funds for its operations from the State Treasury ~~may~~ shall not make a referral of any prisoner, parolee, probationer, or prospective, current, or discharged patient, or client to a recovery residence unless the recovery residence holds a valid certificate of compliance as provided in §16-59-2 of this code.

~~(c)~~ (b) No recovery residence is eligible to receive funds from any source within the State Treasury unless it holds a valid certificate of compliance as provided in §16-59-2 of this code.

(c) No recovery residence is eligible to receive funds from a resident that is in the form of a state benefit, including, but not limited to, Medicaid, Temporary Assistance for Needy Families, or the Supplemental Nutrition Assistance Program, unless it holds a valid certificate of compliance from the certifying agency as provided in §16-59-2 of this code. The certifying agency may set forth additional requirements for the appropriate use of such benefits within a recovery residence.

(d) A state agency and a medical or clinical treatment facility that receive funds for its operation from the State Treasury, that make referrals to recovery residences shall maintain records of referrals to or from recovery residences.

(e) Nothing in this section requires a state agency or a clinical or medical provider to make a referral of a person to a recovery residence.

(f) A person who violates this section commits a misdemeanor, punishable by a fine of not less than ~~\$500~~ \$1,000 nor more than ~~\$1,000~~, \$5,000, unless otherwise specified.

§16-59-4. Registration of recovery residences.

(a) Prior to conducting business in the State of West Virginia a recovery residence shall register with the Office of Health Facility Licensure and Certification. A recovery residence has until January 1, 2025 to register. The director shall make an application form available on its publicly accessible internet website that include a request for the following information:

(1) The identity, address, and telephone number of the applicant;

(2) The name, business address, and telephone number of the contact person for the applicant;

(3) When applicable, the federal employer identification number for the applicant; and

(4) Any other information the director considers necessary and appropriate to establish a complete registration of an applicant.

(b) Term and fee. —

(1) The terms of registration shall be one year from the date of issuance;

(2) The fee shall be submitted by the applicant with an application for registration. An application fee for initial registration or renewal registration fee is nonrefundable;

(3) The amount of the initial registration fee and the renewal registration fee is \$250: *Provided*, That the director may annually adjust the initial and renewal registration fee for inflation based upon the consumer price index.

(c) Registration. —

(1) The director shall issue a registration, as appropriate, to an applicant when the director determines an applicant has submitted a complete application and paid the required registration fee.

(2) The registration may be in paper or electronic form, is nontransferable, and shall prominently list the expiration date of the registration.

(3) A list of all recovery residences shall be made available on the director's publicly accessible internet website.

(d) Penalties. —

(1)(A) A civil monetary penalty of up to \$20,000 a day may be assessed against an owner who operates, owns, or manages an unregistered recovery residence. Each day of the continuing violation after the civil monetary penalty is assessed may be considered a separate violation. The initial notice of non-compliance shall be provided to the owner via certified mail, return receipt requested.

(B) If the recovery residence is not registered within 30 days from the date of receipt of the initial notice, the director shall notify the certifying agency to revoke the recovery residence's certificate of compliance, issued pursuant to §16-59-2 of this code, for non-compliance with this section.

(C) If the recovery residence is not registered within 30 days from the date of receipt of the initial notice, and if such recovery residence does not have a certificate of compliance, then the director shall issue a closure notice to the recovery residence for non-compliance with this section.

(e) *Due process.* —

(1) Within 10 days of the date of receipt of a notice provided pursuant to subsection (d), the recovery residence's owner may submit a request for an administrative hearing before the Board of Review for an informal meeting to address the notice and the reason stated therefor.

(2) The recovery residence's owner or owners and the Office of Health Facility Licensure and Certification will be entitled to representation by legal counsel at the informal meeting and at the administrative hearing at their own expense, respectively.

(3) All of the pertinent provisions of §29A-5-1 *et seq.* of this code and applicable legislative rules governing administrative hearings for the Board of Review shall apply to and govern any formal hearing authorized by this article.

(4) If the recovery residence's owner fails to request a hearing within the time frame specified, he or she shall be subject to the full limitation, enforcement action, penalty, or any combination thereof, imposed pursuant to this section.

(5) The filing of a request for an administrative hearing or an informal meeting does not stay or supersede the enforcement of a limitation, enforcement action, penalty, or any combination thereof, imposed pursuant to this section.

(6) Any party who is dissatisfied with the decision of the Board of Review as a result of a formal hearing provided in this section, may within 30 days after receiving notice of the decision, petition the West Virginia Intermediate Court of Appeals, in term or vacation, for judicial review of the decision.

(7) The court may affirm, modify, or reverse, the decision of the Board of Review and either the applicant or the registrant, or the Inspector General may appeal the court's decision to the West Virginia Supreme Court of Appeals.

(8) Notwithstanding the existence of, or pursuant to any other remedy, the Inspector General may, in the manner provided by law, maintain an action in the name of the state for an injunction against any person, partnership, association, or corporation, to restrain or prevent the establishment, conduct, management, or operation of any recovery residence for violation of any

provision of this section or any rule lawfully promulgated thereunder without first obtaining a registration in the manner herein provided.

ARTICLE 62. THE PATIENT BROKERING ACT.

§16-62-1. Definitions.

For the purposes of this article:

"Department" means the Department of Human Services.

"Health care provider or health care facility" means any person or entity licensed, or certified, or authorized by law to provide professional health care service in this state to a patient during that patient's medical, remedial, or behavioral health care, treatment, or confinement.

"Health care provider network entity" means a corporation, partnership, or limited liability company owned or operated by two or more health care providers, and organized for the purpose of entering into agreements with health insurers, health care purchasing groups, or the Medicare or Medicaid program.

"Health insurer" means any insurance company authorized to transact health insurance in the state, any insurance company authorized to transact health insurance or casualty insurance in the state that is offering a minimum premium plan or stop-loss coverage for any person or entity providing health care benefits, any self-insurance plan, any health maintenance organization, any prepaid health clinic, any prepaid limited health service organization, any multiple-employer welfare arrangement, or any fraternal benefit society providing health benefits to its members.

"Recovery residence" has the same meaning as set forth in §16-59-1 of this code.

§16-62-2. Patient brokering prohibited.

(a) It is unlawful for any person, including any health care provider, or health care facility, or recovery residence to:

(1) Offer or pay a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, to induce the referral of a patient or patronage to or from a health care provider, or health care facility or recovery residence;

(2) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, in return for referring a patient or patronage to or from a health care provider or health care facility, or recovery residence;

(3) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, in return for the acceptance or acknowledgment of treatment from a health care provider, or health care facility, or recovery residence;

(4) Aid, abet, advise, or otherwise participate in the conduct prohibited under this subsection;
or

(5) Engage in any of the unlawful acts provided for in this subsection in regard to a recovery residence as defined in §16-59-1 of this code;

(b) Penalties –

(1) Any person who violates the provisions of subsection (a) of this section is guilty of a felony and, upon conviction thereof, shall be fined not more than \$50,000, or imprisoned in a state correctional facility for not less than one year nor more than five years, or both fined and imprisoned.

(2) Notwithstanding the provisions of subdivision (1) of this section, any person who violates subsection (a) of this section, where the prohibited conduct involves 10 or more patients, is guilty of a felony and, upon conviction thereof, shall be fined not more than \$100,000, or imprisoned in a state correctional facility not less than two years nor more than five years, or both fined and imprisoned.

(c) The Office of the Inspector General shall develop a tool that facilitates the submission of complaints. The Office of the Inspector General shall investigate complaints, review data for violations of this article, and ~~enforce the provisions of this article~~. shall refer matters to state, or local law-enforcement authorities to coordinate, investigate, or prosecute violations of this article.

(d) Law enforcement shall investigate each referral upon receipt for violation this article.

(e) The Office of the Inspector General shall receive data from the department related to recovery residences based upon intervals determined by the department, but not less than annually. This data may contain personally identifiable health information. It shall be transmitted and stored in conformity with applicable Health Insurance and Portability and Accountability Act standards.

(f) The Office of the Inspector General and the certifying agency set forth in §16-59-2 et seq. of this code may coordinate investigations as further set forth in legislative rule.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 475—A Bill amend and reenact §16-59-1, §16-59-2, and §16-59-3, of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §16-59-4; and to amend and reenact §16-62-1 and §16-62-2 of said code, all relating to recovery residences; defining terms; amending the accreditation program to include protecting residents from human trafficking and patient brokering; requiring the collection of data from recovery residences; requiring the data collected be uniform among recovery residences; requiring rulemaking regarding the data to be collected; requiring stakeholder engagement to develop the rules; setting forth minimum data content; providing that the data shall be shared; providing privacy restrictions on data; requiring documentation verifying initial and continued registration be submitted; permitting an immediate jeopardy notice to be served in person; prohibiting recovery residence that has received a suspension or revocation notice from taking new residents; providing procedure for immediate jeopardy; permitting immediate revocation of certification if immediate jeopardy is not corrected prior to certifying agency leaving the premises; requiring transfer of residents in event immediate jeopardy is not corrected and setting forth timeframe; prohibiting recovery residence without a certificate of compliance from

receiving a referral from stated entities; providing for a penalty if the referral is received in violation of this article; deleting requirement that certifying agency maintain and publish a list of recovery residences; clarifying that referral shall not be made unless recovery residence has a valid certificate of compliance; prohibiting all recovery residences from receiving funds from a resident that is in the form of a state benefit unless it holds a valid certificate of compliance; increasing penalties for violations; requiring all recovery residences to register with the Office of Health Facility Licensure and Certification; setting forth procedure for registration; permitting fee; setting term of registration as one year; providing for penalty for failure to register; providing due process; clarifying that recovery residences are subject to the patient brokering act; requiring the Office of the Inspector General to review data to determine if violations of the patient brokering act have occurred; requiring referral to state, or local law-enforcement authorities to coordinate, investigate, or prosecute violations; requiring state or local law enforcement to investigate referral; requiring the Office of Inspector General to receive data regarding recovery residences; specifying document handling specifications; and creating criminal penalties.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 475, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 475) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Com. Sub. for Senate Bill 482, Relating to rule-making authority of Ethics Commission.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 503, Protecting belief-based student organizations from certain types of discrimination.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 548, Clarifying appellate jurisdiction of Intermediate Court of Appeals.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 551, Modifying requirements related to levy of service fees.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 587, Enabling State Fire Commission to propose legislative rules.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended with its Senate amended title, to take effect January 1, 2025, of

Eng. Com. Sub. for Senate Bill 623, Requiring DMV to provide images of certain individuals to Secretary of State for voter identification purposes.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 628, Declaring certain claims as moral obligations of the state.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 644, Supplementing and amending appropriations to Department of Commerce, Division of Forestry, and Geological and Economic Survey.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 656, Supplementing and amending appropriations to DHHR, Division of Human Services.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 665, Supplementing and amending appropriations to DHHR, Division of Health.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 667, Creating Physician Assistant Compact.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 722, Revising examination of records relating to limited video lottery.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 730, Clarifying compensation for county tax collector.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 768, Providing exception for sharing of confidential child welfare records.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 778, Amending certain qualifying offenses to enhance sentences of repeat offenders.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 820, Requiring automatic enrollment of substance abuse disorder population into managed care.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 824, Increasing membership of WV Motorsport Committee.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 834, Increasing number of members for Motor Vehicle Dealers Advisory Board.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 866, Designating State Treasurer as chairperson of WV Investment Management Board.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page three, section four, following line fifty-seven, by striking out subsection (h) in its entirety;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 866—A Bill to amend and reenact §12-6-4 of the Code of West Virginia, 1931, as amended, relating generally to West Virginia Investment Management Board governance; designating the State Treasurer as chairman of the board; requiring the chairman to appoint the chief executive officer of the board subject to board approval; providing that the chief executive officer will serve until appointment of a successor, resignation, or board removal; authorizing the chairman to appoint a temporary chief executive officer without board approval to fill a vacancy for a period of time; deleting obsolete provisions; and providing an internal effective date.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 866, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 866) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, to take effect July 1, 2024, of

Eng. Com. Sub. for House Bill 4190, Relating to the establishment of an alert system for missing cognitively impaired persons.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 4700, Banning certain persons from sport wagering activities.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 4721, Require Surveyors to offer to record surveys of property.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 4829, Relating to employment of service personnel and removing the requirement for a high school diploma or general education development certificate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 4830, To address the professional development of teachers.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 4837, Clarifying the duty of banks to retain and procure records.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, of

Eng. House Bill 4863, Patriotic Access to Students in Schools Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 4967, Relating to the administration of the Voluntary Remediation and Redevelopment Act to provide new liability protections for persons and companies who wish to purchase and redevelop former industrial properties.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. House Bill 5014, Supplementing and amending appropriations to West Virginia University General Administration Fund.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

That the total appropriation for the fiscal year ending June 30, 2024, to fund 0105, fiscal year 2024, organization 0100, be supplemented and amended by adding new items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from general revenue.

EXECUTIVE

7. – Governor's Office –

Civil Contingent Fund

(W.V. Code Chapter 5)

Fund 0105 FY 2024 Org 0100

2a West Virginia University Health System for the Federal

Food and Drug Administration Pilot Program	xxxxx	\$2,000,000
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2b Hospital Grants and Research Programs	xxxxx	\$4,000,000";
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On page one of the bill, following the title to the bill, by striking out lines seven through fifteen in their entirety and inserting in lieu thereof the following:

Whereas, The Governor submitted an Executive Message to the Legislature on January 10, 2024, which included a Statement of the State Fund, General Revenue, setting forth therein the cash balance as of July 1, 2023, and further included the estimate of revenue for the fiscal year 2024, less net appropriation balances forwarded and regular and surplus appropriations for the fiscal year 2024; and

Whereas, It appears from the Governor's Statement of the State Fund, General Revenue, there now remains an unappropriated balance in the Treasury which is available for appropriation during the fiscal year ending June 30, 2024; therefore;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. House Bill 5014—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, by adding new items of appropriation for the fiscal year ending June 30, 2024.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed House Bill 5014, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—34.

The nays were: None.

Absent: None.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 5014) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 5014) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5158, Relating to making technical corrections to the special education code.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, of

Eng. Com. Sub. for House Bill 5188, Relating to awards and benefits for duty related disability in the municipal police officers and firefighters retirement system.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 5213, To allow Gold Star spouses to receive one free Gold Star vehicle registration for personal use.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5232, The Business Liability Protection Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, of

Eng. Com. Sub. for House Bill 5238, Mandating that all courts provide adjudication for juvenile offenders for traffic violations to the Division of Motor Vehicles.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5326, Relating to prohibition of unfair real estate service agreements.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amended title, passage as amended, of

Eng. Com. Sub. for House Bill 5435, Establishing the registered apprenticeship to associate of applied science program to be administered by the Council for Community and Technical College Education.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5510, Clarify law regarding the crime of witness tampering.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 5514, Enhancing training requirements for county boards of education members.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 5520, Relating to juvenile competency.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5561, Relating to permitting the electronic execution of trusts.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5583, Permitting the Commissioner of the Division of Highways to issue a special permit to operate or move a vehicle or combination of vehicles of a size or weight of vehicles or nondivisible load exceeding the maximum specified.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5604, Relating to procurement by state spending units.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. House Bill 5696, Relating to the upper Ohio Valley Trail Network.

Pending announcement of a meeting of the Committee on Rules,

On motion of Senator Takubo, at 10:19 a.m., the Senate recessed until 11:30 a.m. today.

The Senate reconvened at 12:48 p.m. and, at the request of Senator Takubo, unanimous consent being granted, returned to the second order of business and the introduction of guests.

The Senate again proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 159, Prohibiting persons convicted of certain crimes against minors from holding positions on boards of education.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page 1 by striking everything after the enacting clause and inserting in lieu thereof:

CHAPTER 3. ELECTIONS.

ARTICLE 5. PRIMARY ELECTIONS AND NOMINATING PROCEDURES.

§3-5-7. Filing certificates of announcements of candidacies; requirements; withdrawal of candidates when section applicable.

(a) Any person who is eligible and seeks to hold an office or political party position to be filled by election in any primary or general election held under the provisions of this chapter shall file a certificate of announcement declaring his or her candidacy for the nomination or election to the office.

(b) The certificate of announcement shall be filed as follows:

(1) Candidates for the House of Delegates, the State Senate, circuit judge, family court judge, and any other office or political position to be filled by the voters of more than one county shall file a certificate of announcement with the Secretary of State.

(2) Candidates for an office or political position to be filled by the voters of a single county or a subdivision of a county, except for candidates for the House of Delegates, State Senate, circuit judge or family court judge, shall file a certificate of announcement with the clerk the county commission.

(3) Candidates for an office to be filled by the voters of a municipality shall file a certificate of announcement with the recorder or city clerk.

(c) The certificate of announcement shall be filed with the proper officer not earlier than the second Monday in January before the primary election day and not later than the last Saturday in January before the primary election day and must be received before midnight, eastern standard time, of that day or, if mailed, shall be postmarked by the United States Postal Service before that hour. This includes the offices of Justice of the Supreme Court of Appeals, Judge of the Intermediate Court of Appeals, circuit court judge, family court judge and magistrate, which are to be filled on a nonpartisan and division basis at the primary election: *Provided*, That on the final day of a political filing period, the office of the Secretary of State shall be open from 9:00 a.m. until 11:59 p.m. The offices of the county clerk in all counties of the state shall be open on that final day of a political filing period from 9:00 a.m. until 12:00 p.m.

(d) The certificate of announcement shall be on a form prescribed by the Secretary of State on which the candidate shall make a sworn statement before a notary public or other officer authorized to administer oaths, containing the following information:

(1) The date of the election in which the candidate seeks to appear on the ballot;

(2) The name of the office sought; the district, if any; and the division, if any;

(3) The legal name of the candidate and the exact name the candidate desires to appear on the ballot, subject to limitations prescribed in §3-5-13 of this code;

(4) The county of residence and a statement that the candidate is a legally qualified voter of that county; and the magisterial district of residence for candidates elected from magisterial districts or under magisterial district limitations;

(5) The specific address designating the location at which the candidate resides at the time of filing, including number and street or rural route and box number and city, state, and zip code;

(6) For partisan elections, the name of the candidate's political party on the date the certificate of announcement is submitted and a statement that the candidate: (A) Is a member of and is affiliated with that political party as evidenced by the candidate's current registration as a voter affiliated with that party; and (B) has not been registered as a voter affiliated with any other political party for a period of 60 days before the date of filing the announcement;

(7) For candidates for delegate to national convention, the name of the presidential candidate to be listed on the ballot as the preference of the candidate on the first convention ballot; or a statement that the candidate prefers to remain "uncommitted";

(8) For candidates for county board of education, a statement that the candidate swears and affirms that he or she has not been convicted of an offense under §61-8A-1 et seq., §61-8B-1 et seq., and §61-8C-1 et seq. of this code in which the victim was a minor;

~~(8)~~ (9) A statement that the person filing the certificate of announcement is a candidate for the office in good faith; and

~~(9)~~ (10) The words "subscribed and sworn to before me this _____ day of _____, 20____" and a space for the signature of the officer giving the oath.

(e) The Secretary of State or the board of ballot commissioners, as the case may be, may refuse to certify the candidacy or may remove the certification of the candidacy upon receipt of a certified copy of the voter's registration record of the candidate showing that the candidate was registered as a voter in a party other than the one named in the certificate of announcement during the 60 days immediately preceding the filing of the certificate: *Provided*, That unless a signed formal complaint of violation of this section and the certified copy of the voter's registration record of the candidate are filed with the officer receiving that candidate's certificate of announcement no later than 10 days following the close of the filing period, the candidate may not be refused certification for this reason: *Provided, however, That prior to accepting a Certificate of Announcement for filing for an office which is elected in a partisan election, the Secretary of State's Office, clerk of the county commission, recorder or city clerk shall electronically verify a candidate's current party affiliation as subscribed and sworn to by the candidate. If a candidate's*

current party affiliation is not as stated on the Certificate of Announcement, the filing shall be refused.

(f) The certificate of announcement shall be subscribed and sworn to by the candidate before ~~some~~ an officer qualified to administer oaths, who shall certify the same. Any person who knowingly provides false information on the certificate is guilty of false swearing and shall be punished in accordance with §3-9-3 of this code.

(g) Any candidate for delegate to a national convention may change his or her statement of presidential preference by notifying the Secretary of State by letter, received by the Secretary of State no later than the third Tuesday following the close of candidate filing. When the rules of the political party allow each presidential candidate to approve or reject candidates for delegate to convention who may appear on the ballot as committed to that presidential candidate, the presidential candidate or the candidate's committee on his or her behalf may file a list of approved or rejected candidates for delegate and the Secretary of State shall list as "uncommitted" any candidate for delegate who is disapproved by the presidential candidate.

(h) A person may not be a candidate for more than one office or office division at any election: *Provided*, That a candidate for an office may also be a candidate for President of the United States, for membership on political party executive committees or for delegate to a political party national convention: *Provided, however*, That an unsuccessful candidate for a nonpartisan office in an election held concurrently with the primary election may be appointed under the provisions of §3-5-19 of this code to fill a vacancy on the general ballot.

(i) A candidate who files a certificate of announcement for more than one office or division and does not withdraw, as provided by §3-5-11 of this code, from all but one office prior to the close of the filing period may not be certified by the Secretary of State or placed on the ballot for any office by the board of ballot commissioners.

(j) The amendments to this section enacted by the Legislature in the 2024 Regular Session are effective January 1, 2025.

CHAPTER 18. EDUCATION.

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-1. CREATION; COMPOSITION; APPOINTMENT, QUALIFICATIONS, TERMS, AND REMOVAL OF MEMBERS; OFFICES.

There is a State Board of Education, to be known as the West Virginia Board of Education, which is a corporation and as such may contract and be contracted with, plead and be impleaded, sue and be sued, and have and use a common seal. The state board consists of 12 members, of whom one is the state Superintendent of Schools, ex officio; one of whom is the Chancellor of the Higher Education Policy Commission, ex officio; and one of whom is the Chancellor of the West Virginia Council for Community and Technical College Education, ex officio, none of whom is entitled to vote. The other nine members are citizens of the state, appointed by the Governor, ~~by~~ ~~and~~ with the advice and consent of the Senate, for overlapping terms of nine years. Terms of office begin on November 5 of the appropriate year and end on November 4 of the appropriate year. Not more than five members are appointed from any one congressional district.

No more than five of the appointive members may belong to the same political party and no person is eligible for appointment to membership on the state board who is a member of any political party executive committee or holds any other public office or public employment under the federal government or under the government of this state or any of its political subdivisions, or who is an appointee or employee of the board. Members are eligible for reappointment. Any vacancy on the board shall be filled by the Governor by appointment for the unexpired term.

Notwithstanding the provisions of §6-6-4 of this code, a member of the state board may not be removed from office by the Governor except for official misconduct, incompetence, neglect of duty, or gross immorality and then only in the manner prescribed by law for the removal by the Governor of state elective officers.

Before exercising any authority or performing any duties as a member of the state board, each member shall qualify as such by taking and subscribing to the oath of office prescribed by section five, article IV of the Constitution of West Virginia, the certificate whereof shall be filed with the Secretary of State. A suitable office in the state Department of Education at the State Capitol shall be provided for use by the state board.

Notwithstanding the provisions of §6-5-5 of this code, no person who has been convicted of an offense under the provisions of §61-8A-1 et seq., §61-8B-1 et seq., §61-8C-1 et seq., and §61-8D-1 et seq. of this code in which the victim is a minor may hold office as a member of the state board.

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-1A. ELIGIBILITY OF MEMBERS; TRAINING REQUIREMENTS.

(a) A person who is a member of a county board:

(1) Shall be a citizen and resident in the county in which he or she serves on the county board. Also, a person who is a candidate for membership on a county board or who is a member-elect of a county board shall be a citizen and resident in the county in which he or she seeks to serve on the county board;

(2) May not be employed by the county board on which he or she serves, including employment as a teacher or service person;

(3) May not engage in the following political activities:

(A) Become a candidate for or hold any other public office, other than to succeed him or herself as a member of a county board subject to the following:

(i) A candidate for a county board, who is not currently serving on a county board, may hold another public office while a candidate if he or she resigns from the other public office prior to taking the oath of office as a county board member.

(ii) The term "public office" as used in this section does not include service on any other board, elected or appointed, profit or nonprofit, under the following conditions:

(l) The person does not receive compensation; and

(II) The primary scope of the board is not related to public schools.

(B) Become a candidate for, or serve as, an elected member of any political party executive committee;

(C) Become a candidate for, or serve as, a delegate, alternate or proxy to a national political party convention;

(D) Solicit or receive political contributions to support the election of, or to retire the campaign debt of, any candidate for partisan office;

(4) May engage in any or all of the following political activities:

(A) Make campaign contributions to partisan or bipartisan candidates;

(B) Attend political fund raisers for partisan or bipartisan candidates;

(C) Serve as an unpaid volunteer on a partisan campaign;

(D) Politically endorse any candidate in a partisan or bipartisan election; or

(E) Attend a county, state, or national political party convention.

(b) A member or member-elect of a county board, or a person desiring to become a member of a county board, may make a written request to the West Virginia Ethics Commission for an advisory opinion to determine if another elected or appointed position held or sought by the person is an office or public office which would bar service on a county board pursuant to subsection (a) of this section.

(1) Within 30 days of receipt of the request, the Ethics Commission shall issue a written advisory opinion in response to the request and ~~also~~ shall publish the opinion in a manner which, to the fullest extent possible, does not reveal the identity of the person making the request.

(2) A county board member who relies in good faith upon an advisory opinion issued by the West Virginia Ethics Commission to the effect that holding a particular office or public office is not a bar from membership on a county board and against whom proceedings are subsequently brought for removal from the county board on the basis of holding that office or offices, is entitled to reimbursement by the county board for reasonable attorney's fees and court costs incurred by the member in defending against these proceedings, regardless of the outcome of the proceedings.

(3) A vote cast by the member at a meeting of the county board may not be invalidated due to a subsequent finding that holding the particular office or public office is a bar to membership on the county board.

(4) Good faith reliance on a written advisory opinion of the West Virginia Ethics Commission that a particular office or public office is not a bar to membership on a county board is an absolute defense to any civil suit or criminal prosecution arising from any proper action taken within the scope of membership on the county board, becoming a member-elect of the county board or seeking election to the county board.

(c) To be eligible for election or appointment as a member of a county board, a person shall possess at least a high school diploma or a general educational development (GED) diploma. This provision does not apply to members or members-elect who have taken office prior to May 5, 1992, and who serve continuously from that date forward.

(d) A person elected to a county board after July 1, 1990, may not assume the duties of county board member unless he or she has first attended and completed a course of orientation relating to boardsmanship and governance effectiveness which shall be given between the date of election and the beginning of the member's term of office under the following conditions:

(1) A portion or portions of subsequent training such as that offered in orientation may be provided to members after they have commenced their term of office;

(2) Attendance at the session of orientation given between the date of election and the beginning of the member's term of office permits the member-elect to assume the duties of county board member, as specified in this section;

(3) Members appointed to the county board shall attend and complete the next orientation course offered following their appointment; and

(4) The provisions of this subsection relating to orientation do not apply to members who have taken office prior to July 1, 1988, and who serve continuously from that date forward.

(e) Annually, each member of a county board shall receive seven clock hours of training in areas relating to boardsmanship, governance effectiveness, and school performance issues including, but not limited to, pertinent state and federal statutes such as the "Process for Improving Education" set forth in ~~section five, article two-e of this chapter~~ §18-2E-5 of this code and the "No Child Left Behind Act" and their respective administrative rules.

(1) The orientation and training shall be approved by the state board and conducted by the West Virginia School Board Association or other organization or organizations approved by the state board:

(A) The state board may exclude time spent in training on school performance issues from the requisite seven hours herein required; and

(B) If the state board elects to exclude time spent in training on school performance issues from the requisite seven hours, the state board shall limit the training to a feasible and practicable amount of time.

(2) Failure to attend and complete the approved course of orientation and training relating to boardsmanship and governance effectiveness without good cause, as determined by the state board by duly promulgated legislative rules, constitutes neglect of duty under ~~section seven, article six, chapter six~~ §6-6-7 of this code.

(f) In the final year of any four-year term of office, a member shall satisfy the annual training requirement before January 1. Failure to comply with the training requirements of this section without good cause, as defined by the state board by duly promulgated legislative rules, constitutes neglect of duty under §6-6-7 of this code.

(g) The state board shall appoint a committee named the "County Board Member Training Standards Review Committee" whose members shall meet at least annually. Subject to state board approval, the committee shall determine which particular trainings and training organizations shall be approved, and whether county board members have satisfied the annual training requirement. Members of the committee serve without compensation but may be reimbursed by their agencies or employers for all reasonable and necessary expenses actually incurred in the performance of their duties under this subsection.

(h) Notwithstanding the provisions of §6-5-5 of this code, no person who has been convicted of an offense under the §61-8A-1 et seq., §61-8B-1 et seq., §61-8C-1 et seq., and §61-8D-1 et seq. of this code in which the victim is a minor may hold office as a member of a county board.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 159, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 159) passed with its title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 222, Exempting WV veterans from certain fees and charges at state parks.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page 1, section 23, line 8, by striking "36".

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Committee Substitute for Senate Bill 222, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 222) passed with its title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 439, Authorizing certain 911 personnel to be members of Emergency Medical Services Retirement System under certain circumstances.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 16, following section six, by striking sections 6c and 6d in their entirety and inserting in lieu thereof the following:

§16-5V-6c. 911 personnel.

(a) In accordance with the provisions of this article, the board shall administer the voluntary transfer of 911 personnel who are members of the Public Employees Retirement System to the Emergency Medical Services Retirement System.

(b) 911 personnel, employed by a participating public employer, who are actively contributing members of the Public Employees Retirement System shall be eligible to participate in a vote directly to the board pursuant to subsection (c) of this section: *Provided*, That the 911 personnel are employed with a participating public employer in the month prior to the election and for the duration of the election and that their participating public employer does not choose to opt-out of this option to transfer existing employees. The board will notify all participating public employers with 911 personnel of their option to opt-out of transferring existing employees prior to the election. Participating public employers with 911 personnel have until June 28, 2024, to opt out. Participating public employers with 911 personnel who opt out and Public Employees Retirement System employers who are not participating public employers in this plan in the month prior to the election will be barred from future options to transfer existing 911 personnel into this plan for a period of no less than three years from the election and must pay any future transfer costs to the board. In addition, for any future transfers, the board will calculate the initial pro rata share of costs that would have been assessed at the initial transfer and those costs must be paid to the plan.

(c) The election period for the vote shall conclude on August 30, 2024. All election forms received by the board on or before August 30, 2024, shall be counted, and any members eligible to vote who do not submit an election form to the board prior to or on August 30, 2024, shall be counted as not electing to transfer to the plan. If at least 75 percent of members eligible to vote pursuant to subsection (b) of this section affirmatively elect to transfer to the plan within the period provided in this subsection, then the board shall notify the employers of all members who affirmatively elected to do so during that period, and contributions to the plan shall begin during October 2024 for those electing to transfer. If more than 25 percent of those members eligible to vote pursuant to subsection (b) of this section do not affirmatively elect to transfer to the plan within that period, the Public Employees Retirement System continues as the retirement system for all 911 members eligible to vote. The vote pursuant to this subsection shall be directly to the board and the results shall be unknown to all employers until the time period for voting ends: *Provided*, That any employee eligible to vote pursuant to subsection (b) of this section shall have access through his or her employer to educational materials regarding the vote provided by the board. All members who complete an election form and all participating public employers with 911 personnel eligible to vote shall be notified in writing by the board by September 30, 2024, of the results of the election.

(d) Any costs incurred by the board attributable to this section shall be borne by all 911 personnel employers of persons eligible to transfer in proportion to the number of persons employed by that employer who are eligible to transfer. The board shall determine its costs incurred attributable to this election to transfer and shall determine the pro rata share of these costs to be borne by the 911 personnel participating employers.

(e) Notwithstanding any other provision of this article to the contrary, a person employed as 911 personnel may be a member of this retirement plan subject to the provisions of this section. Full-time employment as 911 personnel satisfies the definition of "covered employment" as defined in this article.

(f) Any 911 personnel who elects to become a member of the plan does not qualify for active membership in any other retirement system administered by the board, so long as he or she remains employed in covered employment: *Provided*, That any 911 personnel who has concurrent employment in an additional job or jobs which would require the 911 personnel to be an active member of the West Virginia Deputy Sheriffs Retirement System, the West Virginia Municipal Police Officers and Firefighters Retirement System, or the West Virginia Natural Resources Police Officer Retirement System shall actively participate in only one retirement system administered by the board, and the retirement system applicable to the concurrent employment for which the employee has the earliest date of hire shall prevail. Any 911 personnel shall continue to receive his or her accrued benefit of other retirement systems administered by the board, except in the case of Public Employees Retirement System, when credit and assets are transferred to the Emergency Services Retirement System.

(g) Any 911 personnel who was employed as 911 personnel prior to July 1, 2024, but was not employed on July 1, 2024, shall become a member upon rehire as 911 personnel. For purposes of this section, the member's years of service and credited service prior to July 1, 2024, may be counted so long as the 911 personnel has not received the return of his or her accumulated contributions in the Public Employees Retirement System pursuant to §5-10-30 of this code. The member may request in writing to have his or her accumulated contributions and employer contributions from covered employment in the Public Employees Retirement System transferred to the plan and will receive two percent of the member's final average salary for each year

transferred. If the conditions of this subsection are met, all years of the 911 personnel's covered employment shall be counted as years of service for the purposes of this article.

(h) Any 911 personnel employed in covered employment on July 1, 2024, who has timely elected to transfer into this plan as provided in subsection (b) of this section shall be given credited service at the time of transfer for all credited service then standing to the 911 personnel's service credit in the Public Employees Retirement System regardless of whether the credited service, as defined in §5-10-2 of this code, was earned as a 911 personnel. All credited service standing to the transferring 911 personnel's credit in the Public Employees Retirement System at the time of transfer into this plan shall be transferred into the plan created by this article, and the transferring 911 personnel shall be given the same credit for the purposes of this article for all service transferred from the Public Employees Retirement System as that transferring 911 personnel would have received from the Public Employees Retirement System as if the transfer had not occurred but with accrued benefit multipliers subject to the provisions of §16-5V-12 of this code. In connection with each transferring 911 personnel receiving credit for prior employment as provided in this subsection, a transfer from the Public Employees Retirement System to this plan shall be made pursuant to the procedures described in this article: *Provided*, That any member of this plan who has elected to transfer from the Public Employees Retirement System into this plan pursuant to subsection (g) of this section may not, after having transferred into and becoming an active member of this plan, reinstate to his or her credit in this plan any service credit relating to periods in which the member was not in covered employment as a 911 personnel and which service was withdrawn from the Public Employees Retirement System prior to his or her elective transfer into this plan.

(i) Once made, the election made under this section is irrevocable. All 911 personnel electing to become members as described in this section, shall be members as a condition of employment and shall make the contributions required by this article.

§16-5V-6d. Transfer of 911 personnel assets from Public Employees Retirement System.

(a) If at least 75 percent of those actively contributing members of the Public Employees Retirement System currently employed as 911 personnel eligible to vote affirmatively elect to transfer to the Emergency Medical Services Retirement System within the period provided in §16-5V-6c of this code, then the board shall transfer to the Emergency Medical Services Retirement System all members who affirmatively elected to do so during that period. If more than 25 percent of actively contributing members of the Public Employees Retirement System currently employed as 911 personnel eligible to vote do not affirmatively elect to transfer to the Emergency Medical Services Retirement System within that period, the Public Employees Retirement System continues as the retirement system for all 911 members eligible to vote. Any costs incurred by the board attributable to this section shall be borne by all employers of persons transferring. The board shall determine its costs incurred attributable to this transfer and shall determine the pro rata share of these costs to be borne by the participating public 911 personnel employers.

(b) The Consolidated Public Retirement Board shall transfer assets from the Public Employees Retirement System Trust Fund into the West Virginia Emergency Medical Services Trust Fund no later than December 31, 2024.

(c) The amount of assets to be transferred for each transferring 911 personnel shall be computed using the July 1, 2023, actuarial valuation of the Public Employees Retirement System, and updated with 7.25 percent annual interest to the date of the actual asset transfer. The market value of the assets of the transferring 911 personnel in the Public Employees Retirement System

shall be determined as of the end of the month preceding the actual transfer. To determine the computation of the asset share to be transferred the board shall:

(1) Compute the market value of the Public Employees Retirement System assets as of July 1, 2023, actuarial valuation date under the actuarial valuation approved by the board;

(2) Compute the actuarial accrued liabilities for all Public Employees Retirement System retirees, beneficiaries, disabled retirees, and terminated inactive members as of July 1, 2023, actuarial valuation date;

(3) Compute the market value of active member assets in the Public Employees Retirement System as of July 1, 2023, by reducing the assets value under subdivision (1) of this subsection by the inactive liabilities under subdivision (2) of this subsection;

(4) Compute the actuarial accrued liability for all active Public Employees Retirement System members as of July 1, 2023, actuarial valuation date approved by the board;

(5) Compute the funded percentage of the active members' actuarial accrued liabilities under the Public Employees Retirement System as of July 1, 2023, by dividing the active members' market value of assets under subdivision (3) of this subsection by the active members' actuarial accrued liabilities under subdivision (4) of this subsection;

(6) Compute the actuarial accrued liabilities under the Public Employees Retirement System as of July 1, 2023, for active 911 personnel transferring to the Emergency Medical Services Retirement System;

(7) Determine the assets to be transferred from the Public Employees Retirement System to the Emergency Medical Services Retirement System by multiplying the active members' funded percentage determined under subdivision (5) of this subsection by the transferring active members' actuarial accrued liabilities under the Public Employees Retirement System under subdivision (6) of this subsection and adjusting the asset transfer amount by interest at 7.25 percent for the period from the calculation date of July 1, 2023, through the first day of the month in which the asset transfer is to be completed.

(d) Once a 911 personnel has elected to transfer from the Public Employees Retirement System, transfer of that amount as calculated in accordance with the provisions of subsection (c) of this section by the Public Employees Retirement System shall operate as a complete bar to any further liability to the Public Employees Retirement System and constitutes an agreement whereby the transferring 911 personnel forever indemnifies and holds harmless the Public Employees Retirement System from providing him or her any form of retirement benefit whatsoever until that emergency medical services officer obtains other employment which would make him or her eligible to reenter the Public Employees Retirement System with no credit whatsoever for the amounts transferred to the Emergency Medical Services Retirement System.

(e) 911 personnel who timely elected to transfer into this plan may request in writing that the Consolidated Public Retirement Board compute a quote of the amount owed for the member's transferred 911 service to be eligible for the 2.75 percent multiplier. The quote shall be provided to the member within 60 days of the board's receipt of the written request and the employer's verification of 911 service. Other Public Employees Retirement System employment is eligible for transfer, but only at the 2 percent multiplier. To determine the computation of the quote provided, the board shall:

(1) Compute the contributions made by each 911 personnel for eligible 911 years under Public Employees Retirement System.

(2) Compute the contributions that would have been required under Emergency Medical Services Retirement System for eligible 911 years.

(3) Compute the difference with interest at 7.25 percent that each 911 personnel would have been required to pay had he or she originally participated in Emergency Medical Services Retirement System for eligible 911 years.

(4) Full reinstatement amount must be repaid no later than December 31, 2029, or prior to the member's effective retirement date, whichever occurs first.

(f) Commencement of retirement for transferring 911 personnel may occur on or after January 1, 2025.

(g) Any administrative costs to the board associated with this transfer shall be borne by the participating public 911 personnel employers of the transferring members, in relative proportion to the number of members employed.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 439—A Bill to amend and reenact §16-5V-2, §16-5V-5, §16-5V-6, §16-5V-8, and §16-5V-14a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto two new sections, designated §16-5V-6c and §16-5V-6d, all relating to the Emergency Medical Services Retirement System; defining terms; updating terms to comply with federal laws; authorizing certain 911 personnel to be members of the Emergency Medical Services Retirement System under certain circumstances; requiring costs of the vote to participate be borne by participating employers in relative proportion to members employed; providing for transfer of assets pertaining to 911 personnel; requiring certain computations to be made by the Consolidated Public Retirement Board; requiring administrative costs of the Consolidated Public Retirement Board for transfer of assets pertaining to 911 personnel be borne by participating employers in relative proportion to members transferred; terminating liability of the Public Employees Retirement System in certain circumstances; authorizing use of certain funds for purchase of service credit; and providing for purchase of service credit.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 439, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 439) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 439) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect January 1, 2025, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 542, Amending procedure for filling vacancies in certain county offices having more than three commissioners.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1 by striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 10. FILLING VACANCIES.

§3-10-7. Vacancies in offices of county commissioner or councilor and clerk of county commission or council.

(a) Any vacancy in the office of county commissioner or councilor, or clerk of county commission or council, shall be filled by appointment by the county commission or council. The appointee for the office of county commissioner or councilor must reside in a magisterial district in which no other member of the county commission or council resides. The appointee for either clerk of the county commission or council, or the office of county commissioner or councilor, must be a person of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time ~~the vacancy occurred~~ of the previous election for that office: *Provided*, That at the time of appointment, the appointee must have been a member of that political party for at least ~~60 days~~ one year prior to the occurrence of the vacancy.

(b) If a quorum of the county commission or council fails to make an appointment within 30 days, the county executive committee of the same political party with which the person holding

the office preceding the vacancy was affiliated at the time ~~the vacancy occurred~~ of the previous election for that office shall submit a list of three legally qualified persons to fill the vacancy for a county having three elected commissioners, or shall submit a list of five legally qualified persons to fill the vacancy for a county having five elected commissioners or councilors. Within 15 days from the date on which the list is received, the county commission or council shall appoint a candidate from the list to fill the vacancy.

(1) If in a county having three elected county commissioners, if the county commission or council fails to make the appointment within the specified time, then the county commissioner or councilor with the longest tenure shall eliminate one name from the submitted list, followed by the county commissioner or councilor with the second-longest tenure then eliminating one name from the submitted list. The name remaining after those two names have been eliminated shall be deemed to be appointed by the county commission to fill the vacancy.

(2) In a county having five elected county commissioners or councilors, if the county commission or council fails to make the appointment within the specified time, then the county commissioners or councilors shall strike one name from the list, in turn, in the following order of precedence:

(A)(i) First, all county commissioners or councilors affiliated with the same political party from which the vacating commissioner, councilor, or clerk was elected shall strike a name from the list before those not affiliated with the vacating commissioner, councilor, or clerk's party;

(ii) Second, of the county commissioners or councilors affiliated with the same party from which the vacating commissioner, councilor, or clerk was elected, the commissioner or councilor with the longest tenure shall strike before those with lesser tenure; and

(iii) Third, if there be county commissioners or councilors with equal tenure affiliated with the same party from which the vacating commissioner, councilor, or clerk was elected, a drawing by lot shall be conducted within the timeframe required to fill the vacancy to determine which of them shall eliminate one name from the submitted list before the other commissioner or councilor with equal tenure.

(B) After the county commissioners or councilors affiliated with the same party from which the vacating commissioner, councilor, or clerk was elected make their strikes, the remaining county commissioners or councilors shall follow the same procedure in the same order of precedence provided herein. The name remaining after four names have been eliminated shall be deemed to be appointed by the county commission or council.

(c) If the number of vacancies in a county commission or council deprives that body of a quorum, the Governor shall make an appointment to fill any vacancy in the county commission or council necessary to create a quorum, from a list of three legally qualified persons submitted by the party executive committee of the same political party with which the person holding the office immediately preceding the vacancy was affiliated at the time ~~the vacancy occurred~~ of the previous election for that office. The Governor shall make any appointments necessary, beginning with the vacancy first created, to create a quorum in accordance with the same procedures applicable to county commissions and councils under §3-10-7(a) of this code. Once a quorum of the county commission or council is reestablished by gubernatorial appointment, the authority to fill the remaining vacancies shall be filled in the manner prescribed in §3-10-7(a) of this code.

(d) An appointment made pursuant to this section is for the period of time provided in §3-10-1 of this code.

(e) Notwithstanding any code provision to the contrary, a county commission or council may appoint a temporary successor to the office of clerk of the county commission or council until the requirements of this section have been met. The temporary successor may serve no more than 30 days from the date of the vacancy.

(f) If an election is necessary under §3-10-1 of this code, the county commission or council, or the president thereof in vacation, shall be responsible for the proper proclamation, by order, and notice required by §3-10-1 of this code.

(g) §3-10-1 of this code shall be followed with respect to any election needed to fill a vacancy, except that if the vacancy occurs after the primary cutoff date but not later than the general cutoff date, candidates to fill the vacancy shall be nominated by the county executive committee in the manner provided in §3-5-19 of this code, as in the case of filling vacancies in nominations, and the names of the persons, so nominated and certified to the clerk of the county commission or council of the county, shall be placed upon the ballot to be voted at the next general election.

(h) If the election for an unexpired term is held at the same time as the election for a full term for county commissioner or councilor, the full term shall be counted first and the unexpired term shall be counted second. If the candidate with the highest number of votes for the unexpired term resides in the same magisterial district as the candidate with the highest number of votes for the full term, the candidate for the full term shall be seated. The candidate with the next highest number of votes for the unexpired term residing in a different magisterial district shall be seated for the unexpired term.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 542—A Bill to amend and reenact §3-10-7 of the Code of West Virginia, 1931, as amended, relating to amending procedure for filling vacancy in offices of county clerk, county commissioner, or county councilor; providing guidance for filling such vacancies by appointment; providing procedure to follow in commissions or councils having three commissioners or councilors if the county commission or council fails to make the appointment within the specified time; providing procedure to follow in commissions or councils having more than three commissioners or councilors if the county commission or council fails to make the appointment within the specified time; and, clarifying that political party committee naming persons to fill a vacancy is the party from which the vacating person was elected.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 542, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Maroney and Tarr—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 542) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect January 1, 2025.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Maroney and Tarr—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 542) takes effect January 1, 2025.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 568, Creating multi-tiered system for school absenteeism.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 9, after line 152, by inserting the following:

ARTICLE 34. JAYCIE'S LAW.

§18-34-1. Legislative intent.

The West Virginia Legislature finds that parents of children throughout any age in middle or high school should be given the utmost support, because they face a unique set of challenges and circumstances on their road to graduation. School systems in West Virginia shall implement programs to provide educational support to those students with children at any age through graduation. The goal of this act is to assist these students to stay in school while providing enough time for proper medical recovery after the birth of the child.

§18-34-2. Policy enacted.

(a) A student's absence due to a student's pregnancy or parenting needs is a lawful absence as provided under this section.

(b) Each county board shall develop a written attendance policy for pregnant and parenting students that, at a minimum, meets the requirements of this article. The policy developed under this section shall:

(1) Excuse all absences due to pregnancy – or parenting–related conditions, including absences for:

(A) Labor;

(B) Delivery;

(C) Recovery; and

(D) Prenatal and postnatal medical appointments;

(2) Provide at least 8 weeks of excused absences for a mother for the birth of the student's child, including both natural/vaginal delivery and c-section delivery;

(3) Provide excused absences for antenatal care by recommendation of the medical provider;

(4) Provide two weeks excused absence for the father of the child;

(A) A doctor's or medical excuse shall be provided up to the initial 8 weeks absence and a separate excuse for each period of absence after the initial 8 weeks.

(B) County boards shall ensure that the parent remains on track for graduation by providing academic support options including, but not limited to, work provided virtually and a homebound instructor for weekly visits to ensure accountability.

(5) Provide an excused absence for parenting students whose children are sick: *Provided*, That they shall provide a doctor's excuse for that child.

(6) The schools shall refer the pregnant and parenting student to a "pregnancy help organization" by providing a list of pregnancy or postpartum assistance organizations within the county and surrounding counties as defined under §16-66-1 of this code.

§18-34-3. Effective date.

This article shall become effective on July 1, 2024.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 568—A Bill to amend and reenact §18-8-2 and §18-8-4 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §18-34-1, §18-34-2, and §18-34-3; and to amend and reenact §49-4-702 of said code, all relating to student absences; amending criminal penalties imposed for failing to attend school without good cause; defining terms; requiring the State Board to implement a System of Support Plan to encourage and promote compulsory school attendance with implementation to be ensured by the county attendance director; requiring the school to make periodic meaningful contact with parents, guardians, or custodians of children who fail to attend

school; removing requirement for attendance director and assistant directors to prepare a report for submission by the county superintendent to the State Superintendent of Schools on school attendance; providing legislative intent for Jaycie's Law; providing that a student's absence due to a student's pregnancy or parenting needs is a lawful absence; requiring county boards to develop a written attendance policy for pregnant and parenting students that and sets forth minimum requirements therefore; establishing article effective date; and making referral for the development of a diversion program in truancy offense matters discretionary.

On motion of Senator Trump, the following amendments to the House of Delegates amendments to the bill (Eng. Com. Sub. for Com. Sub. for S. B. 568) were reported by the Clerk, considered simultaneously, and adopted:

On page 1, section 2, by striking out the entirety of subsection (a) and inserting a new subsection (a), to read as follows:

"(a) A student's absence due to a student's pregnancy or parenting needs is an excused absence as provided under this section, and for purposes of §18-8-4(a)(1) of this code."

On page 1, section 2, line 3, by striking out the words "Each county board" and inserting in lieu thereof the words "The State Board of Education";

On page 2, section 2, line 19, by striking the words "ensure that the parent remains" and inserting in lieu thereof the words "make reasonable efforts to encourage the parent remain";

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 568—A Bill to amend and reenact §18-8-2 and §18-8-4 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §18-34-1, §18-34-2, and §18-34-3; and to amend and reenact §49-4-702 of said code, all relating to student absences; amending criminal penalties imposed for failing to attend school without good cause; defining terms; requiring the State Board to implement a System of Support Plan to encourage and promote compulsory school attendance with implementation to be ensured by the county attendance director; requiring the school to make periodic meaningful contact with parents, guardians, or custodians of children who fail to attend school; removing requirement for attendance director and assistant directors to prepare a report for submission by the county superintendent to the State Superintendent of Schools on school attendance; providing legislative intent for Jaycie's Law; providing that a student's absence due to a student's pregnancy or parenting needs is a lawful absence; requiring the State Board of Education to develop a written attendance policy for pregnant and parenting students that and sets forth minimum requirements therefore; establishing article effective date; and making referral for the development of a diversion program in truancy offense matters discretionary.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 568, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Rucker—1.

Absent: Tarr—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 568) passed with its Senate amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect July 1, 2024, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 583, Relating to employer liability and damages in civil actions involving commercial motor vehicles.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page 2, section 32, line 36 after the word "regulations" by inserting the following language:

", not including when an operator or driver is legally operating the vehicle according to permit issued under §17C-17-11 of this code."

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Committee Substitute for Senate Bill 583, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Caputo—1.

Absent: Tarr—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 583) passed with its title.

Senator Takubo moved that the bill take effect July 1, 2024.

On this question, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Caputo—1.

Absent: Tarr—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 583) takes effect July 1, 2024.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 681, Revising service obligation for certain doctoral medical degree programs.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, line 15, after the words "National Guard" by inserting "and practice medicine in the state of West Virginia for a minimum of 6 years";

And,

On page 1, lines 16 and 17, by striking the words "for a mandatory service obligation as prescribed by the Adjutant General".

On motion of Senator Takubo, the Senate refused to concur in the foregoing House amendments to the bill (Eng. S. B. 681) and requested the House of Delegates to recede therefrom.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 683, Amending definition of "alternative fuel" under motor fuel excise tax.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 2, section 2, line 22, after the word "electricity" by striking the words "is not an alternative fuel" and inserting in lieu thereof the words "and hydrogen are not alternative fuels: Provided, That on and after July 1, 2034, hydrogen may be considered an alternative fuel;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Senate Bill 683—A Bill to amend and reenact §11-14C-2 of the Code of West Virginia, 1931, as amended, relating to the motor fuel excise tax; modifying the definition of alternative fuel by removing hydrogen as an alternative fuel; and providing a sunset date.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 683, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Nelson and Tarr—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 683) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 837, Reorganizing offices of Public Defender Corporations to conform to circuit reconfiguration.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 850, Updating Consumer Credit and Protection Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 864, Clarifying reporting requirements of Grant Transparency and Accountability Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 872, Relating to county fire service fees.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 873, Schedule for tax installment payments.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 875, Relating to certain insurance coverage provided by BRIM.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its Senate amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for House Bill 4110, Authorizing certain miscellaneous agencies and boards to promulgate legislative rules.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendments to the bill was reported by the Clerk:

On page 8, section 10, line 4, by striking out "175 CSR 02" and inserting in lieu thereof "6 CSR 01".

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 4110, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Nelson and Tarr—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4110) passed with its Senate amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Nelson and Tarr—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4110) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, and requested the concurrence of the Senate in the changed effective date, as to

Eng. Com. Sub. for House Bill 4552, To ensure party affiliation is consistent with candidate's voter registration.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

On further motion of Senator Takubo, the Senate concurred in the changed effective date of the bill, that being to take effect January 1, 2025, instead of ninety days from passage.

Senator Takubo moved that the bill take effect January 1, 2025.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Nelson and Tarr—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4552) takes effect January 1, 2025.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 5082, Exempt those with 25 years holding an insurance license from attaining additional CEUs.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

On further motion of Senator Takubo, the Senate acceded to the request of the House of Delegates and receded from its amendments to the bill.

Engrossed Committee Substitute for House Bill 5082, as amended by deletion, was then put upon its passage.

Pending discussion,

Senator Weld moved to table the bill.

The question being on the adoption of Senator Weld's aforesaid motion, the same was put and prevailed and the bill (Eng. Com. Sub. for H. B. 5082) was laid upon the table.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. Com. Sub. for House Bill 5151, Relating to defining term fictive kin.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendment to the bill was reported by the Clerk:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 5151—A Bill to amend and reenact §49-1-206 of the Code of West Virginia, 1931, as amended, relating to adding former foster parents to the definition of fictive kin; and also relating to adding a definition for restorative justice program.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendment to the bill.

Engrossed Committee Substitute for House Bill 5151, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Nelson and Tarr—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5151) passed with its House of Delegates amended title.

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

At the request of Senator Woelfel, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

Pending announcement of a meeting of the Committee on Rules,

On motion of Senator Takubo, at 1:21 p.m., the Senate recessed until 1:45 p.m. today.

The Senate reconvened at 2:51 p.m. and again proceeded to the third order of business.

(Senator Weld in the Chair.)

A message from the Clerk of the House of Delegates announced that that body had refused to recede from its amendments, and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Senate Bill 155, Creating Violent Crime Prevention Act.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Fast, Horst, and Garcia.

On motion of Senator Takubo, the Senate agreed to the appointment of a conference committee on the bill.

Whereupon, Senator Weld appointed the following conferees on the part of the Senate:

Senators Stuart, Deeds, and Caputo.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 557, Relating to compensation for firefighters required to work holidays.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page 1 by striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL SERVICE FOR PAID FIRE DEPARTMENTS.

§8-15-10a. Firemen who are required to work during holidays; how compensated Holiday Compensation for Firefighters.

(a) From the effective date of this section, if any member of a paid fire department is required to work during a legal holiday as is specified in §2-2-1(a) of this code, or if a legal holiday falls on the member's regular scheduled day off, he or she shall be allowed equal time off, at such time as may be approved by the chief executive officer of the department under whom he or she serves or, in the alternative, shall be paid at a rate not less than one and one-half times his or her regular rate of pay: *Provided*, That if a special election of a political subdivision other than a municipality falls on a Saturday or Sunday, the municipality may choose not to recognize the day of the election as a holiday if a majority of municipality's city council votes not to recognize the day of the election as a holiday.

(b) Effective July 1, 2024, unless otherwise provided by contract, collective bargaining agreement, or settlement agreement, if any member of a paid fire department is required to work during a legal holiday as is specified in §2-2-1(a) of this code, or if a legal holiday falls on the member's regular scheduled day off, he or she shall be allowed time off equal to his or her shift even if the shift spans two calendar days, at such time as may be approved by the chief executive officer of the department under whom he or she serves or, in the alternative, shall be paid at a rate not less than one and one-half times his or her regular rate of pay, equal to his or her shift, even if the shift spans two calendar days: *Provided*, That if a special election of a political subdivision other than a municipality falls on a Saturday or Sunday, the municipality may choose not to recognize the day of the election as a holiday if a majority of the municipality's city council votes not to recognize the day of the election as a holiday.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Committee Substitute for Senate Bill 557, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for S. B. 557) passed with its title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect January 1, 2025, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 624, Cancelling voter registration records for individuals no longer WV residents.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2. REGISTRATION OF VOTERS.

§3-2-6. Time of registration application before an election.

(a) Voter registration before an election closes on the 21st day before the election or on the first day thereafter which is not a Saturday, Sunday, or legal holiday: at

(1) 11:59 p.m. for online registration; or

(2) At the close of business at county clerk's offices and the Secretary of State's office.

(b) An application for voter registration, transfer of registration, change of name, or change of political party affiliation submitted by an eligible voter by the close of voter registration is effective for any subsequent primary, general, or special election if the following conditions are met:

(1) The application contains the information required by §3-2-5(c) of this code. Incomplete applications for registration containing information which are submitted within the required time may be corrected within four business days after the close of registration if the applicant provides the required information; and

(2) The application is received by the appropriate clerk of the county commission no later than the hour of the close of registration or is otherwise submitted by the following deadlines:

(A) If mailed, the application shall be addressed to the appropriate clerk of the county commission and is postmarked by the postal service no later than the date of the close of registration. If the postmark is missing or illegible, the application is presumed to have been mailed no later than the close of registration if it is received by the appropriate clerk of the county commission no later than the third day following the close of registration;

(B) If accepted by a designated agency or motor vehicle licensing office, the application is received by that agency or office no later than the close of registration;

(C) If accepted through a registration outreach program, the application is received by the clerk, deputy clerk, or registrar no later than the close of registration;

(D) If accepted through an approved electronic voter registration system, the application is received by the clerk of the county commission or other entity designated by the Secretary of State no later than 11:59 p.m. on the final day of registration; and

(3) The verification notice required by the provisions of §3-2-16 of this code mailed to the voter at the residence indicated on the application is not returned as undeliverable.

§3-2-27. Procedure following sending of confirmation notices; correction or cancellation of registrations upon response; designation of inactive when no response; cancellation of inactive voters; records.

(a) Upon receipt of a confirmation response card mailed pursuant to the provisions of ~~section 26 of this article~~ §3-2-26 of this code and returned completed and signed by the voter, the clerk shall either:

(1) Update the voter registration by noting the confirmation of the current address if no other changes are requested or by entering any change of address within the county, change of name, or other correction requested by the voter; or

(2) Cancel the voter's registration if the voter confirms that he or she has moved out of the county.

(b) Upon receipt of the confirmation notice returned undeliverable, the clerk may either:

(1) Send a second confirmation notice to the old residence address if the first notice was sent to a new address provided by the postal service; or

(2) Designate the registration as inactive or transfer it to the inactive voter registration file, as defined in section 19 of this article.

(c) If no response to the confirmation notice is received by February 1 following the mailing of the confirmation notice, the clerk shall designate the registration as inactive or transfer it to the inactive voter registration file as provided in ~~section nineteen of this article~~ §3-2-19 of this code.

(d) An inactive voter registration shall be returned to active status or transferred to the active voter registration file upon the voter's application to update the registration or to vote in any election while they remain on the inactive list.

(e) The clerk of the county commission shall cancel the records of all voters on the inactive file who have not responded to the confirmation notice, otherwise updated their voter registrations or voted in any state, county, or municipal primary, general or special election held within the county during a period beginning on the date of the notice and ending on the day after the date of the second general election for federal office which occurs after the date of the notice.

(f) Upon notification by the Secretary of State, the clerk of the county commission shall cancel the records of all voters who are no longer West Virginia citizens and have obtained a driver's license in another state based on information provided by the Division of Motor Vehicles under § 3-2-4a(g) of this code.

(g) The amendments to this section enacted by the Legislature in the 2024 Regular Session are effective January 1, 2025.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 624—A Bill to amend and reenact §3-2-6 and §3-2-27 of the Code of West Virginia, 1931, as amended, all relating to voting procedures; providing hours for operation of an office during period of registration application before an election; and relating to authorizing cancellation of voter registration records for individuals who are no longer West Virginia citizens and who have obtained a driver's license in another state.

On motion of Senator Trump, the following amendment to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 624) was reported by the Clerk and adopted:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 624—A Bill to amend and reenact §3-2-6 and §3-2-27 of the Code of West Virginia, 1931, as amended, all relating to voter registration procedures; specifying times of closure of voter registration before election; and authorizing cancellation of voter registration for individuals who are no longer West Virginia citizens and who have obtained driver's license in another state.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 624, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for S. B. 624) passed with its Senate amended title.

Senator Takubo moved that the bill take effect January 1, 2025.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for S. B. 624) takes effect January 1, 2025.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 755, Providing safeguards for online sales of tobacco products.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking everything after the enacting clause and inserting, in lieu thereof, the following:

ARTICLE 9E. DELIVERY SALES OF TOBACCO PRODUCTS.

§16-9E-1. Definitions.

For purposes of this article:

~~(a) "Adult" means a person who is at least the legal minimum purchase age, as defined by section two, article nine a of this chapter.~~

~~(b)(1) "Consumer" means an individual who does not hold a business registration certificate in this state for the business of selling tobacco products as a wholesale or retail dealer.~~

~~(c)(2) "Delivery sale" means any sale of cigarettes a tobacco product to a consumer in this state where either: (1) (A) The purchaser submits the order for such sale by means of a telephonic or other method of voice transmission, the mails or any other delivery service, or the internet or other online service the consumer submits the order for the sale by means of a telephone or other method of voice transmission, the mails, or the Internet or other online service, or the seller is otherwise not in the physical presence of the buyer when the request for purchase or order is made; or (2) (B) the cigarettes are delivered by use of the mails or a delivery service. A sale of cigarettes shall be a delivery sale regardless of whether or not the seller is located within this state the tobacco product is delivered to the buyer by common carrier, private delivery service, or other method of remote delivery, or the seller is not in the physical presence of the buyer when the buyer obtains possession of the cigarettes or smokeless tobacco: A *Provided*, That a sale of cigarettes a tobacco product not for personal consumption to a person who holds a business registration certificate as a wholesale dealer or a retail dealer shall not be is not a delivery sale.~~

~~(d)(3) "Delivery service" means any person who is engaged in the commercial delivery of letters, packages, or other containers.~~

~~(e)(4) "Department" means the State Tax Department.~~

~~(f)(5) "Electronic smoking device" means any device that can be used to deliver any heated, aerosolized, or vaporized solution to the person inhaling from the device, including, but not limited to, any e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic smoking device includes any component part, or accessory of the device, whether or not sold separately, and includes any solution intended to be heated, aerosolized, or vaporized during the use of the device, whether or not the solution contains nicotine. Electronic smoking device does not include drugs, devices, or combination products approved by the United States Food, Drug, and Cosmetic Act.~~

~~(f)(6) "Legal minimum purchase age" is at least eighteen 21 years of age as defined by section two, article nine a of this chapter for the purchase of cigarettes in this state shall have the same meaning as provided in §16-9A-1 et seq. of this code.~~

~~(g)(7) "Mails" or "mailing" means the shipment of cigarettes any tobacco product through the United States postal service.~~

~~(h) "Shipping container" means a container in which cigarettes are shipped in connection with a delivery sale.~~

~~(i) "Shipping documents" means bills of lading, airbills, or any other documents used to evidence the undertaking by a delivery service to deliver letters, packages, or other containers.~~

~~(8) "Tobacco product" means any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether absorbed, inhaled, or ingested by any other means, including, but not limited to, cigarettes, cigarillos, little cigars, snuff, snus, chewing tobacco, or other common tobacco-containing products. A "tobacco product" also includes electronic smoking devices and any accessory of a tobacco product or electronic smoking device.~~

whether or not any of these contain tobacco or nicotine, including, but not limited to, filters, rolling papers, blunt or hemp wraps, and pipes. A "tobacco product" does not include drugs, devices, or combination products that are regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act, , nor does "tobacco product" include cigars as defined in Title 26 U.S.C. §5702.

§16-9E-2. Requirements for delivery sales.

(a) ~~No person~~ A person shall not, make in connection with a delivery sale, ~~of cigarettes~~ accept a purchase order, sell, mail, deliver, or cause to be delivered any tobacco product to any individual who is under the legal minimum purchase age in this state.

(b) Each person accepting a purchase order for, selling, mailing, delivering, or cause to be delivered of any tobacco product in connection with a delivery sale shall comply with:

(1) The applicable age verification requirements set forth in ~~section three of this article~~ §16-9E-3 of this code;

(2) ~~The disclosure requirements set forth in subdivision (3), subsection (a), section three of this article;~~

(3)~~(2)~~ The applicable shipping requirements set forth in ~~section four of this article~~ §16-9E-4 of this code;

(4)~~(3)~~ The applicable registration and reporting requirements set forth in ~~section five of this article~~ §16-9E-5 of this code;

(5)~~(4)~~ The tax collection requirements set forth in ~~section six of this article~~ §16-9E-6 of this code; and

(6)~~(5)~~ All other laws of this state generally applicable to sales of ~~cigarettes~~ tobacco products that occur entirely within this state, including, but not limited to, those laws imposing:

(i)~~(A)~~ Excise taxes;

(ii)~~(B)~~ ~~sales~~ Sales taxes;

(iii)~~(C)~~ ~~license~~ License and revenue-stamping requirements; and

(iv)~~(D)~~ ~~escrow~~ Escrow or other payment obligations.

§16-9E-3. Age verification requirements.

(a) ~~No person~~ A person shall not, ~~mail, ship, or otherwise deliver cigarettes~~ in connection with a delivery sale, ~~unless prior to the first delivery sale to a consumer, the person:~~ accept a purchase order, sell, mail, deliver, or cause to be delivered any tobacco product that is subject to 15 U.S.C. §375 et seq. unless the delivery sale complies with all applicable age verification requirements of 15 U.S.C. §376a.

(1) ~~Obtains from the prospective consumer a certification that includes a reliable confirmation that the consumer is at least the legal minimum purchase age and a statement signed by the prospective consumer in writing that certifies the prospective consumer's address and that the~~

~~consumer is at least eighteen years of age. The statement shall also confirm: (i) That the prospective consumer understands that it is illegal to sign another person's name to the certification; (ii) that the sale of cigarettes to individuals under the legal minimum purchase age is illegal; and (iii) that the purchase of cigarettes by individuals under the legal minimum purchase age is illegal under the laws of this state;~~

~~(2) Verifies the information contained in the certification provided by the prospective consumer against an appropriate database of government records available to the distributor or seller, or obtains simultaneous with the certificate as provided for in subdivision (1), a photocopy or other image of the valid, government issued identification stating the date of birth or age of the individual placing the order;~~

~~(3) Sends to the prospective consumer, via e-mail or other means, a notice that contains: (A) A prominent and clearly legible statement that cigarette sales to a consumer below the legal minimum purchase age is illegal; (B) a prominent and clearly legible statement that consists of one of the warnings set forth in section 4(a)(1) of the federal Cigarette Labeling and Advertising Act, 15 U.S.C. §1333(a)(1), rotated on a quarterly basis; (C) a prominent and clearly legible statement that sales of cigarettes are restricted to those consumers who provide verifiable proof of age in accordance with section three of this article; and (D) a prominent and clearly legible statement that cigarette sales are subject to excise and sales taxes in this state, and an explanation of how such taxes have been, or are to be, paid with respect to the delivery sale.~~

~~(4) In the case of an order for cigarettes pursuant to an advertisement on the Internet, receives payment for the delivery sale from the prospective consumer by a credit or debit card or check that has been issued in the consumer's name.~~

~~(b) Persons accepting purchase orders for delivery sales may request that prospective consumers provide their e-mail addresses.~~

(b) A person may use a check box on an internet website or mobile application to confirm the full name, birth date, and registered address of a purchaser prior to accepting a delivery sale for a tobacco product via an internet website or mobile application if:

(1) The purchaser provided his or her full name, birth date, and registered address upon registering as a user of the internet website or mobile application; and

(2) The person has verified the full name, birth date, and registered address of the purchaser upon registration using a commercially available database or aggregate of databases, consisting primarily of data from government sources, that are regularly used by government and businesses for the purpose of age and identity verification and authentication, to ensure that the purchaser is of the legal minimum purchase age.

(c) A person who obtains a consumer's electronic signature upon delivery of a tobacco product shall be deemed to satisfy 15 U.S.C. § 376a.

§16-9E-4. Shipping and labeling requirements.

(a) Each person who, mails, ships, or otherwise delivers cigarettes A person shall not, in connection with a delivery sale, accept a purchase order, sell, mail, deliver, or cause to be delivered any tobacco product that is subject to 15 U.S.C. §375 et seq. unless the delivery sale complies with all applicable shipping and labeling requirements of 15 U.S.C. §376a.

~~(1) Shall include as part of the bill of lading or other shipping documents a clear and conspicuous statement providing as follows: "Cigarettes: West Virginia Law Prohibits Shipping to Individuals Under 18, and Requires the Payment of all Applicable Taxes";~~

~~(2) Shall use a method of mailing, shipping, or delivery that obligates the delivery service to require: (i) The consumer placing the purchase order for the delivery sale, or another adult of legal minimum purchase age, to sign to accept delivery of the shipping container; and (ii) proof, in the form of a valid, government-issued identification bearing a photograph of the individual who signs to accept delivery of the shipping container, demonstrating that he is either the addressee or another adult of legal minimum purchase age; and~~

~~(3) Shall provide to the delivery service retained for such delivery sale evidence of full compliance with section seven of this article.~~

~~(b) A delivery service shall be in violation of this article if it: (1) Ships or otherwise delivers cigarettes in connection with a delivery sale without first receiving evidence of compliance with section seven of this article; or (2) fails to comply with the requirements described in subsection (a) or described in section six of this article:~~

~~(1) When obligated to do so under a method of shipping or delivery;~~

~~(2) When delivering any container pursuant to shipping documents containing the statement described in subdivision (1), subsection (a) of this section; or~~

~~(3) When delivering any container that the delivery service otherwise has reason to know contains cigarettes.~~

~~(c) If the person accepting a purchase order for a delivery sale delivers the cigarettes without using a delivery service, that person shall comply with all requirements of this article applicable to a delivery service and shall be in violation of the provisions of this article upon failure to comply with the requirements.~~

§16-9E-5. Registration and reporting requirements.

~~(a) Prior to making delivery sales or mailing, shipping, or otherwise delivering cigarettes in connection with any such sales, every person shall file with the department a statement setting forth the seller's name, trade name, and the address of the seller's principal place of business and any other place of business. A person shall not, in connection with a delivery sale, accept a purchase order, sell, mail, deliver, or cause to be delivered any tobacco product that is subject to 15 U.S.C. §375 et seq. unless the delivery sale complies with all applicable record-keeping requirements of 15 U.S.C. §376a.~~

~~(b) Not later than the tenth day of each calendar month, each person that has made a delivery sale or mailed, shipped, or otherwise delivered cigarettes in connection with any such sale during the previous calendar month shall file with the department a memorandum or a copy of the invoice that provides for each and every delivery sale: A person shall not, in connection with a delivery sale, accept a purchase order, sell, mail, deliver, or cause to be delivered from a location outside of this state to a consumer within this state any tobacco product that is subject to 15 U.S.C. §375 et seq. unless the person complies with all applicable requirements of 15 U.S.C. §376.~~

~~(1) The name and address of the consumer to whom the delivery sale was made;~~

~~(2) The brand or brands of the cigarettes that were sold in the delivery sale; and~~

~~(3) The quantity of cigarettes that were sold in the delivery sale.~~

~~(c) Any person that satisfies the requirements of 15 U.S.C. §376 shall be deemed to satisfy the requirements of this section.~~

§16-9E-6. Collection of taxes.

Each person accepting a purchase order for a delivery sale of any tobacco product shall collect and remit to the department all cigarette applicable taxes under §11-17-1 et seq. imposed by this state with respect to such delivery sale, except that the collection and remission shall not be required to the extent the person has obtained proof, in the form of the presence of applicable tax stamps or otherwise, that the taxes already have been paid to this state.

§16-9E-7. Penalties.

(a) Except as otherwise provided in this section, a first violation of any provision of this article shall be a misdemeanor and punishable by a fine of \$500 or five times the retail value of the cigarettes tobacco products involved, whichever is greater.

(b) Any person who knowingly violates any provision of this article, or who knowingly and falsely submits a certification under ~~section three of this article~~ §16-9E-3 of this code in another person's name, shall be is guilty of a misdemeanor and, upon conviction thereof, shall be fined \$1,000 or 10 times the retail value of the cigarettes tobacco products involved, whichever is greater, or confined in jail not more than six months, or both.

(c) Any person failing to collect or remit to the department any tax required in connection with a delivery sale shall be assessed, in addition to any other penalty, a penalty of five times the retail value of the cigarettes tobacco products involved.

(d) Any cigarettes tobacco products sold or attempted to be sold in a delivery sale that does not meet the requirements of this article shall be forfeited to this state and destroyed. All fixtures, equipment, and all other materials and personal property on the premises of any person who, with the intent to defraud this state, violates any of the requirements of this article, shall be forfeited to this state.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 755—A Bill to amend and reenact §16-9E-1, §16-9E-2, §16-9E-3, §16-9E-4, §16-9E-5, §16-9E-6, and §16-9E-7 of the Code of West Virginia, 1931, as amended, all relating to the delivery sales of tobacco products; expanding article to regulate all tobacco products; defining terms; clarifying that delivery sale may be via Internet website or mobile application; prohibiting delivery sales of tobacco products to underage individuals; requiring delivery sales of tobacco products to comply with certain requirements; prohibiting persons from accepting a purchase order, selling, mailing, delivering, or causing to be delivered certain tobacco products without complying with certain applicable requirements for age verification, shipping, labeling, registration, and reporting; authorizing use of check box for confirming certain purchaser information to make purchase order for delivery sale of tobacco

products via Internet website or mobile application if certain criteria met; requiring collection and remission of applicable excise taxes; and establishing criminal penalties for violations of article.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 755, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for S. B. 755) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 803, Updating definitions for assessment of real property.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, section 3, following the enacting clause, by striking the remainder of the bill in its entirety and inserting in lieu thereof the following:

ARTICLE 4. ASSESSMENT OF REAL PROPERTY.

§11-4-3. Definitions.

(a) For the purpose of giving effect to the Tax Limitations Amendment, this chapter shall be interpreted in accordance with the following definitions, unless the context clearly requires a different meaning:

(4) "Owner" means the person, as defined in §2-2-10 of this code, who is possessed of the freehold, whether in fee or for life. A person seized or entitled in fee subject to a mortgage or deed of trust securing a debt or liability is considered the owner until the mortgagee or trustee takes possession, after which the mortgagee or trustee shall be considered the owner. A person who has an equitable estate of freehold, or is a purchaser of a freehold estate who is in possession before transfer of legal title is also considered the owner. Owner ~~shall also include~~ includes the corporation or other organization possessed of the freehold of a qualified continuing care

retirement community. Owner includes homeowners who have vacated their owner-occupied, single-family, residential property, which was their most recent primary residence, and have listed that property for sale with a licensed real estate broker, and have not leased said property to anyone since vacating said property. Owner means the person who is using and occupying all or a portion of a parcel of real estate the freehold of which is possessed by a family trust: *Provided*, That the parcel is used and occupied by the owner thereof exclusively for residential purposes.

(2) "Used and occupied by the owner thereof exclusively for residential purpose" means actual habitation by the owner, or the owner's spouse, an immediate family member of the owner, or a qualified resident of all or a portion of a parcel of real property as a place of abode to the exclusion of any commercial use: *Provided*, That if the parcel of real property was unoccupied at the time of assessment and either:

(A) Was used and occupied by the owner thereof exclusively for residential purposes on July 1, of the previous year assessment date;

(B) ~~was~~ Was unimproved on July 1, of the previous year but a building improvement for residential purposes was subsequently constructed thereon between that date and the time of assessment; or

(C) ~~is~~ Is retained by the property owner for noncommercial purposes and was most recently used and occupied by the owner or, the owner's spouse, or an immediate family member of the owner as a residence and the owner, as a result of illness, accident or infirmity, is residing with a family member or is a resident in a nursing home, personal care home, rehabilitation center or similar facility, then the property shall be considered "used and occupied by the owner thereof exclusively for residential purpose": *Provided*, That nothing herein contained ~~shall permit~~ permits an unoccupied or unimproved property to be considered "used and occupied by the owner thereof exclusively for residential purposes" for more than one year unless the owner, as a result of illness, accident or infirmity, is residing with a family member or is a resident of a nursing home, personal care home, rehabilitation center or similar facility. Except in the case of a qualified continuing care retirement community, if a license is required for an activity on the premises or if an activity is conducted thereon which involves the use of equipment of a character not commonly employed solely for domestic as distinguished from commercial purposes, the use may not be considered to be exclusively residential. ~~In the case of qualified~~ Qualified continuing care retirement community, uses attendant to the functioning of the qualified continuing care retirement community, including, without limitation, cafeteria, laundry, personal and health care services, ~~shall may~~ not be considered a commercial ~~use~~ uses even if such activity or equipment requires a separate license or payment.

(3) "Family member" means a person who is related by common ancestry, adoption or marriage including, but not limited to, persons related by lineal and collateral consanguinity.

"Family trust" means a trust the trustees and beneficiaries of which include only the person who is possessed of the freehold and his or her immediate family members.

"Immediate family member" means a spouse, child, sibling, parent, grandparent, or grandchild. This includes stepparents, stepchildren, stepsiblings, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, and adoptive relationships.

(4) "Farm" means a tract or contiguous tracts of land used for agriculture, horticulture or grazing and includes all real property designated as "wetlands" by the United States Army Corps of Engineers or the United States Fish and Wildlife Service.

(5) "Occupied and cultivated" means subjected as a unit to farm purposes, whether used for habitation or not, and although parts may be lying fallow, in timber or in wastelands.

(6) "Qualified continuing care retirement community" means a continuing care retirement community:

(A) Owned by a corporation or other organization exempt from federal income taxes under the Internal Revenue Code;

(B) ~~used~~ Used in a manner consistent with the purpose of providing housing and health care for residents; and

(C) ~~which~~ Which receives no Medicaid funding under the provisions of ~~article four-b, chapter nine §9-4B-1 et seq.~~ of this code. For purposes of this section, a continuing care retirement community is a licensed facility under the provisions of ~~articles five-c and five-d, chapter sixteen §16-5C-1 et seq. and §16-5D-1 et seq.~~ of this code at which independent living, assisted living, and nursing care, if necessary, are provided to qualified residents.

"Qualified resident" means a person who contracts with a qualified continuing care retirement community to reside therein, in exchange for the payment of an entrance fee or deposit, or payment of periodic charges, or both.

~~(b)(1) Effective date of amendments.~~ Amendments to this section enacted during the 2006 regular session of the Legislature shall have retroactive effect to and including July 1, 2005, and shall apply in determining tax for tax years beginning January 1, 2006, and thereafter.

~~(2) Effective date of amendments.~~ - Amendments to this section enacted during the 2007 regular session of the Legislature shall take effect on July 1, 2007.

(3) Amendments to this section enacted during the 2024 regular session of the Legislature shall take effect on July 1, 2024.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng Senate Bill 803—A Bill to amend and reenact §11-4-3 of the Code of West Virginia, 1931, as amended, relating to definitions used for assessment of real property; providing definitions for immediate family member and family trust; providing that owner includes homeowners who have vacated their homes under certain circumstances; including use by an immediate family member in definition of used and occupied by the owner thereof exclusively for residential purposes; and providing for owner when freehold possessed by a family trust.

On motion of Senator Trump, the following amendment to the House of Delegates amendments to the bill (Eng. S. B. 803) was reported by the Clerk and adopted:

On page 2, line 44, by striking out the words "trustees and".

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 803, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 803) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 803) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 4812, Capping amount of moneys to third party vendors who collect business and occupation taxes on behalf of cities.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

On further motion of Senator Takubo, the Senate acceded to the request of the House of Delegates and receded from its amendments to the bill.

Engrossed Committee Substitute for House Bill 4812, as amended by deletion, was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Maroney, Oliverio, Phillips, Plymale, Queen, Roberts, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—21.

The nays were: Azinger, Chapman, Jeffries, Karnes, Martin, Maynard, Rucker, Smith, Stover, and Stuart—10.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, a majority of all the members present and voting having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for H. B. 4812) passed with its title.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 5084, Require retailers to verify identification and age upon purchase of vape products.

On motion of Senator Takubo, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Weld appointed the following conferees on the part of the Senate:

Senators Weld, Stuart, and Woelfel.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 5317, Making it permissive for commercial motor vehicles registered in this state to pass an annual inspection of all safety equipment to be consistent with the federal motor carrier safety regulations.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

On further motion of Senator Takubo, the Senate acceded to the request of the House of Delegates and receded from its amendments to the bill.

Engrossed Committee Substitute for House Bill 5317, as amended by deletion, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, a majority of all the members present and voting having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for H. B. 5317) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for H. B. 5317) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 679, Regulating certain plant-based derivatives, hemp-derived cannabinoid products, and Kratom.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

CHAPTER 19. AGRICULTURE.

ARTICLE 12E. INDUSTRIAL HEMP DEVELOPMENT ACT.

§19-12E-12. Regulation of select plant-based derivatives; findings; industrial hemp.

(a) This section shall be known as the Select Plant-Based Derivatives Regulation Act: Industrial Hemp.

(b) The Legislature finds that ~~certain~~ select plant-based derivatives can be regulated so as not to interfere with the strict regulation of controlled substances in this state, and that the manufacturing, processing, distribution, and retail sale, or other sale of hemp-derived cannabinoid products is an activity deserving of particular, careful, and strict attention to the administration and enforcement of West Virginia standards designed to protect and safeguard the welfare and well-being of West Virginia citizens and residents. The purpose of the act is to allow limited, regulated access to ~~certain~~ select plant-based derivatives which are naturally occurring and as authorized by the provisions of this article for adults 21 years of age and older: *Provided*, That the provisions of this section shall not apply to naturally occurring select plant-based derivative products not containing tetrahydrocannabinol content. Businesses located within this state engaged in

manufacturing, processing, distributing, or sale of hemp-derived cannabinoid products and businesses located outside of this state that are engaged in the remote distribution or remote retail sale of hemp-derived cannabinoid products across state lines for delivery into this state, are subject to the permitting, labeling, and other control and administration provisions of this article. In the interest of protecting the safety, welfare, and well-being of West Virginia citizens and residents, West Virginia nexus and jurisdiction attaches for purposes of business registration, permitting, regulation, and taxation with relation to the activity of distribution or sale of hemp-derived cannabinoid products across state lines into this state. Persons located outside of this state that are engaged in distribution or sale of hemp-derived cannabinoid products across state lines into this state shall obtain a West Virginia business registration certificate as specified in §11-12-1 et seq. of this code and are subject to other administrative and regulatory requirements as set forth in this code.

(c) As used in this section:

~~(1) "Alcohol Beverage Control Administration Commissioner" means the West Virginia Alcohol Beverage Control Administration Commissioner or his or her designees.~~

~~(2)~~ (1) "Commissioner" means the Commissioner of Agriculture or his or her designees.

~~(3)~~ (2) "Contaminated" means made impure ~~and~~ or unsafe by biological, chemical, or physical additives.

~~(4)~~ (3) "Department" or "Department of Agriculture" means the West Virginia Department of Agriculture.

~~(5)~~ (4) "Final product" means a product approved by the Department in accordance with the provisions of this article, and any other applicable rules and requirements set forth by the Department, as specified for the product.

~~(6)~~ (5) "Grower" means a person or entity which grows industrial hemp.

(6) "Hemp-derived cannabinoid" means a naturally occurring non-synthetic substance as follows:

(A) Delta-9 tetrahydrocannabinol with a concentration level consistent with 7 U.S.C. §5940 with a total concentration of not more than 0.3 percent on a dry weight basis;

(B) Delta-8 tetrahydrocannabinol;

(C) Delta-10 tetrahydrocannabinol;

(D) Hexahydrocannabinol (HHC₂);

(E) Tetrahydrocannabiphorol (THCp); and

(F) Tetrahydrocannabivarin (THCv).

~~(7) "Manufacturer" means a person or entity which grows industrial hemp.~~

~~(8)~~ (7) "Non-naturally occurring derivative" means a product that is contaminated as defined by this article, or a product that, upon result of Department laboratory testing, is found to be in

violation of this article or rules promulgated therewith, or otherwise violates applicable federal regulations.

~~(9)~~ (8) "Processor" or "manufacturer" means a person or entity that processes compounds or converts hemp-derived cannabinoids into a hemp-derived cannabinoid product and distributes, sells, or offers for sale, hemp-derived cannabinoid products in this state on a wholesale basis to a retailer.

~~(14)~~ (9) "Retail sales" means the sale of hemp-derived products in a commercial setting as determined and set forth in rules promulgated by the commissioner. ~~of Agriculture.~~

~~(10)~~ (10) "Seller" or "distributor" means a person or entity that distributes, offers for sale, or sells hemp-derived products to persons for personal consumption.

(d) Permitting and registration.

(1) The commissioner may issue manufacturer, processor, distributor, and retailer permits. Any person manufacturing, processing, distributing, offering for sale, or selling any hemp-derived cannabinoid products in this state shall have a permit issued by the commissioner and be otherwise authorized to do business in this State. ~~The commissioner may issue manufacturer, processor, distributor, and retailer permits.~~

(2) The business activity subject to permitting under this section shall be treated as separate and distinct from manufacturing, processing, distribution, or sale of kratom and kratom products addressed and administered under §19-12F-1 *et seq.* of this code, or of hemp addressed and administered under other sections of this article, or of medical cannabis addressed and administered under §16A-9-1 *et seq.* of this code.

(3) Persons engaged in manufacturing, processing, distribution, or sale of hemp-derived cannabinoid products in this state shall obtain a West Virginia business registration certificate as specified in §11-12-1 *et seq.* of this code and are subject to other administrative and regulatory requirements set forth in this code.

(4) The Tax Commissioner may place a notation on the business registration certificate showing the status of the certificate holder as a person or entity holding a permit from the commissioner pursuant to this section.

(5) The commissioner shall keep a list of all persons and entities that have been issued permits pursuant to this section. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

(6) The commissioner shall keep a list of any persons or entities that have been subject to a permit revocation, withdrawal, suspension, non-renewal, or other process whereby the person or entity has ceased to be a permit holder in good standing with the commissioner.

(7) The commissioner shall keep a list of all hemp-derived cannabinoid products that have been approved for sale or distribution in this state. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

(e) Rules. The commissioner of Agriculture shall propose legislative rules for promulgation in accordance with §29A-3-1 *et seq.* of this code that include, but are not limited to:

(1) Issuance of permits to persons who wish to manufacture, handle, process, distribute, offer for sale, or sell hemp-derived cannabinoid products;

(2) Regular sampling and testing of hemp-derived cannabinoid products to determine purity levels;

(3) Supervision of the hemp-derived cannabinoid products during their cultivation, processing, and sale;

(4) Assessment of fees as commensurate with the need of the commissioner's activities in issuing permits, laboratory testing, and in overseeing the regulation of hemp-derived products. Such fees shall be in addition to those fees specified in subsection (d) of this section;

(5) Approving the manufacture, production, sale, processing, distributing, and transport of hemp-derived cannabinoid products;

(6) Developing guidelines for the labeling of hemp-derived cannabinoid products, including, but not limited to, a statement which says "KEEP OUT OF REACH OF CHILDREN. CONSULT YOUR PHYSICIAN BEFORE USE IF YOU ARE PREGNANT OR TAKING ANY MEDICATION" and "USE OF THIS PRODUCT MAY IMPACT DRUG TESTING RESULTS";

(7) Developing guidelines or standards related to the display or staging of hemp-derived cannabinoid products to increase the safety of underage patrons in retail environments;

(8) Developing guidelines or standards to restrict the advertising or marketing of unapproved or unlawful products;

(9) Developing prohibitions on child-targeted packaging and shapes and forms of products;

(10) Developing administrative rules, procedures, and sanctions for violations of this section; and

(11) Any other rules and procedures necessary to carry out the purposes of this article.

(f) Emergency rules; mandatory labeling.

(1) Emergency Rules. The commissioner may, pursuant to §29A-3-15 of this code, promulgate such separate or joint emergency rules as are necessary to effectuate the purposes of this article.

(2) Labeling.

(A) The commissioner shall review labels to be used on hemp-derived cannabinoid products to be sold in this state.

(B) In addition to the labeling required by the provisions of subdivision (6) of subsection (e) of this section the commissioner may require and prescribe such labeling as he or she may determine to be necessary and appropriate for hemp-derived cannabinoid products to be sold to the final consumer in this state.

(C) Hemp-derived cannabinoid products may not be sold to the final consumer in this State without an approved label.

(g) Any website owned, managed, or operated by a person who manufactures, processes, distributes, offers for sale, or sells hemp-derived cannabinoid products to persons in this state shall employ a neutral age-screening mechanism to verify legal age. The mechanism may include an age-gate, age-screen, or any other age-verification mechanism approved by the commissioner.

(h) Any person or entity distributing, offering to distribute, or selling hemp-derived cannabinoid products to persons in this state by ~~other~~ means other than a direct in-person transaction ~~may~~ shall employ an age verification mechanism approved by the commissioner. ~~of Agriculture.~~

~~(i) In addition to all other applicable taxes, there is hereby levied an additional tax equal to 11 percent of the retail sales price on each retail sale of hemp-derived cannabinoids for the privilege of engaging in the business of selling hemp-derived cannabinoid products. For the privilege of engaging or continuing within this state in the business of the retail sale of hemp-derived cannabinoid products, as defined in subdivision (6), subsection (a) of this section, there is hereby levied upon and collected from every person exercising the privilege a privilege tax equal to 11 percent of the retail sales price on each retail sale of hemp-derived cannabinoids. Such tax is imposed in addition to all other applicable taxes.~~

~~(2) (1) The rate of tax imposed by this subsection is 11 percent of the retail sales price of hemp-derived cannabinoid products sold during the reporting period, depending upon the person's method of accounting for federal income tax purposes. The tax imposed by this subsection shall not be added by the retailer as a separate charge or line item on any sales slip, invoice, receipt, other statement, or memorandum of the price paid by a customer. (3) The tax shall be due and payable on a quarterly basis as follows: on the 20th day of January, April, July, and October for the preceding calendar quarter. When the payment of tax is due, the person or entity permitted by the commissioner shall file a tax return in a form prescribed by the Tax Commissioner. The Tax Commissioner may require such forms, schedules, and returns and impose such filing and remittance requirements that are necessary or convenient for the efficient administration of taxes imposed by this subsection.~~

~~(2) The taxes imposed by this subsection shall be paid by the person or entity permitted by the commissioner to the Tax Commissioner by electronic funds transfer unless electronic payment is prohibited by state or federal law. Tax returns required by this subsection shall be filed electronically with the Tax Commissioner.~~

~~(4) (3) The West Virginia use tax shall be collected from sellers and marketplace facilitators as defined in §11-15A-1 of this code, and referrers engaged in making sales, facilitating sales, marketing, or referring sellers or purchasers for the purpose of making or furthering retail sales of hemp-derived cannabinoid products into this state. Such sellers, marketplace facilitators, and referrers are subject to the taxation and other requirements of §11-15A-1 et seq. of this code, including §11-15A-6a and §11-15A-6b of this code. Application of §11-15A-6a and §11-15A-6b of this code shall not be limited to the thresholds specified in subsection §11-15A-6b(e) of this code but in the interest of protecting the safety, welfare, and well-being of West Virginia citizens and residents, West Virginia nexus and jurisdiction shall attach with relation to any such activity for the purpose of making or furthering retail sales of hemp-derived cannabinoid products, into this state.~~

~~(5)~~ (4) If any retailer does not renew its permit, relinquishes its permit, has ~~said its~~ permit to operate suspended or revoked, or otherwise ceases selling hemp-derived cannabinoid products, then any tax, additions to tax, penalties, and interest imposed by this section and by §11-10-1 *et seq.* of this code shall become due and the retailer shall make a final return or returns and pay any tax which is due within 90 days of not renewing its permit, relinquishing its permit, having its permit to operate suspended or revoked, or otherwise ceasing business. The unpaid amount of any tax is to be considered a lien.

~~(6)~~ (5) All money received from the privilege tax imposed under this ~~subsection~~ section, including any interest and additions to tax paid under §11-10-1 *et seq.* of this code, less the amount of any refunds, and less the fee retained by the Tax Commissioner pursuant to §11-10-27 of this code, shall be deposited into the Agricultural Fees Fund created by §19-1-4c of this code.

~~(7)~~ (6) Persons or entities subject to the tax imposed by this ~~subsection~~ section shall provide to the Tax Commissioner any information required by the Tax Commissioner to administer, collect, and enforce the tax imposed by this ~~subsection~~ section.

~~(8)~~ (7) Notwithstanding any provision of §11-10-1 *et seq.* of this code or of this ~~section~~ article to the contrary, the Tax Commissioner and the commissioner ~~shall~~ may enter into written agreements pursuant to which the Tax Commissioner ~~shall~~ may disclose to designated employees of the ~~department~~ commissioner, whether a particular retailer or permittee, or applicant for a permit, is in good standing with the Tax Commissioner, and the commissioner of Agriculture ~~shall~~ may disclose to designated employees of the Tax Commissioner information a retailer or permittee, or applicant for a permit, provides to the commissioner pursuant to this code. Tax information disclosed pursuant to a written agreement shall remain confidential in the hands of the receiver and shall not be disclosable under §29B-1-1 *et seq.* of this code. To the extent feasible, this information should be shared or exchanged electronically to ensure safe destruction, or as necessary, proper file retention practices.

~~(9)~~ (8) The Tax Commissioner may promulgate, in accordance with the provisions of §29A-3-1 *et seq.* of this code, any necessary legislative rules, including emergency rules, as the Tax Commissioner considers necessary for the efficient administration of taxes imposed by this subsection.

(A) Funds from the tax imposed by the provisions of subdivision (1) of this subsection, less the fee retained by the Tax Commissioner pursuant to §11-10-27 of this code, and deposited in the Agricultural Fees Fund, shall be divided and deposited as follows:

(i) ~~Sixty-five~~ Ninety-five percent shall remain in the Agriculture Fees Fund for the use of the commissioner for administering and enforcing the provisions of this article: *Provided*, That during each fiscal year, when the total amount of these deposits, when combined with the amount of the deposits required to be made into the Agriculture Fees Fund under §19-12F-7 of this code, equal \$750,000, the Tax Commissioner shall deposit into the general revenue fund any further amounts required to be made into the Agriculture Fees Fund under this section during that fiscal year; and;

(ii) Five percent shall be transferred to the Fight Substance Abuse Fund created by §60A-9-8 of this code.;

(iii) ~~Thirty percent shall be deposited in the Alcohol Beverage Control Enforcement Fund established by the provisions of §60-7-13 of this code."~~

(B) Notwithstanding any provision in §11-9-1 *et seq.* of this code to the contrary, and as relevant to the tax imposed by ~~§16A-9-1 of this code~~ this section, the West Virginia Tax Crimes and Penalties Act set forth in §11-9-1 *et seq.* of this code shall apply with like effect as if the said West Virginia Tax Crimes and Penalties Act were applicable only to the tax imposed by ~~§16A-9-1 *et seq.* of this code~~ this section and were set forth in extenso in ~~§16A-9-1 *et seq.* of this code~~ this section.

(C) Notwithstanding any provision of §11-10-1 *et seq.* of this code, or any other provision of this code to the contrary, each and every provision of the West Virginia Tax Procedure and Administration Act as set forth in §11-10-1 *et seq.* of this code applies to the tax imposed by ~~§16A-9-1 *et seq.*~~ this section with like effect as if the said West Virginia Tax Procedure and Administration Act were applicable only to the tax imposed by ~~§16A-9-1 *et seq.* of this code~~ this section and were set forth in extenso in ~~§16A-9-1 *et seq.* of this code~~ this section.

~~(j) All fees collected pursuant to the provisions of this subsection shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the Commissioner of Agriculture for administering and enforcing the provisions of this article~~

~~(k)(1) The provisions of this section related to retail sales shall be enforced by the commissioner of Agriculture with the assistance of the Alcohol Beverage Control Administration Commissioner.~~

~~(2) (1) The commissioner of Agriculture and the Tax Commissioner the Alcohol Beverage Control Administration Commissioner shall may enter into a memorandum or memoranda of develop a collaborative understanding to facilitate the enforcement of this section.~~

(2) Procedure for contested cases. Any person or entity seeking to contest an administrative action of the commissioner under this article shall assert such contestation in writing within 14 days under the provisions of the Administrative Procedures Act set forth in §29A-5-1 *et seq.* of this code in administrative proceedings held by or before the commissioner or his or her designee.

(l)(1) Any hemp-derived product found in this state in violation of this article is hereby declared contraband and any property interest in the hemp-derived product is vested in the State of West Virginia and is subject to seizure, forfeiture, and destruction.

(2) Any certified law-enforcement officer in this state ~~is authorized to~~ may enforce the criminal provisions of this section, and enforcement agents of the ~~Alcohol Beverage Control Administration Commissioner~~ commissioner ~~are authorized to~~ may enforce the administrative retailer provisions of this section as relating to retail sales.

(3) The commissioner shall provide the requisite training necessary to enforce the criminal and administrative provisions of this section.

(4) ~~The provisions of~~ amendments to this subsection enacted during the 2024 Regular Legislative Session are effective from passage.

(m) Any person who manufactures, processes, distributes, sells, or offers for sale any hemp-derived cannabinoid product in this state without a permit to do so is guilty of a crime.

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

(2) A second or subsequent violation of this subsection is a felony and, upon conviction thereof, a person shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(n) Any person who processes, distributes, manufactures, sells, or offers to sell any hemp-derived product knowing or having reason to know that the product has been contaminated with a toxic or illegal substance is guilty of a felony and, upon conviction thereof, shall be fined not more than \$10,000, or imprisoned in a state correctional facility for not less than two nor more than 10 years, or both fined and imprisoned.

(o)(1) Any person who knowingly manufactures, processes, distributes, sells, or offers for sale any hemp-derived cannabinoid product which has not been approved by the commissioner is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$5,000, or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, a second or subsequent violation of subdivision (1) of this subsection constitutes a felony and any person convicted thereof shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(p) Any person who knowingly distributes, offers for sale, or sells a contaminated hemp-derived cannabinoid product is guilty of a felony and, upon conviction thereof, shall be fined not less than \$10,000 nor more than \$25,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(q) Any person who knowingly distributes or sells hemp-derived cannabinoid product to a person under the age of 21 is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(r)(1) Any person under the age of 21 who possesses hemp-derived cannabinoid product is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, second and subsequent violations of subdivision (1) of this subsection, constitute a felony, and any person convicted thereof, shall be fined not more than \$5,000, and imprisoned in a state correctional facility for not less than one nor more than three years, or both fined and imprisoned.

(s) Administrative sanctions.

(1) In the case of any person or entity holding a permit issued by the commissioner under this article charged with any criminal violation enumerated in this section, the commissioner, in addition to such criminal penalties imposed, may impose administrative sanctions including, but not limited to, permanent revocation of any one or more permits held by the violator, revocation of one or more permits held by the violator for a period of time to be determined by the commissioner, suspension of any one or more permits held by the violator for a period of time to

be determined by the commissioner, a fine or fines to any one or more permits held by the violator not to exceed \$1,000 per each violation as determined by the commissioner, or non-issuance of a permit upon application of a violator. For purposes of this subsection, administrative sanctions may be imposed by the commissioner upon or against any alter ego, agent, representative, or person or entity acting on behalf of, or in the interest of, a violator.

(2) The commissioner may impose the administrative sanctions in subdivision (1) of this subsection upon any person or entity under indictment for any of the criminal violations during, and during the pendency, of a criminal trial therefor.

(t) Nothing in this article shall prohibit a person who is at least 18 years of age from purchasing or possessing hemp-derived cannabinoid products when he or she is acting upon the request of, or under the direction and control of, any member of a state, federal, or local law-enforcement agency while the agency is conducting an investigation or other activity relating to the criminal or administrative enforcement of this section.

ARTICLE 12F. SELECT PLANT-BASED PRODUCT DERIVATIVES REGULATION ACT: KRATOM.

§19-12F-1. Short title. Findings.

(a) This article shall be known as the Select Plant-Based Product Derivatives Regulation Act: Kratom.

(b) The Legislature finds that the manufacturing, processing, distributing, and sale of kratom or kratom products is an activity deserving of particular, careful, and strict attention to the administration and enforcement of West Virginia standards designed to protect and safeguard the welfare and well-being of West Virginia citizens and residents. Therefore, the permitting, labeling, and other control and administration provisions of this article apply to businesses located within this state engaged in manufacturing, processing, distribution, or sale of kratom or kratom products and to businesses located outside of this state that are engaged in the remote distribution or remote retail sale of kratom or kratom products across state lines for delivery into this state.

§19-12F-3. Definitions.

~~(1) "Alcohol Beverage Control Administration Commissioner" means the West Virginia Alcohol Beverage Control Administration Commissioner or his or her designee.~~

~~(2) (1) "The "Commissioner" means the Commissioner of Agriculture or his or her designee.~~

~~(3) (2) "Contaminated" means made impure and unsafe by biological, chemical, or physical additives.~~

~~(4) (3) "Department" or "Department of Agriculture" means the West Virginia Department of Agriculture.~~

~~(7) (4) "Grower" means a person or entity which grows kratom for commercial purposes.~~

(5) "Kratom" means a psychoactive preparation that is composed of the crushed or powdered dried leaves of the *mitragyna speciosa*, a yellow-flowered tropical tree which contains the alkaloids mitragynine and 7-hydroxymitragynine.

(6) "Kratom product" means a food product, food ingredient, dietary ~~agreement~~ ingredient, dietary supplement, or beverage intended or marketed for human consumption containing any part of the leaf of the plant *mitragyna speciosa*.

~~(7) "Manufacture" means a person or entity which grows kratom for commercial purposes.~~

~~(8) (7) "Processor" or "manufacturer" means a person or entity that processes, distributes, sells, or offers for sale, kratom or kratom products in this State on a wholesale basis to a retailer compounds, or converts plant material from *mitragyna speciosa* into a kratom product. This also includes further processing, compounding, converting, or repackaging of existing kratom products.~~

~~(9) (8) "Retailer" or "seller" means a person or entity that distributes, offers for sale, or sells kratom or kratom products to persons for personal consumption.~~

§19-12F-4. Processor and retailer permits; regulations; permitting; and registration.

(a) Any person manufacturing, processing, distributing, offering for sale, or selling any kratom or kratom products in this state shall have a permit issued by the commissioner and be otherwise authorized to do business in this state. The commissioner may issue ~~permits for manufacturers, processors, and retailers.~~ manufacturer, processor, distributor, and retailer permits. The business activity subject to permitting under this article shall be treated as separate and distinct from manufacturing, processing, distribution, or sale of hemp-derived cannabinoid products addressed and administered under §19-12E-12 of this code, or of hemp addressed and administered under §19-12E-1 *et seq.* of this code, or of medical cannabis addressed and administered under §16A-9-1 *et seq.* of this code.

(b) Persons engaged in manufacturing, processing, distribution, or sale of kratom or kratom products in this State must obtain a West Virginia business registration certificate as specified in §11-12-1 *et seq.* of this code and shall be subject to other administrative and regulatory requirements as set forth in this code.

(c) In the interest of protecting the safety, welfare, and well-being of West Virginia citizens and residents, West Virginia nexus and jurisdiction attaches for purposes of business registration, permitting, regulation and taxation with relation to the activity of distribution or sale of kratom or kratom products across State lines into this State. Persons located outside of this State that are engaged in distribution or sale of kratom or kratom products across state lines into this State must obtain a West Virginia business registration certificate as specified in §11-12-1 *et seq.* of this code and shall be subject to other administrative and regulatory requirements as set forth in this code.

(d) The Tax Commissioner may place a notation on the business registration certificate showing the status of the certificate holder as a person or entity holding a permit from the commissioner pursuant to this article.

(e) The commissioner shall keep a list of all persons and entities that have been issued permits pursuant to this article. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

(f) The commissioner shall keep a list of any persons or entities that have been subject to a permit, revocation, withdrawal, suspension, non-renewal, or other process whereby the person or entity has ceased to be a permit holder in good standing with the commissioner.

(g) The commissioner shall keep a list of all kratom and kratom products that have been approved for sale or distribution in this State. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

§19-12F-7. Taxation; disposition of funds.

(a) For the privilege of engaging or continuing within this state in the business of the retail sale of kratom or kratom products, there is hereby levied upon and collected from every person exercising the privilege a privilege tax ~~equal to (b) The rate of tax imposed by this subsection is 11 percent~~ 11 percent of the retail sales price of kratom or kratom products sold during the reporting period. Such tax is imposed in addition to all other applicable taxes.

(b) The tax imposed by this article shall not be added by the retailer as a separate charge or line item on any sales slip, invoice, receipt, other statement, or memorandum of the price paid by a customer.

(c) The tax shall be is due and payable on a quarterly basis as follows: on the 20th day of January, April, July, and October for the preceding calendar quarter. When the payment of tax is due, the person shall file a tax return in a form prescribed by the Tax Commissioner. The Tax Commissioner may require such forms, schedules, and returns and impose such filing and remittance requirements that are necessary or convenient for the efficient administration of taxes imposed by this subsection.

(d)(1) The taxes imposed by this subsection shall be paid to the Tax Commissioner by electronic funds transfer unless electronic payment is prohibited by state or federal law. Tax returns required by this subsection shall be filed electronically with the Tax Commissioner.

(2) The West Virginia use tax shall be collected from sellers, marketplace facilitators, and referrers engaged in making sales, facilitating sales, marketing, or referring sellers or purchasers for the purpose of making or furthering retail sales of kratom and kratom products into this state. The sellers, marketplace facilitators, and referrers are subject to the taxation and other requirements of §11-15A-1 et seq. of this code, including §11-15A-6a and §11-15A-6b of this code. Application of §11-15A-6a and §11-15A-6b of this code shall not be limited to the thresholds specified in subsection §11-15A-6b(e) of this code, but in the interest of protecting the safety, welfare, and well-being of West Virginia citizens and residents, West Virginia nexus and jurisdiction shall attach with relation to any such activity for the purpose of making or furthering retail sales of kratom and kratom products into this state.

(e) If any retailer does not renew its permit, relinquishes its permit, has ~~said its~~ its permit suspended or revoked, or otherwise ceases selling kratom and kratom products, then any tax, additions to tax, penalties, and interest imposed by this section and by §11-10-1 et seq. of this code shall become due and the retailer shall make a final return or returns and pay any tax which is due within 90 days of not renewing its permit, relinquishing its permit, having its permit suspended or revoked, or otherwise ceasing business. The unpaid amount of any tax is to be considered a lien.

(f) All money received from the privilege tax imposed under this subsection section, including any interest and additions to tax paid under §11-10-1 *et seq.* of this code, less the amount of any refunds, and less the fee retained by the Tax Commissioner pursuant to §11-10-27 of this code, shall be deposited into the Agricultural Fees Fund created by §19-1-4c of this code.

(g) Persons or entities subject to the tax imposed by this subsection shall provide to the Tax Commissioner any information required by the Tax Commissioner to administer, collect, and enforce the tax imposed by this subsection.

(h) Notwithstanding any provision of §11-10-1 *et seq.* of this code or of this ~~section~~ article to the contrary, the Tax Commissioner and the commissioner of Agriculture shall may enter into written agreements pursuant to which the Tax Commissioner shall may disclose to designated employees of the ~~department commissioner~~ whether a particular retailer or permittee, or applicant for a permit, is in good standing with the Tax Commissioner, and the commissioner of Agriculture shall may disclose to designated employees of the Tax Commissioner information a retailer or permittee, or applicant for a permit, provides to the commissioner of Agriculture pursuant to this code. Tax information disclosed pursuant to a written agreement shall remain confidential in the hands of the receiver and shall not be disclosable under §29B-1-1 *et seq.* of this code. To the extent feasible, this information should be shared or exchanged electronically to ensure safe destruction, or as necessary, proper file retention practices.

(i) The Tax Commissioner may promulgate, in accordance with the provisions of §29A-3-1 *et seq.* of this code, any necessary legislative rules ~~as~~ the Tax Commissioner determines necessary to the efficient administration of taxes imposed by this subsection.

(1) Funds from the tax imposed by the provisions of this ~~subsection~~ article, less the fee retained by the Tax Commissioner pursuant to §11-10-27 of this code, and deposited into the Agricultural Fees Fund shall be divided and deposited as follows:

~~(2)~~ (A) Sixty-five Ninety-five percent shall remain in the Agriculture Fees Fund for the use of the commissioner in administering and enforcing the provisions of this article: *Provided*, That during each fiscal year, when the total amount of these deposits, when combined with the amount of the deposits required to be made into the Agriculture Fees Fund under §19-12E-12 of this code, equal \$750,000, the Tax Commissioner shall deposit into the general revenue fund any further amounts required to be made into the Agriculture Fees Fund under this section during that fiscal year; and

~~(3)~~ (B) Five percent shall be transferred to the Fight Substance Abuse Fund created by §60A-9-8 of this code.; and

~~(4) Thirty percent shall be deposited in the Alcohol Beverage Control Enforcement Fund established by the provisions of §60-7-13 of this code.~~

(j) Notwithstanding any provision in §11-9-1 *et seq.* of this code to the contrary, and as relevant to the tax imposed by ~~§16A-9-1 this article~~, the West Virginia Tax Crimes and Penalties Act set forth in §11-9-1 *et seq.* of this code shall apply with like effect as if the said ~~the~~ West Virginia Tax Crimes and Penalties Act were applicable only to the tax imposed by ~~§16A-9-1 *et seq.* of this code~~ this article and were set forth in extenso in ~~§16A-9-1 *et seq.* of this code~~ this article.

(k) Notwithstanding any provision of §11-10-1 *et seq.* of this code, or any other provision of this code to the contrary, the West Virginia Tax Procedure and Administration Act, as set forth in

~~§11-10-1 et seq. of this code, applies to the tax imposed by §16A-9-1 et seq. this article with like effect as if the said West Virginia Tax Procedure and Administration Act were applicable only to the tax imposed by §16A-9-1 et seq. of this code this article and were set forth in extenso in §16A-9-1 et seq. of this code this article.~~

~~(l) All fees collected pursuant to the provisions of subsection shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the Commissioner in administering and enforcing the provisions of this article.~~

§19-12F-8 Application and registration fees.

(a) Applicants for kratom and kratom manufacturer, processor, distributor, or retailer permits shall pay a non-refundable application fee of \$1,500 which shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the commissioner for administering and enforcing the provisions of this article.

(b) Processors, manufacturers, distributors, and retailer permit holders shall pay an annual fee of \$300 which shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the commissioner in administering and enforcing the provisions of this article.

(c) The business activity subject to application, registration, and permitting under this article shall be treated as separate and distinct from manufacturing, processing, distribution, or sale of hemp-derived cannabinoid products, or of hemp addressed and administered under §19-12E-1 et seq. of this code, or of medical cannabis addressed and administered under §16A-9-1 et seq. of this code.

(d) Persons engaged in the manufacturing, processing, distribution, or sale of kratom and kratom products in this state must obtain a West Virginia business registration certificate as specified in §11-12-1 et seq. of this code and shall be subject to other administrative and regulatory requirements as set forth in this code.

(e) In the interest of protecting the safety, welfare, and well-being of West Virginia citizens and residents, West Virginia nexus and jurisdiction attaches for purposes of business registration, permitting, regulation, and taxation with relation to the activity of distribution or sale of kratom and kratom products across state lines into this state. Persons located outside of this state that are engaged in distribution or sale of kratom and kratom products across state lines into this state must obtain a West Virginia business registration certificate as specified in §11-12-1 et seq. of this code and shall be subject to other administrative and regulatory requirements as set forth in this code.

(f) The Tax Commissioner may place a notation on the business registration certificate showing the status of the certificate holder as a person or entity holding a permit from the commissioner pursuant to this article.

(g) The commissioner shall keep a list of all persons and entities that have been issued permits pursuant to this article. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

(h) The commissioner shall keep a list of any persons or entities that have been subject to a permit revocation, withdrawal, suspension, non-renewal, or other process whereby the person or entity has ceased to be a permit holder in good standing with the commissioner.

(i) The commissioner shall keep a list of all kratom and kratom products that have been approved for sale or distribution in this state. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

§19-12F-9. Cooperative enforcement agreements.

(a) The provisions of article related to retail sales shall be enforced by the commissioner ~~with the assistance of the Alcohol Beverage Control Administration Commissioner.~~

(b) ~~Pursuant to the labeling requirements under section nine-a of this article, the commissioner and the Alcohol Beverage Control Administration Commissioner~~ local law enforcement shall enter into a memorandum or memoranda of develop a collaborative understanding to facilitate enforcement of this article.

(c) Procedure for contested cases. Any person or entity seeking to contest an administrative action of the commissioner under this article shall bring such contestation in writing within 14 days under the provisions of the Administrative Procedures Act set forth in §29A-5-1 et seq. of this code in administrative proceedings held by or before the commissioner, or his or her designee.

§19-12F-9a. Mandatory labeling.

(a) The commissioner shall review labels to be used on kratom and kratom products to be sold in this state.

(b) The commissioner may require and prescribe such labeling as the commissioner may determine to be necessary and appropriate for kratom and kratom products to be sold to the final consumer in this state.

(c) Kratom and kratom products may not be sold to the final consumer in this state without an approved label.

§19-12F-11. Criminal violations; penalties.

(a) Any person who manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product in this state without a permit is guilty of a crime.

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

(2) A second or subsequent violation of this subsection is a felony and, upon conviction thereof, a person shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(b) Any person who manufactures, processes, distributes, sells, or offers to sell any kratom or kratom product knowing or having reason to know that the product has been contaminated with

a toxic or illegal substance is guilty of a felony and, upon conviction thereof, shall be fined not more than \$10,000, or imprisoned in a state correctional facility for not less than two nor more than 10 years, or both fined and imprisoned.

(c)(1) Any person who knowingly manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product which has not been approved by the commissioner is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$5,000, or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, a second or subsequent violation of subdivision (1) of this subsection constitutes a felony and any person convicted thereof shall be fined not more than \$5,000, or imprisoned for not less than one nor more than five years, or both fined and imprisoned.

(d) Any person who knowingly manufactures, distributes, offers for sale, or sells contaminated kratom or kratom product is guilty of a felony and, upon conviction thereof, shall be fined not less than \$10,000 nor more than \$25,000, or imprisoned for not less than one nor more than five years, or both fined and imprisoned.

(e) Any person who knowingly distributes or sells a kratom or a kratom product to a person under the age of 21 is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(f) (1) Any person under the age of 21 who possesses kratom or a kratom product is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, second and subsequent violations of subdivision (1) of this subsection constitute a felony and any person convicted thereof, shall be fined not more than \$5,000, ~~and~~ imprisoned in a state correctional facility for not less than one nor more than three years, or both fined and imprisoned.

(g) Administrative sanctions.

(1) In the case of any person or entity holding a permit issued by the commissioner under this article charged with any criminal violation enumerated in this section, in addition to such criminal penalties imposed, the commissioner may impose administrative sanctions including, but not limited to, permanent revocation of any one or more permits held by the violator, revocation of one or more permits held by the violator for a period of time to be determined by the commissioner, suspension of any one or more permits held by the violator for a period of time to be determined by the commissioner, fine or fines to any one or more permits held by the violator not to exceed \$1,000 per each violation as determined by the commissioner, or non-issuance of a permit upon application of a violator. For purposes of this subsection, administrative sanctions may be imposed by the commissioner upon or against any alter ego, agent, representative, or person or entity acting on behalf of, or in the interest of, a violator.

(2) The commissioner may impose the administrative sanctions in subdivision (1) of this subsection upon any person or entity under indictment for any of the criminal violations during, and during the pendency of, a criminal trial therefor.

(h) Nothing in this article prohibits a person who is at least 18 years of age from purchasing or possessing kratom products when he or she is acting upon the request of, or under the direction and control of any member of a state, federal, or local law-enforcement agency while the agency is conducting an investigation or other activity relating to the criminal or administrative enforcement of this article.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 679—A Bill to amend and reenact §19-12E-12 of the Code of West Virginia, 1931, as amended; to amend and reenact §19-12F-1, §19-12F-3, §19-12F-4, §19-12F-7, §19-12F-8, §19-12F-9, and §19-12F-11 of said code; and to amend said code by adding thereto a new section, designated §19-12F-9a, all relating to regulation of select plant-based derivatives, including hemp-derived cannabinoid products and regulation of kratom; clarifying findings; defining terms; requiring permits to manufacture, process, distribute, offer to sell, and sell regulated products; prohibiting retailer from adding imposed tax as separate new charge; specifying regulatory authority of the Commissioner of Agriculture; specifying funding requirements for nonintoxicating beer tax revenues; specifying application of the Administrative Procedures Act for certain contested cases; specifying application fees for certain permits; specifying requirements for business registration certificate, nexus, jurisdiction, and taxation relating to remote interstate sales and distribution; imposition of use tax; specifying maintenance of lists by the Commissioner of Agriculture of permittees, approved products and entities, and persons who cease to be permitted; specifying labeling requirements; authorizing use of funds by the Commissioner of Agriculture; specifying application of Tax Commissioner's fee; authorizing development of collaborative understanding to facilitate enforcement of article and information sharing between Tax Commissioner and the Commissioner of Agriculture; establishing administrative sanctions and penalties; continuing criminal penalties; and authorizing enforcement actions involving persons acting upon the request, direction, or control of law-enforcement agencies.

On motion of Senator Takubo, the following amendments to the House of Delegates amendments to the bill (Eng. Com. Sub. for Com. Sub. for S. B. 679) were reported by the Clerk, considered simultaneously, and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 11. TAXATION.

ARTICLE 16. NONINTOXICATING BEER.

§11-16-23. Revocation or suspension of license; monetary penalty; hearing assessment of costs; establishment of enforcement fund.

(a) Upon a determination by the commissioner that a licensee has: (i) Violated the provisions of §11-16-18 of this code, or of §60-1-1 *et seq.* of this code; (ii) acted in such a way as would have precluded initial or renewal licensure; or (iii) violated any rule or order promulgated by the commissioner, he or she may:

- (1) Revoke the licensee's license;

(2) Suspend the licensee's license;

(3) Place the licensee on probationary status for a period not to exceed ~~twelve~~ 12 months; and

(4) Impose a monetary penalty not to exceed ~~one thousand dollars~~ \$1,000 for each violation where revocation is not imposed.

(b) Any monetary penalty assessed and collected by the commissioner shall be transmitted to the State Treasurer for deposit into the State Treasury to the credit of a special revenue fund designated the "~~Nonintoxicating Beer Enforcement Fund~~" Alcohol Beverage Control Enforcement Fund established by the provisions of §60-7-13 of this code, which is hereby created. All moneys collected, received and deposited in the "~~Nonintoxicating Beer Enforcement Fund~~" shall be kept and maintained for expenditures by the commissioner for the purpose of enforcement of the statutes and rules pertaining to nonintoxicating beer and shall not be treated by the State Treasurer or State Auditor as any part of the general revenue of the state. At the end of each fiscal year all funds in the nonintoxicating beer enforcement fund in excess of twenty thousand dollars shall be transferred to the General Revenue Fund

(c) In addition to the grounds for revocation, suspension, or other sanction of a license set forth in subsection (a) of this section, conviction of the licensee of any offense constituting a violation of the laws of this ~~State~~ state or of the United States relating to nonintoxicating beer or alcoholic liquor shall be are mandatory grounds for ~~such~~ sanctioning of a license. Conviction of the licensee of any violation of the laws of this State or of the United States relating to prostitution or the sale, possession, or distribution of narcotics or controlled substances shall be is mandatory grounds for revocation of the licensee's license for a period of at least one year.

CHAPTER 19. AGRICULTURE.

ARTICLE 12E. INDUSTRIAL HEMP DEVELOPMENT ACT.

§19-12E-12. Regulation of select plant-based derivatives; findings; industrial hemp.

(a) This section shall be known as the Select Plant-Based Derivatives Regulation Act: Industrial Hemp.

(b) The Legislature finds that ~~certain~~ select plant-based derivatives can be regulated so as not to interfere with the strict regulation of controlled substances in this state, and that the manufacturing, processing, distribution, and retail sale, or other sale of hemp-derived cannabinoid products is an activity deserving of particular, careful, and strict attention to the administration and enforcement of West Virginia standards designed to protect and safeguard the welfare and well-being of West Virginia citizens and residents. The purpose of the act is to allow limited, regulated access to ~~certain~~ select plant-based derivatives which are naturally occurring and as authorized by the provisions of this article for adults 21 years of age and older: *Provided*, That the provisions of this section shall not apply to naturally occurring select plant-based derivative products not containing tetrahydrocannabinol content. Businesses located within this state engaged in manufacturing, processing, distributing, or sale of hemp-derived cannabinoid products and businesses located outside of this state that are engaged in the remote distribution or remote retail sale of hemp-derived cannabinoid products across state lines for delivery into this state, are subject to the permitting, labeling, and other control and administration provisions of this article. In the interest of protecting the safety, welfare, and well-being of West Virginia citizens and

residents, West Virginia nexus and jurisdiction attaches for purposes of business registration, permitting, regulation, and taxation with relation to the activity of distribution or sale of hemp-derived cannabinoid products across state lines into this state. Persons located outside of this state that are engaged in distribution or sale of hemp-derived cannabinoid products across state lines into this state shall obtain a West Virginia business registration certificate as specified in §11-12-1 et seq. of this code and are subject to other administrative and regulatory requirements as set forth in this code.

(c) As used in this section:

(1) "Alcohol Beverage Control Administration Commissioner" means the West Virginia Alcohol Beverage Control Administration Commissioner or his or her designees.

(2) "Commissioner" means the Commissioner of Agriculture or his or her designees.

(3) "Contaminated" means made impure ~~and~~ or unsafe by biological, chemical, or physical additives.

(4) "Department" or "Department of Agriculture" means the West Virginia Department of Agriculture.

(5) "Final product" means a product approved by the Department in accordance with the provisions of this article, and any other applicable rules and requirements set forth by the Department, as specified for the product.

(6) "Grower" means a person or entity which grows industrial hemp.

~~(6)~~ (7) "Hemp-derived cannabinoid" means a naturally occurring non-synthetic substance as follows:

(A) ~~Delta-9 tetrahydrocannabinol with a concentration level consistent with 7 U.S.C. §5940~~
with a total concentration of not more than 0.3 percent on a dry weight basis; or

(B) Delta-8 tetrahydrocannabinol;

(C) Delta-10 tetrahydrocannabinol;

(D) Hexahydrocannabinol (HHC₂);

(E) Tetrahydrocannabiphorol (THCp); and

(F) Tetrahydrocannabivarin (THCv).

(8) "Non-naturally occurring derivative" means a product that is contaminated as defined by this article, or a product that, upon result of Department laboratory testing, is found to be in violation of this article or rules promulgated therewith, or otherwise violates applicable federal regulations.

(9) "Processor" or "manufacturer" means a person or entity that processes compounds or converts hemp-derived cannabinoids into a hemp-derived cannabinoid product and distributes, sells, or offers for sale, hemp-derived cannabinoid products in this state on a wholesale basis to a retailer.

~~(14)~~ ~~(10)~~ "Retail sales" means the sale of hemp-derived products in a commercial setting as determined and set forth in rules promulgated by the commissioner. ~~of Agriculture.~~

~~(40)~~ ~~(11)~~ "Seller" or "distributor" means a person or entity that distributes, offers for sale, or sells hemp-derived products to persons for personal consumption.

(d) Permitting and registration.

(1) The commissioner may issue manufacturer, processor, distributor, and retailer permits. Any person manufacturing, processing, distributing, offering for sale, or selling any hemp-derived cannabinoid products in this state shall have a permit issued by the commissioner and be otherwise authorized to do business in this State. The commissioner may issue manufacturer, processor, distributor, and retailer permits.

(2) The business activity subject to permitting under this section shall be treated as separate and distinct from manufacturing, processing, distribution, or sale of kratom and kratom products addressed and administered under §19-12F-1 *et seq.* of this code, or of hemp addressed and administered under other sections of this article, or of medical cannabis addressed and administered under §16A-9-1 *et seq.* of this code.

(3) Persons engaged in manufacturing, processing, distribution, or sale of hemp-derived cannabinoid products in this state shall obtain a West Virginia business registration certificate as specified in §11-12-1 *et seq.* of this code and are subject to other administrative and regulatory requirements set forth in this code.

(4) The Tax Commissioner may place a notation on the business registration certificate showing the status of the certificate holder as a person or entity holding a permit from the commissioner pursuant to this section.

(5) The commissioner shall keep a list of all persons and entities that have been issued permits pursuant to this section. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

(6) The commissioner shall keep a list of any persons or entities that have been subject to a permit revocation, withdrawal, suspension, non-renewal, or other process whereby the person or entity has ceased to be a permit holder in good standing with the commissioner.

(7) The commissioner shall keep a list of all hemp-derived cannabinoid products that have been approved for sale or distribution in this state. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

(e) Rules. The commissioner ~~of Agriculture~~ shall propose legislative rules for promulgation in accordance with §29A-3-1 *et seq.* of this code that include, but are not limited to:

(1) Issuance of permits to persons who wish to manufacture, handle, process, distribute, offer for sale, or sell hemp-derived cannabinoid products;

(2) Regular sampling and testing of hemp-derived cannabinoid products to determine purity levels;

(3) Supervision of the hemp-derived cannabinoid products during their cultivation, processing, and sale;

(4) Assessment of fees as commensurate with the need of the commissioner's activities in issuing permits, laboratory testing, and in overseeing the regulation of hemp-derived products. Such fees shall be in addition to those fees specified in subsection (d) of this section;

(5) Approving the manufacture, production, sale, processing, distributing, and transport of hemp-derived cannabinoid products;

(6) Developing guidelines for the labeling of hemp-derived cannabinoid products, including, but not limited to, a statement which says "KEEP OUT OF REACH OF CHILDREN. CONSULT YOUR PHYSICIAN BEFORE USE IF YOU ARE PREGNANT OR TAKING ANY MEDICATION" and "USE OF THIS PRODUCT MAY IMPACT DRUG TESTING RESULTS";

(7) Developing guidelines or standards related to the display or staging of hemp-derived cannabinoid products to increase the safety of underage patrons in retail environments;

(8) Developing guidelines or standards to restrict the advertising or marketing of unapproved or unlawful products;

(9) Developing prohibitions on child-targeted packaging and shapes and forms of products;

(10) Developing administrative rules, procedures, and sanctions for violations of this section;
and

(11) Any other rules and procedures necessary to carry out the purposes of this article.

(f) Emergency rules; mandatory labeling.

(1) Emergency Rules. The commissioner and the Alcohol Beverage Control Administration Commissioner may, pursuant to §29A-3-15 of this code, promulgate such separate or joint emergency rules as ~~are~~ necessary to effectuate the purposes of this article.

(2) Labeling.

(A) The commissioner shall review labels to be used on hemp-derived cannabinoid products to be sold in this state.

(B) In addition to the labeling required by the provisions of subdivision (6) of subsection (e) of this section the commissioner may require and prescribe such labeling as he or she may determine to be necessary and appropriate for hemp-derived cannabinoid products to be sold to the final consumer in this state.

(C) Hemp-derived cannabinoid products may not be sold to the final consumer in this State without an approved label.

(g) Any website owned, managed, or operated by a person who manufactures, processes, distributes, offers for sale, or sells hemp-derived cannabinoid products to persons in this state shall employ a neutral age-screening mechanism to verify legal age. The mechanism may include

an age-gate, age-screen, or any other age-verification mechanism approved by the commissioner.

(h) Any person or entity distributing, offering to distribute, or selling hemp-derived cannabinoid products to persons in this state by ~~either~~ means other than a direct in-person transaction ~~may~~ shall employ an age verification mechanism approved by the commissioner. ~~of Agriculture.~~

~~(i) In addition to all other applicable taxes, there is hereby levied an additional tax equal to 11 percent of the retail sales price on each retail sale of hemp-derived cannabinoids for the privilege of engaging in the business of selling hemp-derived cannabinoid products. For the privilege of engaging or continuing within this state in the business of the retail sale of hemp-derived cannabinoid products, as defined in subdivision (6), subsection (a) of this section, there is hereby levied upon and collected from every person exercising the privilege a privilege tax equal to 11 percent of the retail sales price on each retail sale of hemp-derived cannabinoids. Such tax is imposed in addition to all other applicable taxes.~~

~~(2) (1) The rate of tax imposed by this subsection is 11 percent of the retail sales price of hemp-derived cannabinoid products sold during the reporting period, depending upon the person's method of accounting for federal income tax purposes. The tax imposed by this subsection shall not be added by the retailer as a separate charge or line item on any sales slip, invoice, receipt, other statement, or memorandum of the price paid by a customer. (3) The tax shall be due and payable on a quarterly basis as follows: on the 20th day of January, April, July, and October for the preceding calendar quarter. When the payment of tax is due, the person or entity permitted by the commissioner shall file a tax return in a form prescribed by the Tax Commissioner. The Tax Commissioner may require such forms, schedules, and returns and impose such filing and remittance requirements that are necessary or convenient for the efficient administration of taxes imposed by this subsection.~~

~~(2) The taxes imposed by this subsection shall be paid by the person or entity permitted by the commissioner to the Tax Commissioner by electronic funds transfer unless electronic payment is prohibited by state or federal law. Tax returns required by this subsection shall be filed electronically with the Tax Commissioner.~~

~~(4) (3) The West Virginia use tax shall be collected from sellers and marketplace facilitators as defined in §11-15A-1 of this code, and referrers engaged in making sales, facilitating sales, marketing, or referring sellers or purchasers for the purpose of making or furthering retail sales of hemp-derived cannabinoid products into this state. Such sellers, marketplace facilitators, and referrers are subject to the taxation and other requirements of §11-15A-1 et seq. of this code, including §11-15A-6a and §11-15A-6b of this code. Application of §11-15A-6a and §11-15A-6b of this code shall not be limited to the thresholds specified in subsection §11-15A-6b(e) of this code but in the interest of protecting the safety, welfare, and well-being of West Virginia citizens and residents, West Virginia nexus and jurisdiction shall attach with relation to any such activity for the purpose of making or furthering retail sales of hemp-derived cannabinoid products, into this state.~~

~~(5) (4) If any retailer does not renew its permit, relinquishes its permit, has said its permit to operate suspended or revoked, or otherwise ceases selling hemp-derived cannabinoid products, then any tax, additions to tax, penalties, and interest imposed by this section and by §11-10-1 et seq. of this code shall become due and the retailer shall make a final return or returns and pay any tax which is due within 90 days of not renewing its permit, relinquishing its permit, having its~~

permit to operate suspended or revoked, or otherwise ceasing business. The unpaid amount of any tax is to be considered a lien.

~~(6)~~ (5) All money received from the privilege tax imposed under this subsection section, including any interest and additions to tax paid under §11-10-1 *et seq.* of this code, less the amount of any refunds, and less the fee retained by the Tax Commissioner pursuant to §11-10-27 of this code, shall be deposited into the Agricultural Fees Fund created by §19-1-4c of this code.

~~(7)~~ (6) Persons or entities subject to the tax imposed by this subsection section shall provide to the Tax Commissioner any information required by the Tax Commissioner to administer, collect, and enforce the tax imposed by this subsection section.

~~(8)~~ (7) Notwithstanding any provision of §11-10-1 *et seq.* of this code or of this section article to the contrary, the Tax Commissioner, the Alcohol Beverage Control Administration Commissioner, and the commissioner shall may enter into written agreements pursuant to which the Tax Commissioner shall may disclose to designated employees of the department Alcohol Beverage Control Administration Commissioner or the commissioner, or both, whether a particular retailer or permittee, or applicant for a permit, is in good standing with the Tax Commissioner, and the commissioner of Agriculture shall may disclose to designated employees of the Tax Commissioner or the Alcohol Beverage Control Administration Commissioner, or both, information a retailer or permittee, or applicant for a permit, provides to the commissioner pursuant to this code and the Alcohol Beverage Control Administration Commissioner may disclose to designated employees of the Tax Commissioner, or the commissioner, or both, information a retailer or permittee, or applicant for a permit, provides to the Alcohol Beverage Control Administration Commissioner pursuant to this code. Tax information disclosed pursuant to a written agreement shall remain confidential in the hands of the receiver and shall not be disclosable under §29B-1-1 *et seq.* of this code. To the extent feasible, this information should be shared or exchanged electronically to ensure safe destruction, or as necessary, proper file retention practices.

~~(9)~~ (8) The Tax Commissioner may promulgate, in accordance with the provisions of §29A-3-1 *et seq.* of this code, any necessary legislative rules, including emergency rules, as the Tax Commissioner considers necessary for the efficient administration of taxes imposed by this subsection.

(A) Funds from the tax imposed by the provisions of subdivision (1) of this subsection, less the fee retained by the Tax Commissioner pursuant to §11-10-27 of this code, and deposited in the Agricultural Fees Fund, shall be divided and deposited as follows:

(i) Sixty-five percent shall remain in the Agriculture Fees Fund for the use of the commissioner for administering and enforcing the provisions of this article;

(ii) Five percent shall be transferred to the Fight Substance Abuse Fund created by §60A-9-8 of this code; and

(iii) Thirty percent shall be deposited in the Alcohol Beverage Control Enforcement Fund established by the provisions of §60-7-13 of this code.

(B) Notwithstanding any provision in §11-9-1 *et seq.* of this code to the contrary, and as relevant to the tax imposed by ~~§16A-9-1 of this code~~ this section, the West Virginia Tax Crimes

and Penalties Act set forth in §11-9-1 *et seq.* of this code shall apply with like effect as if the said West Virginia Tax Crimes and Penalties Act were applicable only to the tax imposed by ~~§16A-9-1 *et seq.* of this code~~ this section and were set forth in extenso in ~~§16A-9-1 *et seq.* of this code~~ this section.

(C) Notwithstanding any provision of §11-10-1 *et seq.* of this code, or any other provision of this code to the contrary, each and every provision of the West Virginia Tax Procedure and Administration Act as set forth in §11-10-1 *et seq.* of this code applies to the tax imposed by ~~§16A-9-1 *et seq.* this section~~ with like effect as if the said West Virginia Tax Procedure and Administration Act were applicable only to the tax imposed by ~~§16A-9-1 *et seq.* of this code~~ this section and were set forth in extenso in ~~§16A-9-1 *et seq.* of this code~~ this section.

~~(j) All fees collected pursuant to the provisions of this subsection shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the Commissioner of Agriculture for administering and enforcing the provisions of this article~~

~~(k)(1) The provisions of this section related to retail sales shall be enforced by the commissioner of Agriculture with the assistance of the Alcohol Beverage Control Administration Commissioner.~~

~~(2) (1) The commissioner of Agriculture, the Tax Commissioner, and the Alcohol Beverage Control Administration Commissioner shall may enter into a memorandum or memoranda of understanding to facilitate the enforcement of this section. In addition to any other memoranda, the aforementioned commissioners may enter into, they shall agree by memorandum to the following:~~

~~(A) To assist each other in enforcement of this section;~~

~~(B) To assist each other in training and cooperating with State and local law enforcement to develop a state-wide plan for implementing the provisions of this section;~~

~~(C) To confer among themselves and law enforcement about enforcement of this section on a monthly basis; and~~

~~(D) To jointly compile a report to be submitted to the Joint Committee on Government and Finance on or before January 1, 2025, as to actions undertaken to enforce this section and the results thereof.~~

~~(2) Procedure for contested cases. Any person or entity seeking to contest an administrative action of the commissioner under this article shall assert such contestation in writing within 14 days under the provisions of the Administrative Procedures Act set forth in §29A-5-1 *et seq.* of this code in administrative proceedings held by or before the commissioner or his or her designee.~~

~~(l)(1) Any hemp-derived product found in this state in violation of this article is hereby declared contraband and any property interest in the hemp-derived product is vested in the State of West Virginia and is subject to seizure, forfeiture, and destruction.~~

~~(2) Any certified law-enforcement officer in this state is authorized to may enforce the criminal provisions of this section, and enforcement agents of the Alcohol Beverage Control Administration~~

Commissioner ~~are authorized to~~ may enforce the administrative retailer provisions of this section as relating to retail sales.

(3) The commissioner shall provide the requisite training necessary to enforce the criminal and administrative provisions of this section.

(4) The ~~provisions of amendments to~~ this subsection enacted during the 2024 Regular Legislative Session are effective from passage.

(m) Any person who manufactures, processes, distributes, sells, or offers for sale any hemp-derived cannabinoid product in this state without a permit to do so is guilty of a crime.

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

(2) A second or subsequent violation of this subsection is a felony and, upon conviction thereof, a person shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(n) Any person who processes, distributes, manufactures, sells, or offers to sell any hemp-derived product knowing or having reason to know that the product has been contaminated with a toxic or illegal substance is guilty of a felony and, upon conviction thereof, shall be fined not more than \$10,000, or imprisoned in a state correctional facility for not less than two nor more than 10 years, or both fined and imprisoned.

(o)(1) Any person who knowingly manufactures, processes, distributes, sells, or offers for sale any hemp-derived cannabinoid product which has not been approved by the commissioner is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$5,000, or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, a second or subsequent violation of subdivision (1) of this subsection constitutes a felony and any person convicted thereof shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(p) Any person who knowingly distributes, offers for sale, or sells a contaminated hemp-derived cannabinoid product is guilty of a felony and, upon conviction thereof, shall be fined not less than \$10,000 nor more than \$25,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(q) Any person who knowingly distributes or sells hemp-derived cannabinoid product to a person under the age of 21 is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(r)(1) Any person under the age of 21 who possesses hemp-derived cannabinoid product is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, second and subsequent violations of subdivision (1) of this subsection, constitute a felony, and any person convicted thereof, shall be fined not more than \$5,000, and imprisoned in a state correctional facility for not less than one nor more than three years, or both fined and imprisoned.

(s) Administrative sanctions.

(1) In the case of any person or entity holding a permit issued by the commissioner under this article charged with any criminal violation enumerated in this section, the commissioner, in addition to such criminal penalties imposed, may impose administrative sanctions including, but not limited to, permanent revocation of any one or more permits held by the violator, revocation of one or more permits held by the violator for a period of time to be determined by the commissioner, suspension of any one or more permits held by the violator for a period of time to be determined by the commissioner, a fine or fines to any one or more permits held by the violator not to exceed \$1,000 per each violation as determined by the commissioner, or non-issuance of a permit upon application of a violator. For purposes of this subsection, administrative sanctions may be imposed by the commissioner upon or against any alter ego, agent, representative, or person or entity acting on behalf of, or in the interest of, a violator.

(2) The commissioner may impose the administrative sanctions in subdivision (1) of this subsection upon any person or entity under indictment for any of the criminal violations during, and during the pendency, of a criminal trial therefor.

(t) Nothing in this article shall prohibit an authorized enforcement agent of the Alcohol Beverage Control Administration Commissioner or a person who is at least 18 years of age from purchasing or possessing hemp-derived cannabinoid products when he or she is acting upon the request of, or under the direction and control of, any member of a state, federal, or local law-enforcement agency or the Alcohol Beverage Control Administration Commissioner while the agency is conducting an investigation or other activity relating to the criminal or administrative enforcement of this section.

ARTICLE 12F. SELECT PLANT-BASED PRODUCT DERIVATIVES REGULATION ACT: KRATOM.

§19-12F-1. Short title. Findings.

(a) This article shall be known as the Select Plant-Based Product Derivatives Regulation Act: Kratom.

(b) The Legislature finds that the manufacturing, processing, distributing, and sale of kratom or kratom products is an activity deserving of particular, careful, and strict attention to the administration and enforcement of West Virginia standards designed to protect and safeguard the welfare and well-being of West Virginia citizens and residents. Therefore, the permitting, labeling, and other control and administration provisions of this article apply to businesses located within this state engaged in manufacturing, processing, distribution, or sale of kratom or kratom products and to businesses located outside of this state that are engaged in the remote distribution or remote retail sale of kratom or kratom products across state lines for delivery into this state.

§19-12F-3. Definitions.

(1) "Alcohol Beverage Control Administration Commissioner" means the West Virginia Alcohol Beverage Control Administration Commissioner or his or her designee.

(2) ~~The~~ "Commissioner" means the Commissioner of Agriculture or his or her designee.

(3) "Contaminated" means made impure and unsafe by biological, chemical, or physical additives.

(4) "Department" or "Department of Agriculture" means the West Virginia Department of Agriculture.

(5) "Kratom" means a psychoactive preparation that is composed of the crushed or powdered dried leaves of the mitragyna speciosa, a ~~yellow~~-flowered tropical tree which contains the alkaloids mitragynine and 7-hydroxymitragynine.

(6) "Kratom product" means a food product, food ingredient, dietary ~~agreement~~ ingredient, dietary supplement, or beverage intended or marketed for human consumption containing any part of the leaf of the plant mitragyna speciosa.

(7) ~~"Manufacture"~~ "Grower" means a person or entity which grows kratom for commercial purposes.

(8) "Processor" or "manufacturer" means a person or entity that processes, ~~distributes, sells, or offers for sale, kratom or kratom products in this State on a wholesale basis to a retailer compounds, or converts plant material from mitragyna speciosa into a kratom product. This also includes further processing, compounding, converting, or repackaging of existing kratom products.~~

(9) "Retailer" or "seller" means a person or entity that distributes, offers for sale, or sells kratom or kratom products to persons for personal consumption.

§19-12F-4. Processor and retailer permits; regulations; permitting; and registration.

(a) Any person manufacturing, processing, distributing, offering for sale, or selling any kratom or kratom products in this state shall have a permit issued by the commissioner and be otherwise authorized to do business in this state. The commissioner may issue ~~permits for manufacturers, processors, and retailers. manufacturer, processor, distributor, and retailer permits.~~ The business activity subject to permitting under this article shall be treated as separate and distinct from manufacturing, processing, distribution, or sale of hemp-derived cannabinoid products addressed and administered under §19-12E-12 of this code, or of hemp addressed and administered under §19-12E-1 et seq. of this code, or of medical cannabis addressed and administered under §16A-9-1 et seq. of this code.

(b) Persons engaged in manufacturing, processing, distribution, or sale of kratom or kratom products in this State must obtain a West Virginia business registration certificate as specified in §11-12-1 et seq. of this code and shall be subject to other administrative and regulatory requirements as set forth in this code.

(c) In the interest of protecting the safety, welfare, and well-being of West Virginia citizens and residents, West Virginia nexus and jurisdiction attaches for purposes of business registration, permitting, regulation and taxation with relation to the activity of distribution or sale of kratom or

kratom products across State lines into this State. Persons located outside of this State that are engaged in distribution or sale of kratom or kratom products across state lines into this State must obtain a West Virginia business registration certificate as specified in §11-12-1 et seq. of this code and shall be subject to other administrative and regulatory requirements as set forth in this code.

(d) The Tax Commissioner may place a notation on the business registration certificate showing the status of the certificate holder as a person or entity holding a permit from the commissioner pursuant to this article.

(e) The commissioner shall keep a list of all persons and entities that have been issued permits pursuant to this article. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

(f) The commissioner shall keep a list of any persons or entities that have been subject to a permit, revocation, withdrawal, suspension, non-renewal, or other process whereby the person or entity has ceased to be a permit holder in good standing with the commissioner.

(g) The commissioner shall keep a list of all kratom and kratom products that have been approved for sale or distribution in this State. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

§19-12F-7. Taxation; disposition of funds.

(a) For the privilege of engaging or continuing within this state in the business of the retail sale of kratom or kratom products, there is hereby levied upon and collected from every person exercising the privilege a privilege tax equal to ~~(b) The rate of tax imposed by this subsection is 11 percent~~ 11 percent of the retail sales price of kratom or kratom products sold during the reporting period. Such tax is imposed in addition to all other applicable taxes.

(b) The tax imposed by this article shall not be added by the retailer as a separate charge or line item on any sales slip, invoice, receipt, other statement, or memorandum of the price paid by a customer.

(c) The tax shall be is due and payable on a quarterly basis as follows: on the 20th day of January, April, July, and October for the preceding calendar quarter. When the payment of tax is due, the person shall file a tax return in a form prescribed by the Tax Commissioner. The Tax Commissioner may require such forms, schedules, and returns and impose such filing and remittance requirements that are necessary or convenient for the efficient administration of taxes imposed by this subsection.

(d)(1) The taxes imposed by this subsection shall be paid to the Tax Commissioner by electronic funds transfer unless electronic payment is prohibited by state or federal law. Tax returns required by this subsection shall be filed electronically with the Tax Commissioner.

(2) The West Virginia use tax shall be collected from sellers, marketplace facilitators, and referrers engaged in making sales, facilitating sales, marketing, or referring sellers or purchasers for the purpose of making or furthering retail sales of kratom and kratom products into this state. The sellers, marketplace facilitators, and referrers are subject to the taxation and other requirements of §11-15A-1 et seq. of this code, including §11-15A-6a and §11-15A-6b of this

code. Application of §11-15A-6a and §11-15A-6b of this code shall not be limited to the thresholds specified in subsection §11-15A-6ba(e) of this code, but in the interest of protecting the safety, welfare, and well-being of West Virginia citizens and residents, West Virginia nexus and jurisdiction shall attach with relation to any such activity for the purpose of making or furthering retail sales of kratom and kratom products into this state.

(e) If any retailer does not renew its permit, relinquishes its permit, has ~~said~~ its permit suspended or revoked, or otherwise ceases selling kratom and kratom products, then any tax, additions to tax, penalties, and interest imposed by this section and by §11-10-1 *et seq.* of this code shall become due and the retailer shall make a final return or returns and pay any tax which is due within 90 days of not renewing its permit, relinquishing its permit, having its permit suspended or revoked, or otherwise ceasing business. The unpaid amount of any tax is to be considered a lien.

(f) All money received from the privilege tax imposed under this subsection section, including any interest and additions to tax paid under §11-10-1 *et seq.* of this code, less the amount of any refunds, and less the fee retained by the Tax Commissioner pursuant to §11-10-27 of this code, shall be deposited into the Agricultural Fees Fund created by §19-1-4c of this code.

(g) Persons or entities subject to the tax imposed by this subsection shall provide to the Tax Commissioner any information required by the Tax Commissioner to administer, collect, and enforce the tax imposed by this subsection.

(h) Notwithstanding any provision of §11-10-1 *et seq.* of this code or of this ~~section~~ article to the contrary, the Tax Commissioner, the Alcohol Beverage Control Administration Commissioner, and the commissioner of Agriculture ~~shall~~ may enter into written agreements pursuant to which the Tax Commissioner ~~shall~~ may disclose to designated employees of the ~~department~~ Alcohol Beverage Control Administration Commissioner or commissioner, or both, whether a particular retailer or permittee, or applicant for a permit, is in good standing with the Tax Commissioner, and the commissioner of Agriculture ~~shall~~ may disclose to designated employees of the Tax Commissioner or the Alcohol Beverage Control Administration Commissioner, or both, information a retailer or permittee, or applicant for a permit, provides to the commissioner of Agriculture pursuant to this code and the Alcohol Beverage Control Administration Commissioner may disclose to designated employees of the Tax Commissioner, or the commissioner, or both, information a retailer or permittee, or applicant for a permit, provides to the Alcohol Beverage Control Administration Commissioner pursuant to this code. Tax information disclosed pursuant to a written agreement shall remain confidential in the hands of the receiver and shall not be disclosable under §29B-1-1 *et seq.* of this code. To the extent feasible, this information should be shared or exchanged electronically to ensure safe destruction, or as necessary, proper file retention practices.

(i) The Tax Commissioner may promulgate, in accordance with the provisions of §29A-3-1 *et seq.* of this code, any necessary legislative rules as the Tax Commissioner determines necessary to the efficient administration of taxes imposed by this subsection.

(1) Funds from the tax imposed by the provisions of this ~~subsection~~ article, less the fee retained by the Tax Commissioner pursuant to §11-10-27 of this code, and deposited into the Agricultural Fees Fund shall be divided and deposited as follows:

(2) Sixty-five percent shall remain in the Agriculture Fees Fund for the use of the commissioner in administering and enforcing the provisions of this article;

(3) Five percent shall be transferred to the Fight Substance Abuse Fund created by §60A-9-8 of this code; and

(4) Thirty percent shall be deposited in the Alcohol Beverage Control Enforcement Fund established by the provisions of §60-7-13 of this code.

(j) Notwithstanding any provision in §11-9-1 *et seq.* of this code to the contrary, and as relevant to the tax imposed by ~~§16A-9-1~~ this article, the West Virginia Tax Crimes and Penalties Act set forth in §11-9-1 *et seq.* of this code shall apply with like effect as if the said the West Virginia Tax Crimes and Penalties Act were applicable only to the tax imposed by ~~§16A-9-1 *et seq.*~~ of this code this article and were set forth in extenso in ~~§16A-9-1 *et seq.*~~ of this code this article.

(k) Notwithstanding any provision of §11-10-1 *et seq.* of this code, or any other provision of this code to the contrary, the West Virginia Tax Procedure and Administration Act, as set forth in §11-10-1 *et seq.* of this code, applies to the tax imposed by ~~§16A-9-1 *et seq.*~~ this article with like effect as if the said West Virginia Tax Procedure and Administration Act were applicable only to the tax imposed by ~~§16A-9-1 *et seq.*~~ of this code this article and were set forth in extenso in ~~§16A-9-1 *et seq.*~~ of this code this article.

~~(l) All fees collected pursuant to the provisions of subsection shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the Commissioner in administering and enforcing the provisions of this article.~~

§19-12F-8 Application and registration fees.

(a) Applicants for kratom and kratom manufacturer, processor, distributor, or retailer permits shall pay a non-refundable application fee of \$1,500 which shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the commissioner for administering and enforcing the provisions of this article.

(b) Processors, manufacturers, distributors, and retailer permit holders shall pay an annual fee of \$300 which shall be deposited with the State Treasurer to the credit of the Agricultural Fees Fund established by the provisions of §19-1-4c of this code for the use of the commissioner in administering and enforcing the provisions of this article.

(c) The business activity subject to application, registration, and permitting under this article shall be treated as separate and distinct from manufacturing, processing, distribution, or sale of hemp-derived cannabinoid products, or of hemp addressed and administered under §19-12E-1 *et seq.* of this code, or of medical cannabis addressed and administered under §16A-9-1 *et seq.* of this code.

(d) Persons engaged in the manufacturing, processing, distribution, or sale of kratom and kratom products in this state must obtain a West Virginia business registration certificate as specified in §11-12-1 *et seq.* of this code and shall be subject to other administrative and regulatory requirements as set forth in this code.

(e) In the interest of protecting the safety, welfare, and well-being of West Virginia citizens and residents, West Virginia nexus and jurisdiction attaches for purposes of business registration, permitting, regulation, and taxation with relation to the activity of distribution or sale of kratom and

kratom products across state lines into this state. Persons located outside of this state that are engaged in distribution or sale of kratom and kratom products across state lines into this state must obtain a West Virginia business registration certificate as specified in §11-12-1 et seq. of this code and shall be subject to other administrative and regulatory requirements as set forth in this code.

(f) The Tax Commissioner may place a notation on the business registration certificate showing the status of the certificate holder as a person or entity holding a permit from the commissioner pursuant to this article.

(g) The commissioner shall keep a list of all persons and entities that have been issued permits pursuant to this article. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

(h) The commissioner shall keep a list of any persons or entities that have been subject to a permit revocation, withdrawal, suspension, non-renewal, or other process whereby the person or entity has ceased to be a permit holder in good standing with the commissioner.

(i) The commissioner shall keep a list of all kratom and kratom products that have been approved for sale or distribution in this state. Such list shall be public information and shall be published initially on or before June 30, 2024, by the commissioner on its website from time to time so as to reflect a current listing.

§19-12F-9. Cooperative enforcement agreements.

(a) The provisions of article related to retail sales shall be enforced by the commissioner with the assistance of the Alcohol Beverage Control Administration Commissioner.

(b) Pursuant to the labeling requirements under section 9a of this article, the commissioner and the Alcohol Beverage Control Administration Commissioner shall enter into a memorandum or memoranda of understanding to facilitate enforcement of this article.

(c) Procedure for contested cases. Any person or entity seeking to contest an administrative action of the commissioner under this article shall bring such contestation in writing within 14 days under the provisions of the Administrative Procedures Act set forth in §29A-5-1 et seq. of this code in administrative proceedings held by or before the commissioner, or his or her designee.

(d) In addition to any other memoranda, the commissioner, Commissioner of the Alcohol Beverage Control Administration, and the Tax Commissioner may enter into, they shall agree by memorandum to the following:

(1) To assist each other in enforcement of this article;

(2) To assist each other in training and cooperating with State and local law enforcement to develop a state-wide plan for implementing the provisions of this article;

(3) To confer among themselves and law enforcement about enforcement of this article on a monthly basis; and

(4) To jointly compile a report to be submitted to the Joint Committee on Government and Finance on or before January 1, 2025, as to actions undertaken to enforce this article and the results thereof.

§19-12F-9a. Mandatory labeling.

(a) The commissioner shall review labels to be used on kratom and kratom products to be sold in this state.

(b) The commissioner may require and prescribe such labeling as the commissioner may determine to be necessary and appropriate for kratom and kratom products to be sold to the final consumer in this state.

(c) Kratom and kratom products may not be sold to the final consumer in this state without an approved label.

§19-12F-11. Criminal violations; penalties.

(a) Any person who manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product in this state without a permit is guilty of a crime.

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

(2) A second or subsequent violation of this subsection is a felony and, upon conviction thereof, a person shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(b) Any person who manufactures, processes, distributes, sells, or offers to sell any kratom or kratom product knowing or having reason to know that the product has been contaminated with a toxic or illegal substance is guilty of a felony and, upon conviction thereof, shall be fined not more than \$10,000, or imprisoned in a state correctional facility for not less than two nor more than 10 years, or both fined and imprisoned.

(c)(1) Any person who knowingly manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product which has not been approved by the commissioner is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$5,000, or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, a second or subsequent violation of subdivision (1) of this subsection constitutes a felony and any person convicted thereof shall be fined not more than \$5,000 or imprisoned for not less than one nor more than five years, or both fined and imprisoned.

(d) Any person who knowingly manufactures, distributes, offers for sale, or sells contaminated kratom or kratom product is guilty of a felony and, upon conviction thereof, shall be fined not less than \$10,000 nor more than \$25,000, or imprisoned for not less than one nor more than five years, or both fined and imprisoned.

(e) Any person who knowingly distributes or sells a kratom or a kratom product to a person under the age of 21 is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000, or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.

(f) (1) Any person under the age of 21 who possesses kratom or a kratom product is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000, or confined in jail for not more than one year, or both fined and confined.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, second and subsequent violations of subdivision (1) of this subsection constitute a felony and any person convicted thereof, shall be fined not more than \$5,000, ~~and~~ imprisoned in a state correctional facility for not less than one nor more than three years, or both fined and imprisoned.

(g) Administrative sanctions.

(1) In the case of any person or entity holding a permit issued by the commissioner under this article charged with any criminal violation enumerated in this section, in addition to such criminal penalties imposed, the commissioner may impose administrative sanctions including, but not limited to, permanent revocation of any one or more permits held by the violator, revocation of one or more permits held by the violator for a period of time to be determined by the commissioner, suspension of any one or more permits held by the violator for a period of time to be determined by the commissioner, fine or fines to any one or more permits held by the violator not to exceed \$1,000 per each violation as determined by the commissioner, or non-issuance of a permit upon application of a violator. For purposes of this subsection, administrative sanctions may be imposed by the commissioner upon or against any alter ego, agent, representative, or person or entity acting on behalf of, or in the interest of, a violator.

(2) The commissioner may impose the administrative sanctions in subdivision (1) of this subsection upon any person or entity under indictment for any of the criminal violations during, and during the pendency of, a criminal trial therefor.

(h) Nothing in this article prohibits an authorized enforcement agent of the Alcohol Beverage Control Administration Commissioner or a person who is at least 18 years of age from purchasing or possessing kratom products when he or she is acting upon the request of, or under the direction and control of any member of a state, federal, or local law-enforcement agency or the Alcohol Beverage Control Administration Commissioner while the agency is conducting an investigation or other activity relating to the criminal or administrative enforcement of this article.

CHAPTER 60. STATE CONTROL OF ALCOHOLIC LIQUORS

ARTICLE 7. LICENSES TO PRIVATE CLUBS.

§60-7-13. Revocation or suspension of license; monetary penalty; hearing; assessment of costs; establishment of enforcement fund.

(a) Upon a determination by the commissioner that a licensee has: (i) Violated the provisions of §11-16-1 *et seq.* of this code or of this chapter; (ii) acted in such a way as would have precluded initial or renewal licensure; or (iii) violated any rule or order promulgated by the commissioner, the commissioner may impose any one or a combination of the following sanctions:

- (1) Revoke the licensee's license;
- (2) Suspend the licensee's license;
- (3) Place the licensee on probationary status for a period not to exceed 12 months; and
- (4) Impose a monetary penalty not to exceed \$1,000 for each violation where revocation is not imposed.

(b) Any monetary penalty assessed and collected by the commissioner shall be transmitted to the State Treasurer for deposit into the State Treasury to the credit of a special revenue fund designated the Alcohol Beverage Control Enforcement Fund, which is hereby continued. All moneys collected, received, and deposited in the Alcohol Beverage Control Enforcement Fund shall be kept and maintained for expenditures by the commissioner for the purpose of enforcement of the statutes and rules pertaining to alcoholic liquor, nonintoxicating beer as set forth in §11-16-1 et seq. of this code, hemp-derived cannabinoids as set forth in §19-12E-12 of this code, and kratom as set forth in §19-12F-1 et seq. of this code. ~~and~~ The Alcohol Beverage Control Enforcement Fund shall not be treated by the State Treasurer or State Auditor as any part of the general revenue of the ~~state~~ state. At the end of each fiscal year all funds in the Alcohol Beverage Control Enforcement Fund in excess of \$20,000 \$200,000 shall be transferred to the General Revenue Fund.

(c) In addition to the grounds for revocation, suspension, or other sanction of a license set forth in §60-7-13(a) of this code, conviction of the licensee of any offense constituting a violation of the laws of this state or of the United States relating to alcoholic liquor, nonintoxicating beer, or gambling shall be mandatory grounds for such sanctioning of a license. Conviction of the licensee of any violation of the laws of this state or of the United States relating to prostitution, or the sale, possession, or distribution of narcotics or controlled substances, ~~shall be~~ is mandatory grounds for revocation of the licensee's license for a period of at least one year.

(d) A licensee shall notify, in a timely manner, emergency medical services or law enforcement if a licensee knows, or has reason to know, of a life-threatening medical emergency occurring on the licensed premises. In addition to the grounds for revocation, suspension, or other sanction of a license set forth in this section, the commissioner may ~~in his or her discretion~~, revoke, suspend, or otherwise sanction a licensee for failing to comply with the provisions of this ~~subsection~~ section.

(e) If a life-threatening medical emergency occurs on a licensee's private premises requiring notification of emergency medical services or law enforcement under §60-7-13(d) of this code, the licensee shall notify the Alcohol Beverage Control Administration within 48 hours of the emergency's occurrence. The commissioner may ~~in his or her discretion~~, revoke, suspend, or otherwise sanction a licensee for failing to comply with the 48-hour notification requirement.

(f) As used in this section, a life-threatening medical emergency includes, but is not limited to, respiratory distress or cessation of breathing, severe chest pains, shock, uncontrolled bleeding, poisoning, prolonged unconsciousness, overdose, any complaint or observation which indicates significant head or spinal injury, and life-threatening physical injury caused by a crime of violence against the person occupying or emanating from the licensed premises.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 679—A Bill to amend and reenact §11-16-23 of the Code of West Virginia, 1931, as amended; to amend and reenact §19-12E-12 of said code; to amend and reenact §19-12F-1, §19-12F-3, §19-12F-4, §19-12F-7, §19-12F-8, §19-12F-9, and §19-12F-11 of said code; to amend said code by adding thereto a new section, designated §19-12F-9a; and to amend and reenact §60-7-13 of said code, all relating to regulation of select plant-based derivatives, including hemp-derived cannabinoid products and regulation of kratom; clarifying findings; defining terms; redirecting moneys from monetary penalties assessed by Commissioner of Agriculture to another fund; requiring permits to manufacture, process, distribute, offer to sell, and sell regulated products; prohibiting retailer from adding imposed tax as separate new charge; specifying regulatory authority of the Commissioner of Agriculture and the Alcohol Beverage Control Administration Commissioner; specifying funding requirements for nonintoxicating beer tax revenues; specifying application of the Administrative Procedures Act for certain contested cases; specifying application fees for certain permits; specifying requirements for business registration certificate, nexus, jurisdiction, and taxation relating to remote interstate sales and distribution; imposition of use tax; specifying maintenance of lists by the Commissioner of Agriculture of permittees, approved products and entities, and persons who cease to be permitted; specifying labeling requirements; authorizing use of funds by the Commissioner of Agriculture and Alcohol Beverage Control Administration Commissioner; specifying application of Tax Commissioner's fee; authorizing and requiring a certain memoranda of understanding and information sharing between Tax Commissioner, Commissioner of Agriculture, and Alcohol Beverage Control Administration Commissioner; requiring a memorandum of cooperation; specifying administrative sanctions; authorizing the Alcohol Beverage Control Administration Commissioner to enforce regulation of the product at the retail level; authorizing enforcement actions involving agents of the Alcohol Beverage Control Administration Commissioner and persons acting upon the request, direction, or control of law-enforcement agencies; clarifying Alcohol Beverage Control Administration Commissioner's authority over alcohol licensees selling kratom and hemp-derived cannabinoid products; and specifying transfer of excess Alcohol Beverage Control Enforcement Fund money.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 679, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 679) passed with its Senate amended title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Nelson, Tarr, and Blair (Mr. President)—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 679) takes effect from passage.

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

On motion of Senator Takubo, at 3:12 p.m., the Senate recessed 3:30 p.m. today.

The Senate reconvened at 3:46 p.m. and resumed business under the third order.

A message from the Clerk of the House of Delegates announced that that body had refused to recede from its amendment, and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for Senate Bill 675, Establishing accreditation deadline for convention and visitors bureaus.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Howell, Dittman, and Williams.

On motion of Senator Takubo, the Senate agreed to the appointment of a conference committee on the bill.

Whereupon, Senator Weld appointed the following conferees on the part of the Senate:

Senators Martin, Barrett, and Plymale.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. House Bill 5257, Relating generally to allowing the Supreme Court of Appeals discretion to create uniform pay scales for all levels of judicial support staff.

Senator Takubo moved that the Senate refuse to recede from its amendments to the bill and request the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Following a point of inquiry to the Chair, with resultant response thereto,

The question being on the adoption of Senator Takubo's aforesaid motion, the same was put and prevailed.

Whereupon, Senator Weld appointed the following conferees on the part of the Senate:

Senators Barrett, Weld, and Woelfel.

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

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, to take effect July 1, 2024, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 858, Clarifying filing requirements and deadlines in property tax cases.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

Eng. Senate Bill 858—A Bill to amend and reenact §11-3-25b of the Code of West Virginia, 1931, as amended, relating to appellate jurisdiction of Office of Tax Appeals; clarifying that Office of Tax Appeals has appellate jurisdiction and may hear and decide cases over property tax issues even when a taxpayer fails to file a petition in writing, register a complaint, or request a review by an assessor or county commission.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Senate Bill 858, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—29.

The nays were: None.

Absent: Maroney, Nelson, Stuart, Tarr, and Blair (Mr. President)—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 858) passed with its House of Delegates amended title.

Senator Takubo moved that the bill take effect July 1, 2024.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—29.

The nays were: None.

Absent: Maroney, Nelson, Stuart, Tarr, and Blair (Mr. President)—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 858) takes effect July 1, 2024.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 727, Revising process for county boards of education to hire support staff.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, after the enacting section, by striking out the entirety of the bill and inserting the following:

CHAPTER 18. EDUCATION.

ARTICLE 5A. LOCAL SCHOOL INVOLVEMENT.

§18-5A-5. Public school faculty senates established; election of officers; powers and duties.

(a) There is established at every public school in this state a faculty senate which is comprised of all permanent, full-time professional educators, and may include early childhood classroom assistant teachers, employed at the school who shall all be voting members. "Professional educators", as used in this section, means "professional educators" as defined in chapter 18A of this code. A quorum of more than one half of the voting members of the faculty shall be present at any meeting of the faculty senate at which official business is conducted. Prior to the beginning of the instructional term each year, but within the employment term, the principal shall convene a meeting of the faculty senate to elect a chair, vice chair, and secretary and discuss matters relevant to the beginning of the school year. The vice chair shall preside at meetings when the chair is absent. Meetings of the faculty senate shall be held during the times provided in accordance with subdivision (12), subsection (b) of this section as determined by the faculty senate. Emergency meetings may be held during noninstructional time at the call of the chair or a majority of the voting members by petition submitted to the chair and vice chair. An agenda of matters to be considered at a scheduled meeting of the faculty senate shall be available to the members at least two employment days prior to the meeting. For emergency meetings, the agenda shall be available as soon as possible prior to the meeting. The chair of the faculty senate may appoint such committees as may be desirable needed to study and submit recommendations to the full faculty senate, but the acts of the faculty senate shall be voted upon by the full body members present during a meeting.

(b) In addition to any other powers and duties conferred by law, or authorized by policies adopted by the state, ~~or~~ county board or bylaws which may be adopted by the faculty senate not inconsistent with law, the powers and duties listed in this subsection are specifically reserved for

the faculty senate. The intent of these provisions is neither to restrict nor to require the activities of every faculty senate to the enumerated items except as otherwise stated. Each faculty senate shall organize its activities as it considers most effective and efficient based on school size, departmental structure, and other relevant factors.

(1) Each faculty senate shall control funds allocated to the school from legislative appropriations pursuant to ~~section nine, article nine-a of this chapter~~ §18-9A-9 of this code. From those funds, each classroom teacher and librarian shall be allotted \$300 for expenditure during the instructional year for academic materials, supplies, or equipment which, in the judgment of the teacher or librarian, will assist him or her in providing instruction in his or her assigned academic subjects or shall be returned to the faculty senate: *Provided*, That nothing contained herein prohibits the funds from being used for programs and materials that, in the opinion of the teacher, enhance student behavior, increase academic achievement, improve self-esteem, and address the problems of students at risk. The remainder of funds shall be expended for academic materials, supplies, or equipment in accordance with a budget approved by the faculty senate. Notwithstanding any other provisions of the law to the contrary, funds not expended in one school year are available for expenditure in the next school year: *Provided, however*, That the amount of county funds budgeted in a fiscal year may not be reduced throughout the year as a result of the faculty appropriations in the same fiscal year for such materials, supplies, and equipment. Accounts shall be maintained ~~of~~ with the allocations and expenditures of such funds for the purpose of financial audit. Academic materials, supplies, or equipment shall be interpreted broadly, but does not include materials, supplies, or equipment which will be used in or connected with interscholastic athletic events.

(2) A faculty senate ~~may~~ shall establish a process for members to interview or otherwise obtain information regarding applicants for classroom teaching, ~~and early childhood classroom assistant teacher~~ vacancies that will enable the faculty senate to submit recommendations regarding employment to the principal. To facilitate the establishment of a process that is timely, effective, consistent among schools and counties, and designed to avoid litigation or grievance, the state board shall promulgate a rule pursuant to ~~article three-b, chapter twenty-nine-a~~ §29A-3B-1 et seq. of this code to implement the provisions of this subdivision. The rule shall require that any process established pursuant to this subdivision include the participation and input of early childhood classroom assistant teacher when information regarding applicants for the early childhood classroom assistant teacher vacancies is being obtained; that the early childhood classroom assistant teacher be employed at the school with the vacancy; and that no service person applying for the position be included in the process beyond his or her role as an applicant for the position. The rule also may include the following:

(A) A process or alternative processes that a faculty senate may adopt;

(B) If determined necessary, a requirement and procedure for training for principals, ~~and~~ faculty senate members or their designees, ~~or early childhood classroom assistant teacher~~ who may participate in interviews and provisions that may provide for the compensation based on the appropriate daily rate of a classroom teacher as applicable, who directly participates in the training for periods beyond his or her individual contract;

(C) Timelines that will assure the timely completion of the recommendation or the forfeiture of the right to make a recommendation upon the failure to complete a recommendation within a reasonable time;

(D) The authorization of the faculty senate to delegate the process for making a recommendation to a committee of no less than three members of the faculty senate plus one early childhood classroom assistant teacher meeting the requirements of this subdivision when information regarding applicants for the early childhood classroom assistant teacher vacancies is being obtained; and

(E) Such other provisions as the state board determines are necessary or beneficial for the process to be established by the faculty senate.

(3) A faculty senate may nominate teachers or early classroom childhood assistant teacher for recognition as outstanding teachers under state and local teacher recognition programs and other personnel at the school, including parents, for recognition under other appropriate recognition programs and may establish such programs for operation at the school.

(4) A faculty senate may submit recommendations to the principal regarding the assignment scheduling of secretaries, clerks, aides, and paraprofessionals at the school.

(5) A faculty senate may submit recommendations to the principal regarding establishment of the master curriculum schedule for the next ensuing school year.

(6) A faculty senate may establish a process for the review and comment on sabbatical leave requests submitted by employees at the school pursuant to ~~section eleven, article two of this chapter~~ §18-2-11 of this code.

(7) Each faculty senate shall elect three faculty representatives to the local school improvement council established pursuant to section two of this article.

(8) Each faculty senate may nominate a member for election to the county staff development council pursuant to ~~section eight, article three, chapter eighteen-a~~ §18A-3-8 of this code.

(9) Each faculty senate shall have an opportunity to make recommendations on the selection of faculty to serve as mentors for beginning teachers under beginning teacher internship programs at the school.

(10) A faculty senate may solicit, accept, and expend any grants, gifts, bequests, donations, and any other funds made available to the faculty senate: *Provided*, That the faculty senate shall select a member who has the duty of maintaining a record of all funds received and two members shall sign off all expenditures expended by the faculty senate, which record shall be kept in the school office and is subject to normal auditing procedures.

(11) Any faculty senate may review the process of the evaluation procedure as conducted in their school to ascertain whether the evaluations were conducted in accordance with the written system required pursuant to ~~section twelve, article two, chapter eighteen-a~~ §18A-2-12 of this code or pursuant to ~~section two, article three-c, chapter eighteen-a~~ §18A-3C-2 of this code, as applicable, and the general intent of this Legislature regarding meaningful performance evaluations of school personnel. If a majority of members of the faculty senate determine that such evaluations were not so conducted, they shall submit a report in writing to the county superintendent and the State Board of Education: *Provided*, That nothing herein creates any new right of access to or review of any individual's evaluations without individuals written consent.

(12) A local board shall provide to each faculty senate at least ~~six~~ three two-hour blocks of time for faculty senate meetings with at least one two-hour block of time scheduled in the first month of the employment term, one two-hour block of time scheduled in the last month of the employment term and at least one two-hour block of time ~~scheduled in each of the months of October, December, February, and April~~ determined by the county board of education emergency meetings may be held where needed subject to approval. A faculty senate may meet for an unlimited block of time during noninstructional days to discuss and plan strategies to improve student instruction and to conduct other faculty senate business. A faculty senate meeting scheduled on a noninstructional day shall be considered as part of the purpose for which the noninstructional day is scheduled. This time may be used and determined at the local school level and includes, but is not limited to, faculty senate meetings.

~~(13) Each faculty senate shall develop a strategic plan to manage the integration of special needs students into the regular classroom at their respective schools and submit the strategic plan to the superintendent of the county board periodically pursuant to guidelines developed by the State Department of Education. Each faculty senate shall encourage the participation of local school improvement councils, parents, and the community at large in developing the strategic plan for each school.~~

~~Each strategic plan developed by the faculty senate shall include at least: (A) A mission statement; (B) goals; (C) needs; (D) objectives and activities to implement plans relating to each goal; (E) work in progress to implement the strategic plan; (F) guidelines for placing additional staff into integrated classrooms to meet the needs of exceptional needs students without diminishing the services rendered to the other students in integrated classrooms; (G) guidelines for implementation of collaborative planning and instruction; and (H) training for all regular classroom teachers who serve students with exceptional needs in integrated classrooms.~~

CHAPTER 18A. SCHOOL PERSONNEL.

ARTICLE 4. SALARIES, WAGES, AND OTHER BENEFITS.

§18A-4-8b. Seniority rights for school service personnel.

(a) A county board shall make decisions affecting promotions and the filling of any service personnel positions of employment or jobs occurring throughout the school year that are to be performed by service personnel as provided in §18A-4-8 of this code, on the basis of seniority, qualifications, and evaluation of past service, subject to subsection (c) of this section.

(b) Qualifications means the applicant holds a classification title in his or her category of employment as provided in this section and is given first opportunity for promotion and filling vacancies. Other employees then shall be considered and shall qualify by meeting the definition of the job title that relates to the promotion or vacancy, as defined in §18A-4-8 of this code. If requested by the employee, the county board shall show valid cause why a service person with the most seniority is not promoted or employed in the position for which he or she applies. ~~Qualified~~ Subject to subsection (c) of this section, applicants shall be considered in the following order:

(1) Regularly employed service personnel who hold a classification title within the classification category of the vacancy;

(2) Service personnel who have held a classification title within the classification category of the vacancy whose employment has been discontinued in accordance with this section;

(3) Regularly employed service personnel who do not hold a classification title within the classification category of the vacancy;

(4) Service personnel who have not held a classification title within the classification category of the vacancy and whose employment has been discontinued in accordance with this section;

(5) Substitute service personnel who hold a classification title within the classification category of the vacancy;

(6) Substitute service personnel who do not hold a classification title within the classification category of the vacancy; and

(7) New service personnel.

(c) Notwithstanding any other provision of this code to the contrary, in the case of an early childhood classroom assistant teacher position:

(1) A county board shall give the principal at the school at which the majority of duties would be performed by applicants an opportunity to interview all qualified applicants and make recommendations to the county superintendent regarding their employment. The state board rule required by subdivision (7) of this subsection shall designate the person to interview the applicants if the principal is unable to submit hiring recommendations;

(2) A county board shall also give the faculty senate at the school at which the employee will be performing a majority of his or her duties including the participating early childhood classroom assistant teacher service person required pursuant to §18-5A-5 of this code an opportunity to interview or otherwise obtain information regarding applicants for the vacancies;

(3) Decisions affecting promotions and filling of the early childhood classroom assistant teacher positions of employment or jobs occurring throughout the school year that are to be performed by any early childhood classroom assistant teacher as provided in §18A-4-8 of this code shall be made on the basis of:

(A) Seniority;

(B) Qualifications;

(C) Evaluation of past service;

(D) The recommendation of the principal or other person as designated by the state board rule pursuant to subdivision (1) of this subsection;

(E) The recommendation, if any, resulting from the process established pursuant to §18-5A-5 of this code by the faculty senate of the school at which the employee will be performing a majority of his or her duties; and

(4) Each of the criterion under subdivision (3) of this subsection shall be given equal weight.

(5) The order of consideration of qualified applicants set forth in subsection (b) of this section may not apply when filling early childhood classroom assistant teacher positions and all qualified applicants shall be considered together in one group;

(6) If the principal and faculty senate with the input and participation of the early childhood classroom assistant teacher required pursuant to §18-5A-5 of this code recommend the same applicant pursuant to this subsection, and the county superintendent concurs with those recommendations, then the county board shall appoint that applicant notwithstanding any other provision of this code to the contrary;

(7) The state board shall promulgate a rule in accordance with the provisions of §29A-3B-1 et seq. of this code to implement and interpret the provisions of this section. The rule may provide for a classroom teacher and early childhood classroom assistant teacher who directly participates in making recommendations pursuant to this section to be compensated at the appropriate daily rate during periods of participation beyond his or her individual contract; and

(8) This subsection shall be effective for any promotions and filling of the early childhood classroom assistant teacher positions of employment or jobs occurring throughout the school year when the employment of the successful applicant in the position is to begin on or after July 1, 2024.

~~(e)~~ (d) The county board may not prohibit a service person from retaining or continuing his or her employment in any positions or jobs held prior to the effective date of this section and thereafter.

~~(d)~~ (e) A promotion means any change in employment that the service person considers to improve his or her working circumstance within the classification category of employment.

(1) A promotion includes a transfer to another classification category or place of employment if the position is not filled by an employee who holds a title within that classification category of employment.

(2) Each class title listed in §18A-4-8 of this code is considered a separate classification category of employment for service personnel, except for those class titles having Roman numeral designations, which are considered a single classification of employment:

(A) The cafeteria manager class title is included in the same classification category as cooks;

(B) The executive secretary class title is included in the same classification category as secretaries;

(C) Paraprofessional, autism mentor, early classroom assistant teacher, and braille or sign support specialist class titles are included in the same classification category as aides; and

(D) The mechanic assistant and chief mechanic class titles are included in the same classification category as mechanics.

(3) The assignment of an aide to a particular position within a school is based on seniority within the aide classification category if the aide is qualified for the position.

(4) Assignment of a custodian to work shifts in a school or work site is based on seniority within the custodian classification category.

~~(e)~~ (f) For purposes of determining seniority under this section a service persons seniority begins on the date that he or she enters into the assigned duties.

~~(f)~~ (g) *Extra duty assignments.* —

(1) For the purpose of this section, "extra duty assignment" means an irregular job that occurs periodically or occasionally, such as, but not limited to, field trips, athletic events, proms, banquets, and band festival trips.

(2) Notwithstanding any other provisions of this chapter to the contrary, decisions affecting service personnel with respect to extra duty assignments are made in the following manner:

(A) A service person with the greatest length of service time in a particular category of employment is given priority in accepting extra duty assignments, followed by other fellow employees on a rotating basis according to the length of their service time until all employees have had an opportunity to perform similar assignments. The cycle then is repeated.

(B) An alternative procedure for making extra-duty assignments within a particular classification category of employment may be used if the alternative procedure is approved both by the county board and by an affirmative vote of two-thirds of the employees within that classification category of employment.

~~(g)~~ (h) County boards shall post and date notices of all job vacancies of existing or newly created positions in conspicuous places for all school service personnel to observe for at least five working days.

(1) Posting locations include any website maintained by or available for the use of the county board.

(2) Notice of a job vacancy shall include the job description, the period of employment, the work site, the starting and ending time of the daily shift, the amount of pay and any benefits and other information that is helpful to prospective applicants to understand the particulars of the job. The notice of a job vacancy in the aide classification categories shall include the program or primary assignment of the position. Job postings for vacancies made pursuant to this section shall be written to ensure that the largest possible pool of qualified applicants may apply. Job postings may not require criteria which are not necessary for the successful performance of the job and may not be written with the intent to favor a specific applicant.

(3) All vacancies in existing or newly created positions shall be filled within 20 working days from the closing date of the job posting for the position.

(4) The county board shall notify the successful applicant as soon as possible after the county board makes a hiring decision regarding the posted position.

~~(h)~~ (i) All decisions by county boards concerning reduction in work force of service personnel shall be made on the basis of seniority, as provided in this section.

~~(j)~~ (i) The seniority of a service person is determined on the basis of the length of time the employee has been employed by the county board within a particular job classification. For the purpose of establishing seniority for a preferred recall list as provided in this section, a service person who has been employed in one or more classifications retains the seniority accrued in each previous classification.

~~(j)~~ (k) If a county board is required to reduce the number of service personnel within a particular job classification, the following conditions apply:

(1) The employee with the least amount of seniority within that classification or grades of classification is properly released and employed in a different grade of that classification if there is a job vacancy;

(2) If there is no job vacancy for employment within that classification or grades of classification, the service person is employed in any other job classification which he or she previously held with the county board if there is a vacancy and retains any seniority accrued in the job classification or grade of classification.

~~(k)~~ (l) After a reduction in force or transfer is approved, but prior to August 1, a county board in its sole and exclusive judgment may determine that the reason for any particular reduction in force or transfer no longer exists.

(1) If the board makes this determination, it shall rescind the reduction in force or transfer and notify the affected employee in writing of the right to be restored to his or her former position of employment.

(2) The affected employee shall notify the county board of his or her intent to return to the former position of employment within five days of being notified or lose the right to be restored to the former position.

(3) The county board may not rescind the reduction in force of an employee until all service personnel with more seniority in the classification category on the preferred recall list have been offered the opportunity for recall to regular employment as provided in this section.

(4) If there are insufficient vacant positions to permit reemployment of all more senior employees on the preferred recall list within the classification category of the service person who was subject to reduction in force, the position of the released service person shall be posted and filled in accordance with this section.

~~(k)~~ (m) If two or more service persons accumulate identical seniority, the priority is determined by a random selection system established by the employees and approved by the county board.

~~(m)~~ (n) All service personnel whose seniority with the county board is insufficient to allow their retention by the county board during a reduction in work force are placed upon a preferred recall list and shall be recalled to employment by the county board on the basis of seniority.

~~(n)~~ (o) A service person placed upon the preferred recall list shall be recalled to any position openings by the county board within the classification(s) where he or she had previously been employed, to any lateral position for which the service person is qualified or to a lateral area for which a service person has certification and/or licensure.

~~(o)~~ (p) A service person on the preferred recall list does not forfeit the right to recall by the county board if compelling reasons require him or her to refuse an offer of reemployment by the county board.

~~(p)~~ (q) The county board shall notify all service personnel on the preferred recall list of all position openings that exist from time to time. The notification shall be sent annually, with written receipt notification documented by the superintendent, and shall list instructions to access job postings on any website maintained by or available for the use of the county board.

~~(q)~~ (r) A position opening may be filled by the county board, whether temporary or permanent, until all service personnel on the preferred recall list have been properly notified of existing vacancies and have been given an opportunity to accept reemployment.

~~(r)~~ (s) A service person released from employment for lack of need as provided in ~~sections six and eight a, article two of this chapter~~ §18A-2-6 and §18A-2-8a of this code is accorded preferred recall status on July 1 of the succeeding school year if he or she has not been reemployed as a regular employee.

~~(s)~~ (t) A county board failing to comply with the provisions of this article may be compelled to do so by mandamus and is liable to any party prevailing against the board for court costs and the prevailing party's reasonable attorney's fee, as determined and established by the court.

(1) A service person denied promotion or employment in violation of this section shall be awarded the job, pay and any applicable benefits retroactively to the date of the violation and shall be paid entirely from local funds.

(2) The county board is liable to any party prevailing against the board for any court reporter costs including copies of transcripts.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 727—A Bill to amend and reenact §18-5A-5 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18A-4-8b of said code, all relating to local school involvement and the employment of school personnel; allowing a faculty senate to include early childhood classroom assistant teachers; modifying language relating to faculty senate committee assignments and voting; requiring the faculty senate to establish a process for members to interview or obtain information regarding classroom teacher and early childhood classroom assistant teacher vacancies; requiring the state board to include it its rulemaking certain provisions regarding early childhood classroom assistant teachers; providing for inclusion of early childhood classroom assistant teachers in training; providing for inclusion of early childhood classroom assistant teachers in the faculty senate committee process; allowing for recognition of early childhood classroom assistant teachers; requiring that two members of the faculty senate to sign off on all expenditures; providing that certain faculty senate reports be provided to county superintendent; requiring that any review of an individual's evaluations must have that individual's consent; changing the time frame that the local board must provide for faculty senate and allowing for emergency meetings; removing the requirement that a faculty senate develop a strategic plan; requiring the principal to be given an opportunity to interview all qualified early childhood classroom assistant teachers applicants, make recommendations regarding their employment, and requiring state board rule to address who shall be the principal's

designee if the principal is unable to participate in the process; requiring the county board to give the faculty senate the opportunity to interview or obtain information regarding early childhood classroom assistant teacher applicant vacancies; establishing criterion upon which decisions affecting promotions and filing of the early childhood classroom assistant teacher positions are to be based; specifying weight to be given to each criterion; requiring all qualified applicants to be considered together in one group; requiring appointment of applicant if the principal and faculty senate recommend the same applicant and the county superintendent concurs; requiring state board rule to implement and interpret certain provisions; and establishing effective date.

On motion of Senator Takubo, the Senate refused to concur in the foregoing House amendments to the bill (Eng. Com. Sub. for S. B. 727) and requested the House of Delegates to recede therefrom.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its Senate amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 5405, Providing additional professional development and support to West Virginia educators through teacher and leader induction and professional growth.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 4, line 94, by striking out "\$2,000,000" and inserting in lieu thereof "\$1,000,000"

and,

On page 5, line 99, by striking out "\$2,000,000" and inserting in lieu thereof "\$1,000,000".

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 5405, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—29.

The nays were: None.

Absent: Maroney, Nelson, Stuart, Tarr, and Blair (Mr. President)—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for H. B. 5405) passed with its Senate amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its Senate amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 4786, Delivery Network Company (DNC) Insurance Model Act.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 2, section 33-63-1, line 38, by striking the word "and".

And,

On page 2, section 33-63-1, line 39, by striking the period and inserting a semicolon in lieu thereof.

And,

On page 2, section 33-63-1, after paragraph (B), by inserting the following:

(C) A two axel vehicle, the primary purpose of which is the transportation of passengers, including motorcycles and mopeds.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 4786, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—29.

The nays were: None.

Absent: Maroney, Nelson, Stuart, Tarr, and Blair (Mr. President)—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for H. B. 4786) passed with its Senate amended title.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 4399, Creating the equitable right to expungement.

On motion of Senator Takubo, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Weld appointed the following conferees on the part of the Senate:

Senators Stover, Deeds, and Caputo.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. House Bill 4305, Relating to granting in-state resident status to economic development participants.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendment to the bill was reported by the Clerk:

On page 1, line 12, by striking out the entirety of subsection (c) and inserting in lieu thereof the following:

(c) An economic development participant who qualifies as a resident on the first day of the semester or term of the institution of higher education shall be eligible for resident tuition rates.

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendment to the bill.

Engrossed House Bill 4305, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—30.

The nays were: None.

Absent: Maroney, Nelson, Tarr, and Blair (Mr. President)—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. H. B. 4305) passed with its title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. Senate Bill 164, Relating generally to trespassing.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendment to the House of Delegates amendments to the bill was reported by the Clerk:

On page 2, section 3, line 25, after the word "\$100" by inserting the words "nor more than \$1,000".

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendment to the House amendments to the bill.

Engrossed Senate Bill 164, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—30.

The nays were: None.

Absent: Maroney, Nelson, Tarr, and Blair (Mr. President)—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. S. B. 164) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 578, Clarifying offense of burglary.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, section 11, line 11, by striking the words "is lawfully on notice" and inserting in lieu thereof the word "knows"

And

On page 1, section 11, line 12, by striking the words "by a court order, entered pursuant to §48-5-1 *et seq.*, §48-27-1 *et seq.*, or §62-1c-1 *et seq.* of this code".

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 578, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—30.

The nays were: None.

Absent: Maroney, Nelson, Tarr, and Blair (Mr. President)—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for S. B. 578) passed with its title.

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

On motion of Senator Takubo, at 4:09 p.m., the Senate recessed until 4:30 p.m. today.

The Senate reconvened at 4:54 p.m. and resumed business under the third order.

Executive Communications

Senator Weld laid before the Senate the following communication from His Excellency, the Governor, consisting of executive nominations for appointees:



Jim Justice
Governor of West Virginia

March 9, 2024

Senate Executive Message No. 4
Regular Session 2024

TO: The Honorable Members of the
West Virginia Senate

Ladies and Gentlemen:

I respectfully submit the following nominations for your advice and consent:

1. For Member, Concord University Board of Governors, Terri Muscari, Pineville, Wyoming County, for the term ending June 30, 2027.
2. For Member, Concord University Board of Governors, Christopher L. Selvey, Fayetteville, Fayette County, for the term ending June 30, 2025.
3. For Member, Concord University Board of Governors, Cynthia Jones Khanlarian, Greensboro, North Carolina, for the term ending June 30, 2026.
4. For Member, West Virginia State University Board of Governors, Lester Raines, Charleston, Kanawha County, for the term ending June 30, 2027.
5. For Member, First Foundation Board, Alys Smith, Huntington, Cabell County, for the term ending June 30, 2026.
6. For Member, First Foundation Board, Jeff Sandy, Vienna, Wood County, for the term ending June 30, 2026.
7. For Member, First Foundation Board, Matthew L. Harvey, Shepherdstown, Jefferson County, for the term ending June 30, 2026.
8. For Member, First Foundation Board, Gregory A. Duckworth, Beaver, Raleigh County, for the term ending June 30, 2024.
9. For Member, First Foundation Board, Dora L. Stutler, Clarksburg, Harrison County, for the term ending June 30, 2024.

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10. For Member, Statewide Independent Living Council, Christy L. Haynes, Arnoldsburg, Calhoun County, for the term ending June 30, 2026.
11. For Member, Flatwater Trail Commission, Amanda J. Pitzer, Thornton, Preston County, for the term ending December 31, 2027.
12. For Member, Bluefield State College Board of Governors, Rebecca Peterson, Bluefield, Virginia, for the term ending June 30, 2027.
13. For Member and Chair, Unemployment Compensation Board of Review, The Honorable Jeffrey K. Mullins, White Sulphur Springs, Greenbrier County, for the term ending January 1, 2029.
14. For Member, Pierpont Community and Technical College Board of Governors, Anthony Hinton, Bridgeport, Harrison County, for the term ending June 30, 2026.
15. For Director/State Forester, West Virginia Division of Forestry, Jeremy C. Jones, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.
16. For Member, Educational Broadcasting Authority, William H. File III, Beckley, Raleigh County, for the term ending June 30, 2024.
17. For Member, Board of Optometry, James W. Herman, Winfield, Putnam County, for the term ending June 30, 2024.
18. For Member, West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners, Erin Hamilton Butcho, Morgantown, Monongalia County, for the term ending June 30, 2025.
19. For Member, Northern Community and Technical College Board of Governors, Elizabeth Hofreuter, Wheeling, Ohio County, for the term ending June 30, 2026.
20. For Member, Northern Community and Technical College Board of Governors, Ronald Scott, Jr., Wheeling, Ohio County, for the term ending June 30, 2026.
21. For Member, Northern Community and Technical College Board of Governors, Jacob C. Altmeyer, Triadelphia, Ohio County, for the term ending June 30, 2027.
22. For Member, Board of Dentistry, Don E. Skaff, Charleston, Kanawha County, for the term ending June 30, 2024.
23. For Member, Mountwest Community and Technical College Board of Governors, Melanie P. Hall, Huntington, Cabell County, for the term ending June 30, 2024.
24. For Member, Board of Veterinary Medicine, Shawn D. Sette, Hurricane, Putnam County, for the term ending June 30, 2028.

25. For Member, Dangerousness Assessment Advisory Board, Nicholas Jasinski, Morgantown, Monongalia County, to serve at the will and pleasure of the Governor.
26. For Member, West Virginia Board of Medicine, Angela A. Mayfield, Nitro, Kanawha County, for the term ending September 30, 2028.
27. For Member, West Virginia Board of Medicine, Jonathan P. Lilly, Winfield, Putnam County, for the term ending September 30, 2028.
28. For Member, Board of Coal Mine Health and Safety, James G. Norman, Pineville, Wyoming County, for the term ending June 30, 2026.
29. For Member, Surface Mine Board, James Britton, Morgantown, Monongalia County, for the term ending June 30, 2026.
30. For Member, West Virginia University - Parkersburg Board of Governors, Vasanth Ananth, Marietta, Ohio, for the term ending June 30, 2026.
31. For Member, West Virginia College and Jumpstart Savings Program Board of Trustees, Paul Koontz, Charleston, Kanawha County, for the term ending June 30, 2025.
32. For Member, Board of Funeral Service Examiners, Frederick H. Kitchen, Milton, Cabell County, for the term ending June 30, 2027.
33. For Member, Board of Funeral Service Examiners, Richard D. Bishoff, Charleston, Kanawha County, for the term ending June 30, 2026.
34. For Member, Board of Funeral Service Examiners, Eugene T. Fahey, Wheeling, Ohio County, for the term ending June 30, 2025.
35. For Member, Board of Funeral Service Examiners, Ronald D. Waybright, Ripley, Jackson County, for the term ending June 30, 2025.
36. For Member, Board of Funeral Service Examiners, Paul Mateer, Summersville, Nicholas County, for the term ending June 30, 2027.
37. For Member, Housing Development Fund, Allen D. Retton, Fairmont, Marion County, for the term ending October 30, 2027.
38. For Member, Workforce Development Board, Brian Stanley, Washington, Wood County, for the term ending June 30, 2026.
39. For Member, Workforce Development Board, Nathan Ward, Huntington, Cabell County, for the term ending June 30, 2025.
40. For Member, Livestock Care Standards Board, Philip L. Gregg, Masontown, Preston County, for the term ending June 30, 2028.

41. For Member, Livestock Care Standards Board, Robert J. Stenger, Lost Creek, Harrison County, for the term ending June 30, 2028.
42. For Member, Real Estate Commission, Joseph T. Bevil, Nimitz, Summers County, for the term ending June 30, 2027.
43. For Member, Real Estate Commission, Pam Hylbert-Eder, South Charleston, Kanawha County, for the term ending June 30, 2026.
44. For Member, Fairmont State University Board of Governors, David Goldberg, Morgantown, Monongalia County, for the term ending June 30, 2027.
45. For Member, West Virginia Parole Board, Elizabeth Kylenc Brown, Hurricane, Putnam County, for the term ending June 30, 2024.
46. For Member, West Virginia Board of Education, Gregory F. Wooten, Logan, Logan County, for the term ending November 4, 2032.
47. For Member, Fire Commission, Thomas A. Keefer, Winfield, Putnam County, for the term ending June 30, 2026.
48. For Member, School Building Authority, Gary L. Price, Fairmont, Marion County, for the term ending July 31, 2024.
49. For Member, Board of Examiners of Psychologists, Steven G. Cody, Huntington, Cabell County, for the term ending June 30, 2026.
50. For Secretary, West Virginia Department of Human Services, Cynthia Persily, Charleston, Kanawha County, to serve at the will and pleasure of the Governor.
51. For Secretary, West Virginia Department of Health, Sherri A. Young, Elkview, Kanawha County, to serve at the will and pleasure of the Governor.
52. For Secretary, West Virginia Department of Health Facilities, Michael J. Caruso, Wheeling, Ohio County, to serve at the will and pleasure of the Governor.
53. For Member, Fire Commission, Steven L. Byers, Jr., Weston, Lewis County, for the term ending June 30, 2028.
54. For Member, Fire Commission, Brian E. Jones, Morgantown, Monongalia County, for the term ending June 30, 2028.
55. For Member, Board of Examiners of Psychologists, Charley W. Bowen, Jr., Culloden, Putnam County, for the term ending June 30, 2026.
56. For Member, Board of Examiners for Speech-Language Pathology and Audiology, Vickie H. Pullins, Daniels, Raleigh County, for the term ending June 30, 2024.

57. For Member, Board of Examiners for Speech-Language Pathology and Audiology, R. Michael Squires, Mineral Wells, Wood County, for the term ending June 30, 2025.
58. For Member, Real Estate Commission, James S. Walker, Morgantown, Monongalia County, for the term ending June 30, 2026.
59. For Member, Racing Commission, Chip Urling, Cross Lanes, Kanawha County, for the term ending June 30, 2024.
60. For Member, Housing Development Fund, Kellie Wooten-Willis, Logan, Logan County, for the term ending October 30, 2028.
61. For Member, Special Reclamation Fund Advisory Council, Jason D. Bostic, Pratt, Kanawha County, for the term ending June 30, 2028.
62. For Member, Special Reclamation Fund Advisory Council, Christine Risch, Huntington, Cabell County, for the term ending June 30, 2024.
63. For Member, Special Reclamation Fund Advisory Council, Ronald Pauley, Sumerco, Lincoln County, for the term ending June 30, 2024.
64. For Member, Special Reclamation Fund Advisory Council, Christopher D. Pence, South Charleston, Kanawha County, for the term ending June 30, 2026.
65. For Member, Special Reclamation Fund Advisory Council, James Kotcon, Morgantown, Monongalia County, for the term ending June 30, 2029.
66. For Member, West Virginia Library Commission, Adam M. Gissy, Weston, Lewis County, for the term ending June 30, 2025.
67. For Member, Board of Examiners for Speech-Language Pathology and Audiology, The Honorable Ruth Rowan, Points, Hampshire County, for the term ending June 30, 2024.
68. For Member, Committee for the Purchase of Commodities and Services from the Handicapped, Kim Nuckles, Charleston, Kanawha County, for the term ending January 31, 2025.
69. For Member, Committee for the Purchase of Commodities and Services from the Handicapped, Susannah G. Carpenter, Charleston, Kanawha County, for the term ending January 31, 2025.
70. For Member, Committee for the Purchase of Commodities and Services from the Handicapped, John F. Hyre, Kingwood, Preston County, for the term ending January 31, 2025.
71. For Member, Committee for the Purchase of Commodities and Services from the Handicapped, Jerry D. Boyko, Charleston, Kanawha County, for the term ending January 31, 2025.

72. For Member, Committee for the Purchase of Commodities and Services from the Handicapped, Aaron B. Topping, Proctorville, Ohio, for the term ending January 31, 2025.
73. For Member, Committee for the Purchase of Commodities and Services from the Handicapped, Glenn McEndree, Spencer, Roane County, for the term ending January 31, 2025.
74. For Member, West Virginia Investment Management Board of Trustees, The Honorable Mike Hall, Winfield, Putnam County, for the term ending January 31, 2030.
75. For Member, West Virginia Investment Management Board of Trustees, Georgette R. George, Charleston, Kanawha County, for the term ending January 31, 2030.
76. For Member, West Virginia Emergency Medical Services Advisory Council, Stephen Cox, Jr., New Creek, Mineral County, for the term ending June 30, 2024.
77. For Member, Ethics Commission, Donald B. Carter, Jr., South Charleston, Kanawha County, for the term ending June 30, 2025.
78. For Member, Glenville State College Board of Governors, Richard G. Simon, Walkersville, Lewis County, for the term ending June 30, 2025.
79. For Member, Family Protection Services Board, Kimberly Sanford Sizemore, Fraziers Bottom, Putnam County, for the term ending June 30, 2025.
80. For Member, Family Protection Services Board, Emily S. Larkins, Washington, Wood County, for the term ending June 30, 2025.
81. For Member, Family Protection Services Board, Pepper Arrowood, Hurricane, Putnam County, for the term ending June 30, 2025.
82. For Member, Family Protection Services Board, Arlene Hudson, Charleston, Kanawha County, for the term ending June 30, 2025.
83. For Member, West Virginia Board of Social Work Examiners, Jonathan Friley, Cross Lanes, Kanawha County, for the term ending June 30, 2025.
84. For Member, Consolidated Public Retirement Board, Michael G. Corsaro, Hurricane, Putnam County, for the term ending June 30, 2028.
85. For Member, National Coal Heritage Area Commission, Jordan D. Baldwin, Huntington, Cabell County, for the term ending June 30, 2025.
86. For Member, West Virginia Emergency Medical Services Advisory Council, Brian W. Potter, Buckhannon, Upshur County, for the term ending June 30, 2026.

87. For Member, Board of Funeral Service Examiners, Robert C. Fields, Martinsburg, Berkeley County, for the term ending June 30, 2025.

88. For Member, Board of Banking and Financial Institutions, Joseph K. McDonie, Milton, Cabell County, for the term ending June 30, 2026.

Notice of these appointments was previously provided to the appropriate legislative staff at the time the appointments were made.

Sincerely,



Jim Justice
Governor

JCJ: mrp

cc: Clerk of the Senate
Assistant Clerk of the Senate
Senate Confirmations Chair

Which communication was received.

At the request of Senator Boley, and by unanimous consent, the nominations hereinbefore reported were taken up for immediate consideration.

Thereupon, Senator Weld laid before the Senate the following executive message:

Senate Executive Message 4, dated March 9, 2024 (*shown in the Senate Journal of today, immediately hereinbefore reported*).

Senator Boley then moved that the Senate advise and consent to all of the executive nominations referred to in Senate Executive Message 4.

The question being on the adoption of Senator Boley's aforestated motion,

The roll was then taken; and

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, and Woodrum—29.

The nays were: None.

Absent: Maroney, Nelson, Tarr, Woelfel, and Blair (Mr. President)—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared Senator Boley's motion had prevailed and that all the executive nominations referred to in Senate Executive Message 4 had been confirmed.

Consideration of executive nominations having been concluded,

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 4851, To allow for public and private schools in West Virginia to employ security personnel.

On motion of Senator Takubo, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Weld appointed the following conferees on the part of the Senate:

Senators Hamilton, Oliverio, and Woelfel.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its Senate amended title, and requested the concurrence of the Senate in the House of Delegates amendments to the Senate amendments, as to

Eng. Com. Sub. for House Bill 5349, West Virginia Truth in Food Labeling Act.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the Senate amendments to the bill were reported by the Clerk:

On page 1, section 1, line 5, after the word "fish," by inserting the words "fishery product,"

And,

On page 1, section 1, line 9, after the word "fish," by inserting the words "fishery product."

On motion of Senator Takubo, the Senate concurred in the foregoing House of Delegates amendments to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 5349, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Taylor, Trump, Weld, Woelfel, and Woodrum—31.

The nays were: None.

Absent: Maroney, Tarr, and Blair (Mr. President)—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the Chair declared the bill (Eng. Com. Sub. for H. B. 5349) passed with its Senate amended title.

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

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 5544, Relating to requiring certain reporting from the Mountaineer Trail Network Authority each year.

On motion of Senator Takubo, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Weld appointed the following conferees on the part of the Senate:

Senators Jeffries, Maynard, and Caputo.

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

On motion of Senator Takubo, at 5:01 p.m., the Senate recessed 5:15 p.m. today.

The Senate reconvened at 6:30 p.m.

(Senator Blair, Mr. President, in the Chair.)

Senator Weld then moved that

Eng. Com. Sub. for House Bill 5082, Exempt those with 25 years holding an insurance license from attaining additional CEUs.

Be taken from the table (having been laid on the table by Senate action in earlier proceedings today after the Senate acceded to the request of the House of Delegates and receded from its amendments to the bill).

On motion of Senator Weld, the Senate reconsidered the vote by which in earlier proceedings today it acceded to the request of the House of Delegates and receded from its amendments to the bill.

The vote thereon having been reconsidered,

On motion of Senator Weld, the Senate refused to recede from its amendments to the bill and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses.

Whereupon, Senator Blair (Mr. President) appointed the following conferees on the part of the Senate:

Senators Azinger, Hamilton, and Woelfel.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 152, Displaying official US motto in public schools.

On motion of Senator Weld, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, after the enacting clause by striking out the remainder of the recommitted committee substitute and inserting, in lieu thereof, the following:

ARTICLE 5G. PUBLIC CHARTER SCHOOLS.

§18-5G-3. Public charter school criteria, governance structure and statutory compliance requirements; applicable federal and state laws.

(a) Public charter schools authorized pursuant to this article shall meet the following general criteria:

(1) Are part of the state's system of public schools and are subject to general supervision by the West Virginia Board of Education for meeting the student performance standards required of other public school students under §18-2E-5(d) and (e) of this code;

(2) Are subject to the oversight of the school's authorizer for operating in accordance with its approved charter contract and for meeting the terms and performance standards established in the charter contract;

(3) Are not home school-based;

(4) Are not affiliated with or espouse any specific religious denomination, organization, sect, or belief and do not promote or engage in any religious practices in their educational program, admissions, employment policies, or operations;

(5) Are not affiliated with any organized group whose espoused beliefs attack or malign an entire class of people, typically for immutable characteristics, as identified through listings of such groups as may be made by the U. S. Department of Justice, the Federal Bureau of Investigation, or officials having similar jurisdiction in this state;

(6) Are public schools to which parents or legal guardians choose to send their child or children;

(7) Do not charge tuition and may only charge such fees as may be imposed by noncharter public schools in this state; and

(8) Have no requirements that would exclude any child from enrollment who would not be excluded at a noncharter public school.

(b) A public charter school authorized pursuant to this article shall be governed by a board that meets the requirements established in §18-5G-7 of this code and:

(1) Has autonomy over key decisions, including, but not limited to, decisions concerning finance, personnel, scheduling, curriculum, and instruction except as provided in this article;

(2) Has no power to levy taxes;

(3) Operates in pursuit of a specific set of educational objectives as defined in its charter contract;

(4) Provides a program of public education that:

(A) Includes one or more of the following: Prekindergarten and any grade or grades from kindergarten to grade 12 including any associated post-secondary embedded credit, dual credit, advanced placement, internship, and industry or workforce credential programs that the public charter school chooses to incorporate into its programs;

(B) May include in its mission a specific focus on students with special needs, including, but not limited to, at-risk students, English language learners, students with severe disciplinary problems at a noncharter public school, or students involved with the juvenile justice system; and

(C) May include a specific academic approach or theme including, but not limited to, approaches or themes such as STEM education, mastery-based education, early college, or fine and performing arts;

(5) Provides programs and services to a student with a disability in accordance with the student's individualized education program and all federal and state laws, regulations, rules and policies. A charter school shall deliver the services directly or contract with a county board or another provider to deliver the services as set forth in its charter contract;

(6) Is eligible to participate in state-sponsored or district-sponsored athletic and academic interscholastic leagues, competitions, awards, scholarships, and recognition programs for students, educators, administrators, and schools to the same extent as noncharter public schools;

(7) Employs its own personnel as employees of the public charter school and is ultimately responsible for processing employee paychecks, managing its employees' participation in the applicable retirement system, and managing its employees' participation in insurance plans: *Provided*, That nothing in this subdivision prohibits the public charter school from contracting with another person or entity to perform services relating to managing its employees' participation in the retirement system or insurance plan. A county board may not require any employee of its school system to be employed in a public charter school. A county board may not harass, threaten, discipline, discharge, retaliate, or in any manner discriminate against any school system employee involved directly or indirectly with an application to establish a public charter school as authorized under this section. All personnel in a public charter school who were previously employed by the county board shall continue to accrue seniority with the county board in the same manner that they would accrue seniority if employed in a noncharter public school in the county for purposes of employment in noncharter public schools; and

(8) Is responsible for establishing a staffing plan that includes the requisite qualifications and any associated certification and/or licensure necessary for teachers and other instructional staff to be employed at the public charter school and for verifying that these requirements are met.

(c) A public charter school authorized pursuant to this article is exempt from all statutes and rules applicable to a noncharter public school or board of education except the following:

(1) All federal laws and authorities applicable to noncharter public schools in this state including, but not limited to, the same federal nutrition standards, the same civil rights, disability rights and health, life and safety requirements applicable to noncharter public schools in this state;

(2) The provisions of §29B-1-1 *et seq.* of this code relating to freedom of information and the provisions of §6-9A-1 *et seq.* of this code relating to open governmental proceedings;

(3) The same immunization requirements applicable to noncharter public schools;

(4) The same compulsory school attendance requirements applicable to noncharter public schools;

(5) The same minimum number of days or an equivalent amount of instructional time per year as required of noncharter public school students under §18-5-45 of this code;

(6) The same student assessment requirements applicable to noncharter public schools in this state, but only to the extent that will allow the state board to measure the performance of public charter school students pursuant to §18-2E-5(d) and (e) of this code. Nothing precludes a public charter school from establishing additional student assessment measures that go beyond state requirements;

(7) The Student Data Accessibility, Transparency and Accountability Act pursuant to §18-2-5h of this code;

(8) Use of the electronic education information system established by the West Virginia Department of Education for the purpose of reporting required information;

(9) Reporting information on student and school performance to parents, policy-makers, and the general public in the same manner as noncharter public schools utilizing the electronic format established by the West Virginia Department of Education. Nothing precludes a public charter school from utilizing additional measures for reporting information on student and school performance that go beyond state requirements;

(10) All applicable accounting and financial reporting requirements as prescribed for public schools, including adherence to generally accepted accounting principles. A public charter school shall annually engage an external auditor to perform an independent audit of the school's finances. The public charter school shall submit the audit to its authorizer and to the state superintendent of schools within nine months of the end of the fiscal year for which the audit is performed;

(11) A criminal history check pursuant to §18A-3-10 of this code for any staff person that would be required if the person was employed in a noncharter public school, unless a criminal history check has already been completed for that staff person pursuant to that section. Governing board members and other public charter school personnel are subject to criminal history record checks and fingerprinting requirements applicable to noncharter public schools in this state. Contractors and service providers or their employees are prohibited from making direct, unaccompanied contact with students and from access to school grounds unaccompanied when students are present if it cannot be verified that the contractors, service providers or employees have not previously been convicted of a qualifying offense pursuant to §18-5-15c of this code;

(12) The same zoning rules for its facilities that apply to noncharter public schools in this state;

(13) The same building codes, regulations and fees for its facilities that apply to noncharter public schools in this state, including any inspections required for noncharter public schools under this chapter and the West Virginia State Fire Marshal for inspection and issuance of a certificate of occupancy for any facility used by the public charter school; ~~and~~

(14) The same student transportation safety laws applicable to public schools when is provided; and

(15) The display of national motto requirements pursuant to §18-9H-1 of this code.

ARTICLE 9H. DISPLAY OF NATIONAL MOTTO.

§18-9H-1. Display of the National Motto in public schools.

(a) A public elementary or secondary school shall display in a conspicuous place in the main building of the school, and may display in other buildings of the school, a durable poster or framed copy of the United States national motto, "In God We Trust": *Provided*, That the poster or framed copy of the national motto described in this section is a minimum of 8.5 by 11 inches, and shall contain a representation of the United States flag centered under the national motto and may not depict any words, images, or other information.

(b) A public elementary or secondary school may accept and use private donations for the purposes of meeting the provisions of subsection (a) of this section.

ARTICLE 14. MISCELLANEOUS.

§18B-14-12. Display of the National Motto in institutions of higher education

(a) A state institution of higher education, as defined by §18B-1-2 of this code, shall display in a conspicuous place in the main building of the institution of higher education, and may display in other buildings of the institution of higher education, a durable poster or framed copy of the United States national motto, "In God We Trust": *Provided*, That the poster or framed copy of the national motto described in this section is a minimum of 8.5 by 11 inches, and shall contain a representation of the United States flag centered under the national motto and may not depict any words, images, or other information.

(b) An institution of higher education may accept and use private donations for the purposes of meeting the provisions of subsection (a) of this section.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 152—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-34-1, relating to the display of the official motto of the United States in public charter, public elementary and secondary schools and in institutions of higher education and the use of private donations.

On motion of Senator Takubo, the following amendments to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 152) were reported by the Clerk, considered simultaneously, and adopted:

By striking out everything and inserting in lieu thereof the following:

CHAPTER 18. EDUCATION.

ARTICLE 5G. PUBLIC CHARTER SCHOOLS.

§18-5G-3. Public charter school criteria, governance structure and statutory compliance requirements; applicable federal and state laws.

(a) Public charter schools authorized pursuant to this article shall meet the following general criteria:

(1) Are part of the state's system of public schools and are subject to general supervision by the West Virginia Board of Education for meeting the student performance standards required of other public school students under §18-2E-5(d) and (e) of this code;

(2) Are subject to the oversight of the school's authorizer for operating in accordance with its approved charter contract and for meeting the terms and performance standards established in the charter contract;

(3) Are not home school-based;

(4) Are not affiliated with or espouse any specific religious denomination, organization, sect, or belief and do not promote or engage in any religious practices in their educational program, admissions, employment policies, or operations;

(5) Are not affiliated with any organized group whose espoused beliefs attack or malign an entire class of people, typically for immutable characteristics, as identified through listings of such groups as may be made by the U. S. Department of Justice, the Federal Bureau of Investigation, or officials having similar jurisdiction in this state;

(6) Are public schools to which parents or legal guardians choose to send their child or children;

(7) Do not charge full time tuition and may only charge such tuition or fees as may be imposed by noncharter public schools in this state, such tuition or fees charged to Hope Scholarship students, pursuant to §18-31-8(f) of this code, or fees for participation in extracurricular activities. and

(8) Have no requirements that would exclude any child from enrollment who would not be excluded at a noncharter public school.

(b) A public charter school authorized pursuant to this article shall be governed by a board that meets the requirements established in §18-5G-7 of this code and:

(1) Has autonomy over key decisions, including, but not limited to, decisions concerning finance, personnel, scheduling, curriculum, and instruction except as provided in this article;

(2) Has no power to levy taxes;

(3) Operates in pursuit of a specific set of educational objectives as defined in its charter contract;

(4) Provides a program of public education that:

(A) Includes one or more of the following: Prekindergarten and any grade or grades from kindergarten to grade 12 including any associated post-secondary embedded credit, dual credit, advanced placement, internship, and industry or workforce credential programs that the public charter school chooses to incorporate into its programs. If a public charter school chooses to incorporate post-secondary embedded credit, dual credit, and industry and workforce credential programs into its educational program, institutions of higher education may not impose any requirements on the public charter school that are not required of noncharter public schools;

(B) May include in its mission a specific focus on students with special needs, including, but not limited to, at-risk students, English language learners, students with severe disciplinary problems at a noncharter public school, or students involved with the juvenile justice system;

(C) May include a specific academic approach or theme including, but not limited to, approaches or themes such as STEM education, mastery-based education, early college, or fine and performing arts; and

(D) May include before school and/or after school programs as a part of the public charter school's education program. No part of the education program of a public charter school is subject to regulation as a childcare facility;

(5) Provides programs and services to a student with a disability in accordance with the student's individualized education program and all federal and state laws, regulations, rules, and

policies. A charter school shall deliver the services directly or contract with a county board or another provider to deliver the services as set forth in its charter contract;

(6) Is eligible to participate in state-sponsored or district-sponsored athletic and academic interscholastic leagues, competitions, awards, scholarships, and recognition programs for students, educators, administrators, and schools to the same extent as noncharter public schools. If a public charter school does not sponsor an extracurricular athletic and/or academic interscholastic activity for the students enrolled in the public charter school, the public charter school students may participate on the same basis as other public school students in those activities that are sponsored by the noncharter public school serving the attendance area in which the student resides;

(7) Employs its own personnel as employees of the public charter school and is ultimately responsible for processing employee paychecks, managing its employees' participation in the applicable retirement system, and managing its employees' participation in insurance plans: *Provided*, That nothing in this subdivision prohibits the public charter school from contracting with another person or entity to employ personnel or to perform services relating to managing its employees' participation in the retirement system or insurance plan. A county board may not require any employee of its school system to be employed in a public charter school. A county board may not harass, threaten, discipline, discharge, retaliate, or in any manner discriminate against any school system employee involved directly or indirectly with an application to establish a public charter school as authorized under this section. All personnel in a public charter school who were previously employed by the county board shall continue to accrue seniority with the county board in the same manner that they would accrue seniority if employed in a noncharter public school in the county for purposes of employment in noncharter public schools; and

(8) Is responsible for establishing a staffing plan that includes the requisite qualifications and any associated certification and/or licensure necessary for teachers and other instructional staff to be employed at the public charter school and for verifying that these requirements are met.

(c) A public charter school authorized pursuant to this article is exempt from all statutes, state board policies, and rules applicable to a noncharter public school or board of education except the following unless otherwise specifically provided in this article:

(1) All federal laws and authorities applicable to noncharter public schools in this state including, but not limited to, the same federal nutrition standards, the same civil rights, disability rights and health, life and safety requirements applicable to noncharter public schools in this state;

(2) The provisions of §29B-1-1 *et seq.* of this code relating to freedom of information and the provisions of §6-9A-1 *et seq.* of this code relating to open governmental proceedings;

(3) The same immunization requirements applicable to noncharter public schools;

(4) The same compulsory school attendance requirements applicable to noncharter public schools. When a student is withdrawn from a public charter school and returns to the public charter district of that county, the school district of the student's county of residence becomes responsible to track the student for all purposes.

(5) The same minimum number of days or an equivalent amount of instructional time per year as required of noncharter public school students under §18-5-45 of this code;

(6) The same student assessment requirements applicable to noncharter public schools in this state, but only to the extent that will allow the state board to measure the performance of public charter school students pursuant to §18-2E-5(d) and (e) of this code. Any virtual public charter school may administer any required state assessment, if available, in a virtual setting utilizing remote proctoring that best meets the educational needs of the student. Nothing precludes a public charter school from establishing additional student assessment measures that go beyond state requirements. Public charter school teachers shall be permitted to proctor state assessments in the event they are not certified or licensed.

(7) The Student Data Accessibility, Transparency and Accountability Act pursuant to §18-2-5h of this code;

(8) Use of the electronic education information system established by the West Virginia Department of Education for the purpose of reporting required information;

(9) Reporting information on student and school performance to parents, policy-makers, and the general public in the same manner as noncharter public schools utilizing the electronic format established by the West Virginia Department of Education. Nothing precludes a public charter school from utilizing additional measures for reporting information on student and school performance that go beyond state requirements;

(10) All applicable accounting and financial reporting requirements as prescribed for public schools, including adherence to generally accepted accounting principles. A public charter school shall annually engage an external auditor to perform an independent audit of the school's finances. The public charter school shall submit the audit to its authorizer and to the state superintendent of schools within nine months of the end of the fiscal year for which the audit is performed;

(11) A criminal history check pursuant to §18A-3-10 of this code for any staff person that would be required if the person was employed in a noncharter public school, unless a criminal history check has already been completed for that staff person pursuant to that section. Governing board members and other public charter school personnel are subject to criminal history record checks and fingerprinting requirements applicable to noncharter public schools in this state. Contractors and service providers or their employees are prohibited from making direct, unaccompanied contact with students and from access to school grounds unaccompanied when students are present if it cannot be verified that the contractors, service providers or employees have not previously been convicted of a qualifying offense pursuant to §18-5-15c of this code: *Provided*, That nothing in this subdivision, including the reference to §18A-3-10 of this code, requires public charter school employees to be certified or licensed as a condition of employment in a public charter school. A public charter school may, but is not required to, establish certification or licensure as a condition of employment by the school;

(12) The same zoning rules for its facilities that apply to noncharter public schools in this state;

(13) The same building codes, regulations and fees for its facilities that apply to noncharter public schools in this state, including any inspections required for noncharter public schools under this chapter and the West Virginia State Fire Marshal for inspection and issuance of a certificate of occupancy for any facility used by the public charter school; ~~and~~

(14) The same student transportation safety laws applicable to public schools when transportation is provided; and

(15) The display of national motto requirements pursuant to §18-9H-1 of this code.

ARTICLE 9H. DISPLAY OF NATIONAL MOTTO.

§18-9H-1. Display of the National Motto in public schools.

(a) A public elementary or secondary school shall display in a conspicuous place in the main building of the school, and may display in other buildings of the school, a durable poster or framed copy of the United States national motto, "In God We Trust": *Provided*, That the poster or framed copy of the national motto described in this section is a minimum of 8.5 by 11 inches, and shall contain a representation of the United States flag centered under the national motto and may not depict any words, images, or other information.

(b) A public elementary or secondary school may accept and use private donations for the purposes of meeting the provisions of subsection (a) of this section.

CHAPTER 18B. HIGHER EDUCATION.

ARTICLE 14. MISCELLANEOUS.

§18B-14-12. Display of the National Motto in institutions of higher education.

(a) A state institution of higher education, as defined by §18B-1-2 of this code, shall display in a conspicuous place in the main building of the institution of higher education, and may display in other buildings of the institution of higher education, a durable poster or framed copy of the United States national motto, "In God We Trust": *Provided*, That the poster or framed copy of the national motto described in this section is a minimum of 8.5 by 11 inches, and shall contain a representation of the United States flag centered under the national motto and may not depict any words, images, or other information.

(b) An institution of higher education may accept and use private donations for the purposes of meeting the provisions of subsection (a) of this section.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 152—A Bill to amend and reenact §18-5G-3 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new article, designated §18-9H-1; and to amend said code by adding thereto a new section, designated §18B-14-12, all relating public schools; providing for technical cleanup of certain portions of the public charter school code provisions; requiring display of "In God We Trust" motto in charter schools subject to specified requirements; requiring display of "In God We Trust" motto in public elementary and secondary schools; requiring display of "In God We Trust" motto in institutions of higher education; requiring display to be in a conspicuous place in the main building; permitting display to be in other buildings; setting forth requirements for the content and minimum size of the display; and permitting the acceptance and use of donations.

On motion of Senator Weld, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 152, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: None.

Absent: Caputo, Deeds, Stuart, and Takubo—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 152) passed with its Senate amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment, as amended by the House of Delegates, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendment, as to

Eng. Com. Sub. for House Bill 5223, To create the Southern Coalfield Resiliency and Revitalization Program.

On motion of Senator Weld, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendment to the bill was reported by the Clerk:

On page 1 by striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2Q. SOUTHERN COALFIELD RESILIENCY PROGRAM.

§5B-2Q-1. Short Title.

This article shall be known as cited as the "Southern Coalfield Resiliency Program Act".

§5B-2Q-2. Legislative purpose; findings; intent.

(a) The impact of excessive and economically biased federal regulations on the domestic coal-fired electricity market has led to a profound and significant injury to the coal industry in Boone, Logan, McDowell, Mingo and Wyoming Counties, and has resulted in a dramatic negative economic impact on the Southern Coalfield area of West Virginia.

(b) The purpose of this section is to establish the Southern Coalfield Resiliency and Revitalization Program. To further this purpose, this program creates a collaboration among state government, higher education, and private and nonprofit sectors to streamline and increase technical, agricultural, and economic assistance capacity, continue and increase existing services and other resources to facilitate community revitalization in the southern coalfield area.

(c) It is the intent of the Legislature to identify resources that can be prioritized to support the counties of the southern coalfield area, generate thoughtful and responsible ideas to mitigate the negative effects of the currently injured coal industry, and help chart a new course and prosperous future for the Southern Coalfield.

§5B-2Q-3. Definitions.

Terms defined in this section have the meanings ascribed to them by this section, unless a different meaning is clearly required by either the context in which the term is used, or by specific definition in this section.

(1) "Contributing partners" means those entities or their representatives described in subsection (f) of this section.

(2) "Department" means the West Virginia Department of Economic Development.

(3) "Program" means the Southern Coalfield Resiliency and Revitalization Program established in this section.

(4) "Revitalization council" means those entities or their representatives described in subsection (d) of this section.

(5) "Technical assistance" means resources provided by the state, revitalization council, contributing partners or any other individuals or entities providing programming, funding, or other support to benefit the counties in the Southern Coal field area of West Virginia under the program.

(6) "Southern Coalfield" means an area defined by the department that encompasses Boone, Logan, McDowell, Mingo, and Wyoming counties.

(7) "Southern Coalfield Resiliency and Revitalization Program" means the entire process undertaken to further the goals of this section, including collaboration development and implementation between the members, contributors, and technical assistance resource providers.

§5B-2Q-4. Southern Coalfield Resiliency and Revitalization Program established; duration.

(a) The department shall establish the Southern Coalfield Resiliency and Revitalization Program in accordance with the provisions of this section, subject to the availability of funding necessary to support the program: *Provided*, That the department may not create any new positions or hire any additional employees to implement the provisions of this article.

(b) The program shall inventory existing assets and resources, prioritize planning and technical assistance, and determine such other assistance as might be available to revitalize communities in the counties in the southern coalfield area.

(c) The program shall be established for an initial period of five years from the effective date of this legislation.

§5B-2Q-5. Revitalization Council created.

(a) There is hereby created a revitalization council to fulfill the purposes of this section. The revitalization council shall be coordinated by the department and be subject to oversight by the secretary of the department.

(b) The following entities shall serve as members of the revitalization council:

(1) The secretary of the department or their designee, who shall serve as chairperson of the council;

(2) The Secretary of the Department of Health or his or her designee;

(3) The Secretary of the Department of Human Services or his or her designee;

(4) The Commissioner of the Department of Agriculture or his or her designee;

(5) The Executive Director of the West Virginia Housing Development Fund or his or her designee;

(6) A representative from the Boone County Commission;

(7) A representative from the Logan County Commission;

(8) A representative from the McDowell County Commission;

(9) A representative from the Mingo County Commission;

(10) A representative from the Wyoming County Commission;

(11) A representative from Southern West Virginia Community and Technical College;

(12) A representative from West Virginia University;

(13) A representative from Marshall University;

(14) The County Directors of Economic Development from Boone County, Logan County, McDowell County, Mingo County, and Wyoming County; and

(15) The President of West Virginia University Technical College.

(c) Council members may not be compensated for their services or reimbursed for their expenses.

(d) The Department of Health, the Department of Human Services, the Department of Agriculture, and the West Virginia Housing Development fund may not create any new positions or hire any additional employees to implement the provisions of this article.

§5B-2Q-6. Duties of the revitalization council.

(a) The council shall identify resources that can be prioritized to support economic development efforts in the Southern Coalfield counties.

(b) The council shall direct existing resources in a unified effort and in conjunction with contributing partners, as applicable, to support the Southern Coalfield counties.

(c) The council shall develop a rapid response strategy to attract or develop new enterprises and job creating opportunities in the Southern Coalfield counties.

(d) The council shall conduct or commission a comprehensive assessment of assets available at the reclaimed mine sites and abandoned industrial complexes and closed businesses and determine how those assets will be preserved and repurposed, or marketed to interested industrial parties.

(e) The council shall assist communities in the Southern Coalfield counties by developing economic policy recommendations to diversify and advance the communities.

(f) Members of the council shall support both the planning and implementation for the program and shall give priority wherever possible to programmatic activity and discretionary, noncompetitive funding during the period the program remains in effect.

(g) Members of the council shall work together to leverage funding or other agency resources to benefit efforts to revitalize the Southern Coalfield counties.

§5B-2Q-7. Contributing partners.

To the extent possible, the revitalization council shall incorporate the resources and expertise of additional providers of technical assistance to support the program, which shall include but not be limited to:

- (1) The West Virginia Small Business Development Center;
- (2) The Center for Rural Health Development;
- (3) The West Virginia University Encova Center for Innovation and Entrepreneurship;
- (4) The West Virginia University Land Use and Sustainability Law Clinic;
- (5) The West Virginia University Davis College Research, Education and Outreach Centers;
- (6) The West Virginia University County Extension services;
- (7) The Rahall Transportation Institute;
- (8) The Marshall University Center for Business and Economic Research;
- (9) West Virginia Small Business Association;
- (10) The West Virginia Community Development Hub;
- (11) The West Virginia Brownfields Assistance Center at Marshall University;
- (12) West Virginia State University Extension Services; and

(13) West Virginia University Extension Services Agriculture, Community, Health, Economic, and Workforce Development Programs; and

(14) A representative from the Regional Planning and Development Councils encompassing the five participating counties.

§5B-2Q-8. Reporting and agency accountability.

The revitalization council, in coordination with its contributing partners, as applicable, shall report annually to the Governor and the Joint Committee on Government and Finance detailing the progress of the technical assistance support provided by the program, the strategic plan for the Southern Coalfield counties and the results of these efforts.

§5B-2Q-9. Economic incentives for businesses investing in the Southern Coalfield counties.

The department and the revitalization council, as applicable, will work to educate businesses investing or interested in investing in the Southern Coalfield about the availability of, and access to, economic development assistance, including but not limited to, the economic opportunity tax credit provided in §11-13Q-19 of this code; the manufacturing investment tax credit provided under §11-13S-1 *et seq.* of this code; and any other applicable tax credit or development assistance.

§5B-2Q-10. Use of state property and equipment; prioritization.

The program shall prioritize and seek to leverage West Virginia's natural, native resources and industries, including the manufacture of value-added or finished products from raw materials or agriculture commodities sourced in West Virginia. The program shall prioritize and seek to assist existing industries to expand where possible and identify opportunities for synergistic relationships between native West Virginia businesses. The program shall prioritize and seek to leverage West Virginia's natural, self-sufficient, and reliable forms of energy such as coal, oil, and natural gas, to decrease the overall cost of manufacturing in the Southern Coalfield and enhance industrial efforts.

On motion of Senator Weld, the Senate concurred in the House amendment to the Senate amendment, except as to the amendment that removes the Regional Planning and Development Councils representative from the Revitalization Council.

Engrossed Committee Substitute for House Bill 5223, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Barrett, Boley, Chapman, Clements, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: None.

Absent: Azinger, Caputo, Deeds, Stover, Stuart, and Takubo—6.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5223) passed with its title.

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

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 4399, Creating the equitable right to expungement.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates C. Pritt, Nestor, and Garcia.

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 5084, Require retailers to verify identification and age upon purchase of vape products.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Kelly, Worrell, and Garcia.

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 4851, To allow for public and private schools in West Virginia to employ security personnel.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Statler, Smith, and Rowe.

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 5544, Relating to requiring certain reporting from the Mountaineer Trail Network Authority each year.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Howell, Jeffries, and Hamilton.

Filed Conference Committee Reports

The Clerk announced the following conference committee report had been filed at 6:38 p.m. today:

Eng. House Bill 5237, Prohibiting driving slow in left lane except under certain circumstances.

At the request of Senator Weld, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

Pending announcement of meetings of standing committees of the Senate, including the Committee on Rules,

On motion of Senator Weld, at 6:44 p.m., the Senate recessed until 7 p.m. tonight.

The Senate reconvened at 7:46 p.m.

Filed Conference Committee Reports

The Clerk announced the following conference committee report had been filed at 7:46 p.m. tonight:

Eng. Com. Sub. for House Bill 4399, Creating the equitable right to expungement.

The Clerk announced the following conference committee report had been filed at 7:47 p.m. tonight:

Eng. Com. Sub. for House Bill 5084, Require retailers to verify identification and age upon purchase of vape products.

Senator Weld announced that in the meeting of the Committee on Rules previously, the committee, in accordance with Rule 17 of the Rules of the Senate, had removed from the Senate third reading calendar, **Engrossed Committee Substitute for House Bill 4753** and **Engrossed House Bill 5548**.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for House Bill 5668, Creating the Responsible Gaming and Research Act.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Caputo, Clements, Deeds, Hamilton, Hunt, Jeffries, Maroney, Martin, Nelson, Oliverio, Phillips, Plymale, Queen, Stover, Swope, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—22.

The nays were: Azinger, Chapman, Grady, Karnes, Maynard, Roberts, Rucker, Smith, Stuart, and Woelfel—10.

Absent: Boley and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5668) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 5668—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §29-22-30, relating to the creation of the Responsible Gaming and Research and Industry Development Act; creating a short title; providing for gaming data collection by West Virginia University; permitting sharing of such data for research purposes, exempting the data from the Freedom of Information Act; requiring and providing for preparation of the report; requiring West Virginia University of develop new programs or expand upon existing programs relating to responsible gaming, entertainment, and hospitality.

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

Eng. House Bill 5694, Relating to the Firearms Industry Nondiscrimination Act.

On third reading, coming up out of regular order, with the unreported committee amendments pending, and with the right having been granted on March 7, 2024, for further amendments to be received on third reading, was read a third time.

At the request of Senator Woodrum, as chair of the Committee on Government Organization, and by unanimous consent, the unreported Government Organization committee amendment to the bill was withdrawn.

The following amendment to the bill, from the Committee on Rules, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

§5A-3-64. Firearms Industry Nondiscrimination Act.

(a) *Short title.* – This Act shall be known and may be cited as "the Firearms Industry Nondiscrimination Act."

(b) *Definitions.* – For purposes of this section:

(1) "Ammunition" has the meaning set forth in §31A-2B-3 of this code.

(2) "Company" means a corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, organization, association, or any other business entity that has 10 or more employees and operates to earn a profit: *Provided*, That the term does not include a sole proprietorship.

(3) "Contract" means a promise or set of promises constituting an agreement between the parties that gives each a legal duty to the other and the right to seek a remedy for the breach of those duties: *Provided*, That the term does not include an agreement related to investment services.

(4) "Discriminate against a firearm entity or firearm trade association" means, with respect to the entity or association to:

(A) Refuse to provide or engage in services with the entity or association based on its status as a firearm entity or firearm trade association, which includes the lawful products and services provided by, and the lawful practices of, firearm entities and firearm trade associations;

(B) Refrain from continuing an existing business relationship with the entity or association based on its status as a firearm entity or firearm trade association, which includes the lawful products and services provided by, and the lawful practices of, firearm entities and firearm trade associations; or

(C) Terminate an existing business relationship with the entity or association based on its status as a firearm entity or firearm trade association, which includes the lawful products and services provided by, and the lawful practices of, firearm entities and firearm trade associations.

(D) The term does not include the policies of a vendor, merchant, retail seller, or platform that restrict or prohibit the listing or selling of ammunition, firearms, or firearm accessories.

(E) The term also does not include a decision to refrain from continuing an existing business relationship, or decision to terminate an existing business relationship to comply with federal, state, or local laws, policies, or regulations or a directive by a regulatory agency, or for any traditional business reason that is specific to the customer or potential customer and not based on the status of an entity or association as a firearm entity or firearm trade association, which includes the lawful products and services provided by, and the lawful practices of, firearm entities and firearm trade associations.

(5) "Firearm" has the meaning set forth in §31A-2B-3 of this code.

(6) "Firearm accessories or components" has the meaning set forth in §31A-2B-3 of this code.

(7) "Firearm entity" means:

(A) A firearm, firearm accessory, or ammunition manufacturer, distributor, wholesaler, supplier, or retailer;

(B) A firearm trade association that has two or more firearm entities as members and is exempt from federal income taxation under section 501(a) of the Internal Revenue Code of 1986, as an organization described by section 501(c) of such code; or

(C) A shooting range, as defined in §61-6-23 of this code.

(8) "Public entity" means the state of West Virginia, or any political subdivision thereof, and all spending units of state government.

(9) "Sole source provider" means a supplier who provides services of a unique nature or services that are solely available through the supplier and the supplier is the only practicable source to provide the services.

(c) Effective July 1, 2024, a public entity may not enter into a contract with a company for goods or services valued at \$100,000 or more unless the contract includes a written certification

that the company is not currently engaged in, and will not for the duration of the contract, engage in discrimination against firearm entities.

(d) If a public entity learns that a company has made the certification required in subsection (c) of this section but is engaged in discrimination against firearm entities at the time the certification is made or during the duration of the contract, the public entity shall immediately take steps necessary to terminate the contract in a commercially reasonable manner.

(e) If the Attorney General determines that a company has made the certification required in subsection (c) of this section but is engaged in discrimination against firearm entities at the time the certification is made or during the duration of the contract, the Attorney General may file a cause of action against that the company for breach of contract, fraudulent misrepresentation, or any other legal grounds determined appropriate by the Attorney General. If the Attorney General prevails in such action, the court shall award reasonable attorneys' fees to the State, actual damages, and any punitive damages determined appropriate by the court.

(f) The requirements of this section do not apply to contracts between a public entity and a sole source provider.

(g) The Director of the Purchasing Division is authorized to promulgate legislative rules, including emergency rules, to implement the provisions of this section.

Engrossed House Bill 5694, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 5694) passed.

At the request of Senator Woodrum, as chair of the Committee on Government Organization, and by unanimous consent, the unreported Government Organization committee amendment to the title of the bill was withdrawn.

The following amendment to the title of the bill, from the Committee on Rules, was reported by the Clerk and adopted:

Eng. House Bill 5694—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-3-64, relating generally to the Firearms Industry Nondiscrimination Act; defining terms; prohibiting public entities from contracting with companies that discriminate against certain firearm entities; setting an effective date; providing that contracts in violation of new requirements must be terminated; authorizing the Attorney General to file a cause of action against a company in certain circumstances; permitting the award of attorneys' fees and damages to the State; exempting sole source provider contracts from new requirements; and providing rulemaking authority, including emergency rulemaking authority.

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

At the request of Senator Plymale, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

The Senate again proceeded to the eighth order of business.

Eng. House Joint Resolution 21, Amending the Constitution to prohibit persons not United States citizens from voting in any election held within this state.

On third reading, coming up out of regular order, was read a third time and put upon its adoption.

On the adoption of the resolution, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Takubo—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the resolution (Eng. H. J. R. 21) adopted, as follows:

Eng. House Joint Resolution 21—Proposing an amendment to the Constitution of the State of West Virginia amending section 1, Article IV thereof to prohibit persons not United States citizens from voting in any election held within this state; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2024, which proposed amendment is that Section 1, Article IV thereof, be amended, to read as follows:

ARTICLE IV. ELECTION AND OFFICERS.

4-1. Election and officers.

The citizens of the state shall be entitled to vote at all elections held within the counties in which they respectively reside; but no person who is a minor, or who has been declared mentally incompetent by a court of competent jurisdiction, or who is under conviction of treason, felony, or bribery in an election, or who has not been a resident of the state and of the county in which he or she offers to vote for 30 days next preceding such offer shall be permitted to vote while such disability continues; but no person in the military, naval, or marine service of the United States

shall be deemed a resident of this state by reason of being stationed therein, nor shall any person who is not a citizen of the United States be entitled to vote at any election held within this state.

Resolved further, That in accordance with the provisions of §3-11-1 *et seq.* of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment 1" and designated as the "Citizens Voting Amendment" and the purpose of the proposed amendment is summarized as follows: "The purpose of this amendment is to prohibit persons who are not citizens of the United States from voting in West Virginia elections."

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

Eng. Com. Sub. for House Joint Resolution 28, Protection from medically-assisted suicide or euthanasia in West Virginia Amendment.

On third reading, coming up out of regular order, with the unreported committee amendments pending, and with the right having been granted on March 7, 2024, for further amendments to be received on third reading, was read a third time.

At the request of Senator Weld, as vice chair of the Committee on the Judiciary, and by unanimous consent, the unreported Judiciary committee amendment to the resolution was withdrawn.

At the request of Senator Tarr, as chair of the Committee on Finance, and by unanimous consent, the unreported Finance committee amendment to the resolution was withdrawn.

On motion of Senator Tarr, the following amendment to the resolution was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2024, which proposed amendment is that Article III thereof, be amended by adding thereto a new section, designated section twenty-three, to read as follows:

ARTICLE III. BILL OF RIGHTS.

§3-23. Protection against medically assisted suicide.

No person, physician, or health care provider in the State of West Virginia shall participate in the practice of medically assisted suicide, euthanasia, or mercy killing of a person. Nothing in this section prohibits the administration or prescription of medication for the purpose of alleviating pain or discomfort while the patient's condition follows its natural course; nor does anything in this section prohibit the withholding or withdrawing of life-sustaining treatment, as requested by the patient or the patient's decision-maker, in accordance with State law. Further, nothing in this section prevents the State from providing capital punishment.

Resolved further, That in accordance with the provisions of article eleven, chapter three of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment

1" and designated as the "Protection of persons against medically assisted suicide" and the purpose of the proposed amendment is summarized as follows: "The purpose of this amendment is to protect West Virginians against medically assisted suicide."

Following discussion,

The question being on the adoption of Senator Tarr's amendment to the resolution, the same was put and prevailed.

Engrossed Committee Substitute for House Joint Resolution 28 was then put upon its adoption.

On the adoption of the resolution, the yeas were: Azinger, Barrett, Chapman, Clements, Deeds, Grady, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Caputo, Hamilton, Plymale, and Trump—4.

Absent: Boley and Takubo—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the resolution (Eng. Com. Sub. for H. J. R. 28) adopted, as follows:

Eng. Com. Sub. for House Joint Resolution 28—Proposing an amendment to the Constitution of the State of West Virginia amending Article III thereof by adding thereto a new section, designated section twenty-three, relating to the protection from medically-assisted suicide or euthanasia in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2024, which proposed amendment is that Article III thereof, be amended by adding thereto a new section, designated section twenty-three, to read as follows:

ARTICLE III. BILL OF RIGHTS.

§3-23. Protection against medically assisted suicide.

No person, physician, or health care provider in the State of West Virginia shall participate in the practice of medically assisted suicide, euthanasia, or mercy killing of a person. Nothing in this section prohibits the administration or prescription of medication for the purpose of alleviating pain or discomfort while the patient's condition follows its natural course; nor does anything in this section prohibit the withholding or withdrawing of life-sustaining treatment, as requested by the patient or the patient's decision-maker, in accordance with State law. Further, nothing in this section prevents the State from providing capital punishment.

Resolved further, That in accordance with the provisions of article eleven, chapter three of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment 1" and designated as the "Protection of persons against medically assisted suicide" and the purpose of the proposed amendment is summarized as follows: "The purpose of this amendment is to protect West Virginians against medically assisted suicide."

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

Eng. Com. Sub. for House Bill 4753, Relating to providing health insurance coverage concerning biomarker testing.

Having been removed from the Senate third reading calendar in earlier proceedings today, no further action thereon was taken.

Eng. House Bill 4793, Relating to distilled liquor.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Caputo, Chapman, Clements, Hunt, Jeffries, Maroney, Martin, Nelson, Phillips, Plymale, Queen, Rucker, Stover, Swope, Tarr, Woodrum, and Blair (Mr. President)—18.

The nays were: Azinger, Deeds, Grady, Hamilton, Karnes, Maynard, Oliverio, Roberts, Smith, Stuart, Taylor, Trump, Weld, and Woelfel—14.

Absent: Boley and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 4793) passed with its title.

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

Eng. Com. Sub. for House Bill 4880, Relating to personal income tax social security exemption.

On third reading, coming up out of regular order, was read a third time.

At the request of Senator Tarr, unanimous consent was granted to offer an amendment to the bill on third reading.

Thereupon, on motion of Senator Tarr, the following amendment to the bill was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

§11-21-12. West Virginia adjusted gross income of resident individual.

(a) General. — The West Virginia adjusted gross income of a resident individual means his or her federal adjusted gross income as defined in the laws of the United States for the taxable year with the modifications specified in this section.

(b) Modifications increasing federal adjusted gross income. — There shall be added to federal adjusted gross income, unless already included therein, the following items:

(1) Interest income on obligations of any state other than this state or of a political subdivision of any other state unless created by compact or agreement to which this state is a party;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

(3) Any deduction allowed when determining federal adjusted gross income for federal income tax purposes for the taxable year that is not allowed as a deduction under this article for the taxable year;

(4) Interest on indebtedness incurred or continued to purchase or carry obligations or securities the income from which is exempt from tax under this article, to the extent deductible in determining federal adjusted gross income;

(5) Interest on a depository institution tax-exempt savings certificate which is allowed as an exclusion from federal gross income under Section 128 of the Internal Revenue Code, for the federal taxable year;

(6) The amount of a lump sum distribution for which the taxpayer has elected under Section 402(e) of the Internal Revenue Code of 1986, as amended, to be separately taxed for federal income tax purposes; and

(7) Amounts withdrawn from a medical savings account established by or for an individual under §33-15-20 or §33-16-15 of this code that are used for a purpose other than payment of medical expenses, as defined in those sections.

(c) Modifications reducing federal adjusted gross income. — There shall be subtracted from federal adjusted gross income to the extent included therein:

(1) Interest income on obligations of the United States and its possessions to the extent includable in gross income for federal income tax purposes;

(2) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States or of the State of West Virginia to the extent includable in gross income for federal income tax purposes but exempt from state income taxes under the laws of the United States or of the State of West Virginia, including federal interest or dividends paid to shareholders of a regulated investment company, under Section 852 of the Internal Revenue Code for taxable years ending after June 30, 1987;

(3) Any amount included in federal adjusted gross income for federal income tax purposes for the taxable year that is not included in federal adjusted gross income under this article for the taxable year;

(4) The amount of any refund or credit for overpayment of income taxes imposed by this state, or any other taxing jurisdiction, to the extent properly included in gross income for federal income tax purposes;

(5) Annuities, retirement allowances, returns of contributions and any other benefit received under the West Virginia Public Employees Retirement System, and the West Virginia State Teachers Retirement System, including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes: *Provided*, That notwithstanding any provisions in this code to the contrary this modification shall be limited to the first \$2,000 of benefits received under the West Virginia Public Employees Retirement System, the West Virginia State Teachers Retirement System and, including any survivorship annuities derived therefrom, to the extent includable in gross income for federal income tax purposes for taxable years beginning after December 31, 1986; and the first \$2,000 of benefits received under any federal retirement system to which Title 4 U.S.C. §111 applies: *Provided, however*, That the total modification under this paragraph shall not exceed \$2,000 per person receiving retirement benefits and this limitation shall apply to all returns or amended returns filed after December 31, 1988;

(6) Retirement income received in the form of pensions and annuities after December 31, 1979, under any West Virginia police, West Virginia Firemen's Retirement System or the West Virginia State Police Death, Disability and Retirement Fund, the West Virginia State Police Retirement System or the West Virginia Deputy Sheriff Retirement System, including any survivorship annuities derived from any of these programs, to the extent includable in gross income for federal income tax purposes;

(7) (A) For taxable years beginning after December 31, 2000, and ending prior to January 1, 2003, an amount equal to two percent multiplied by the number of years of active duty in the Armed Forces of the United States of America with the product thereof multiplied by the first \$30,000 of military retirement income, including retirement income from the regular Armed Forces, Reserves and National Guard paid by the United States or by this state after December 31, 2000, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(B) For taxable years beginning after December 31, 2000, the first \$20,000 of military retirement income, including retirement income from the regular Armed Forces, Reserves and National Guard paid by the United States or by this state after December 31, 2002, including any survivorship annuities, to the extent included in gross income for federal income tax purposes for the taxable year.

(C) For taxable years beginning after December 31, 2017, military retirement income, including retirement income from the regular Armed Forces, Reserves and National Guard paid by the United States or by this state after December 31, 2017, including any survivorship annuities, to the extent included in federal adjusted gross income for the taxable year. For taxable years beginning after December 31, 2018, retirement income from the uniformed services, including the Army, Navy, Marines, Air Force, Coast Guard, Public Health Service, National Oceanic Atmospheric Administration, reserves, and National Guard, paid by the United States or by this state after December 31, 2018, including any survivorship annuities, to the extent included in federal adjusted gross income for the taxable year.

(D) In the event that any of the provisions of this subdivision are found by a court of competent jurisdiction to violate either the Constitution of this state or of the United States, or is held to be

extended to persons other than specified in this subdivision, this subdivision shall become null and void by operation of law.

(8) Decreasing modification for social security income.

~~(A) For taxable years beginning on and after January 1, 2020, 35 percent of the amount of social security benefits received pursuant to Title 42 U.S.C., Chapter 7, including, but not limited to, social security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U.S.C. 401 et. seq. or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U.S.C. 1381 et. seq., included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in §11-21-12(c)(8)(D) of this code.~~

~~(B) For taxable years beginning on or after January 1, 2021, 65 percent of the social security benefits received pursuant to Title 42 U.S.C., Chapter 7, including, but not limited to, social security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U.S.C. 401 et. seq. or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U.S.C. 1381 et. seq., included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in §11-21-12(c)(8)(D) of this code.~~

~~(C) (A) For taxable years beginning on or after January 1, 2022, 100 percent of the social security benefits received pursuant to Title 42 U.S.C., Chapter 7, including, but not limited to, social security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U.S.C. 401 et. seq. or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U.S.C. 1381 et. seq., included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in §11-21-12(c)(8)(D) §11-21-12(c)(8)(B) of this code.~~

~~(D) (B) The deduction allowed by §11-21-12(c)(8)(A), §11-21-12(c)(8)(B), and §11-21-12(c)(8)(C) §11-21-12(c)(8)(A) of this code are allowable only when the federal adjusted gross income of a married couple filing a joint return does not exceed \$100,000, or \$50,000 in the case of a single individual or a married individual filing a separate return.~~

(C) For taxable years beginning on and after January 1, 2024, 35 percent of the amount of social security benefits received pursuant to Title 42 U.S.C., Chapter 7, including, but not limited to, social security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U.S.C. 401 et. seq. or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U.S.C. 1381 et. seq., included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in §11-21-12(c)(8)(F) of this code.

(D) For taxable years beginning on or after January 1, 2025, 65 percent of the social security benefits received pursuant to Title 42 U.S.C., Chapter 7, including, but not limited to, social security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U.S.C. 401 et. seq. or as Supplemental Security Income

for the Aged, Blind, and Disabled as provided in §42 U.S.C. 1381 et. seq., included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in §11-21-12(c)(8)(F) of this code.

(E) For taxable years beginning on or after January 1, 2026, 100 percent of the social security benefits received pursuant to Title 42 U.S.C., Chapter 7, including, but not limited to, social security benefits paid by the Social Security Administration as Old Age, Survivors and Disability Insurance Benefits as provided in §42 U.S.C. 401 et. seq. or as Supplemental Security Income for the Aged, Blind, and Disabled as provided in §42 U.S.C. 1381 et. seq., included in federal adjusted gross income for the taxable year shall be allowed as a decreasing modification from federal adjusted gross income when determining West Virginia taxable income subject to the tax imposed by this article, subject to the limitation in §11-21-12(c)(8)(F) of this code.

(F) The deduction allowed by §11-21-12(c)(8)(C), §11-21-12(c)(8)(D), and §11-21-12(c)(8)(E) of this code are allowable only when the federal adjusted gross income of a married couple filing a joint return exceeds \$100,000, or \$50,000 in the case of a single individual or a married individual filing a separate return.

(9) Federal adjusted gross income in the amount of \$8,000 received from any source after December 31, 1986, by any person who has attained the age of 65 on or before the last day of the taxable year, or by any person certified by proper authority as permanently and totally disabled, regardless of age, on or before the last day of the taxable year, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That if a person has a medical certification from a prior year and he or she is still permanently and totally disabled, a copy of the original certificate is acceptable as proof of disability. A copy of the form filed for the federal disability income tax exclusion is acceptable: *Provided, however*, That:

(i) Where the total modification under subdivisions (1), (2), (5), (6), (7), and (8) of this subsection is \$8,000 per person or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6), (7), and (8) of this subsection is less than \$8,000 per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between \$8,000 and the sum of modifications under subdivisions (1), (2), (5), (6), (7), and (8) of this subsection;

(10) Federal adjusted gross income in the amount of \$8,000 received from any source after December 31, 1986, by the surviving spouse of any person who had attained the age of 65 or who had been certified as permanently and totally disabled, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That:

(i) Where the total modification under subdivisions (1), (2), (5), (6), (7), and (8) of this subsection is \$8,000 or more, no deduction shall be allowed under this subdivision; and

(ii) Where the total modification under subdivisions (1), (2), (5), (6), (7), and (8) of this subsection is less than \$8,000 per person, the total modification allowed under this subdivision for all gross income received by that person shall be limited to the difference between \$8,000 and the sum of subdivisions (1), (2), (5), (6), (7), and (8) of this subsection;

(11) Contributions from any source to a medical savings account established by or for the individual pursuant to §33-15-20 or §33-16-15 of this code, plus interest earned on the account, to the extent includable in federal adjusted gross income for federal tax purposes: *Provided*, That the amount subtracted pursuant to this subdivision for any one taxable year may not exceed \$2,000 plus interest earned on the account. For married individuals filing a joint return, the maximum deduction is computed separately for each individual; and

(12) Any other income which this state is prohibited from taxing under the laws of the United States including, but not limited to, tier I retirement benefits as defined in Section 86(d)(4) of the Internal Revenue Code.

(d) Modification for West Virginia fiduciary adjustment. — There shall be added to or subtracted from federal adjusted gross income, as the case may be, the taxpayer's share, as beneficiary of an estate or trust, of the West Virginia fiduciary adjustment determined under §11-21-19 of this code.

(e) Partners and S corporation shareholders. — The amounts of modifications required to be made under this section by a partner or an S corporation shareholder, which relate to items of income, gain, loss or deduction of a partnership or an S corporation, shall be determined under §11-21-17 of this code.

(f) Husband and wife. — If husband and wife determine their federal income tax on a joint return but determine their West Virginia income taxes separately, they shall determine their West Virginia adjusted gross incomes separately as if their federal adjusted gross incomes had been determined separately.

(g) Effective date. —

(1) Changes in the language of this section enacted in the year 2000 shall apply to taxable years beginning after December 31, 2000.

(2) Changes in the language of this section enacted in the year 2002 shall apply to taxable years beginning after December 31, 2002.

(3) Changes in the language of this section enacted in the year 2019 shall apply to taxable years beginning after December 31, 2018.

(4) Changes in the language of this section enacted in the year 2024 shall apply retroactively to taxable years beginning after December 31, 2023.

Following discussion,

Senator Smith requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senator Smith would be as a member of a class of persons and that he would be required to vote.

The question being on the adoption of Senator Tarr's amendment to the bill, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 4880 was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4880) passed.

At the request of Senator Tarr, as chair of the Committee on Finance, and by unanimous consent, the unreported Finance committee amendment to the title of the bill was withdrawn.

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

Eng. Com. Sub. for House Bill 4883, Relating to increasing annual salaries of certain employees of the state.

On third reading, coming up out of regular order, with the unreported Finance committee amendment pending, and with the right having been granted on March 7, 2024, for further amendments to be received on third reading, was read a third time.

At the request of Senator Tarr, as chair of the Committee on Finance, and by unanimous consent, the unreported Finance committee amendment to the bill was withdrawn.

Engrossed Committee Substitute for House Bill 4883 was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for House Bill 4883 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4883) passed.

At the request of Senator Tarr, as chair of the Committee on Finance, and by unanimous consent, the unreported Finance committee amendment to the title of the bill was withdrawn.

Senator Weld moved that the bill take effect July 1, 2024.

On this question, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Takubo—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4883) takes effect July 1, 2024.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence in the changed effective date.

Eng. Com. Sub. for House Bill 5105, To eliminate the vaccine requirements for public virtual schools.

On third reading, coming up out of regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for House Bill 5105 pass?"

Senator Roberts requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate, as he is a pastor and a private school is affiliated with his church.

The Chair replied that any impact on Senator Roberts would be as a member of a class of persons and that he would be required to vote.

On the passage of the bill, the yeas were: Azinger, Barrett, Chapman, Deeds, Grady, Hunt, Karnes, Martin, Maynard, Phillips, Queen, Roberts, Rucker, Smith, Stuart, Swope, Tarr, Taylor, Trump, and Blair (Mr. President)—20.

The nays were: Caputo, Clements, Hamilton, Jeffries, Maroney, Nelson, Oliverio, Plymale, Stover, Weld, Woelfel, and Woodrum—12.

Absent: Boley and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5105) passed.

On motion of Senator Takubo, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 5105—A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended, relating to eliminating the vaccine requirements for private schools, parochial schools, or virtual public schools in specified situations; providing private or parochial school may elect to develop a policy that exempts the private or parochial school from the mandatory vaccination requirements; providing no cause of action against private or parochial

school, administrator, employee, board, owner or operator who choose to maintain compliance with mandatory vaccination requirements; providing no cause of action against private or parochial school, administrator, employee, board, owner or operator who choose to adopt a policy of exemption provided certain requirements are met; requiring all students in any West Virginia Secondary School Activities Commission sponsored activities meet the mandatory vaccination requirements or have an exemption; requiring all students participating in any school sponsored club activities resulting in competition meet the mandatory vaccination requirements or have an exemption; providing that a full time virtual public school student meeting specified circumstances is exempt from the mandatory vaccination requirements; and requiring that a student enrolled in virtual public school classes that also attend a private or parochial school shall be subject to specific requirements.

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

Thereafter, at the request of Senator Weld, and by unanimous consent, the remarks by Senators Maroney, Trump, and Woelfel as to the passage of Engrossed Committee Substitute for House Bill 5105 were ordered printed in the Appendix to the Journal.

Eng. Com. Sub. for House Bill 5262, Relating generally to teacher's bill of rights.

On third reading, coming up out of regular order, was read a third time.

At the request of Senator Grady, unanimous consent was granted to offer an amendment to the bill on third reading.

Thereupon, on motion of Senator Grady, the following amendment to the bill was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 18. EDUCATION.

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-18b. School counselors in public schools.

(a) A school counselor means a professional educator who holds a valid school counselor's certificate in accordance with §18A-1-1 of this code.

(b) Each county board shall provide counseling services for each pupil enrolled in the public schools of the county.

(c) The school counselor shall work with individual pupils and groups of pupils in providing developmental, preventive and remedial guidance and counseling programs to meet academic, social, emotional, and physical needs; including programs to identify and address the problem of potential school dropouts. The school counselor also may provide consultant services for parents, teachers, and administrators and may use outside referral services, when appropriate, if no additional cost is incurred by the county board.

(d) The state board may adopt rules consistent with the provisions of this section that define the role of a school counselor based on the "National Standards for School Counseling Programs" of the American School Counselor Association. A school counselor is authorized to perform such services as are not inconsistent with the provisions of the rule as adopted by the state board. To the extent that any funds are made available for this purpose, county boards shall provide training for counselors and administrators to implement the rule as adopted by the state board.

(e) Each county board shall develop a comprehensive drop-out prevention program utilizing the expertise of school counselors and any other appropriate resources available.

(f) School counselors shall be full-time professional personnel, shall spend at least 80 percent of work time in a direct counseling relationship with pupils, and shall devote no more than 20 percent of the ~~work-day~~ workday to administrative activities: *Provided*, That such activities are ~~counselor related~~ directly related to their counseling duties: *Provided further*, That school counselors may not perform the following duties without a written agreement:

(1) Administering cognitive, aptitude, and achievement testing programs: *Provided*, That school counselors may administer make up tests and any tests that are required for virtual students, should no other person be available to administer the test;

(2) Routinely signing excuses for students who are tardy or absent;

(3) Performing disciplinary actions or assigning discipline consequences;

(4) Routinely covering classes when teachers are absent or to create teacher planning time;

(5) Maintaining student records: *Provided*, That school counselors may have access to student records;

(6) Computing grade-point averages: *Provided*, That school counselors may compute grade-point averages for the purpose of determining a student's eligibility for scholarships or post-secondary goals;

(7) Routinely supervising classrooms or common areas;

(8) Keeping clerical records: *Provided*, That school counselors may access clerical records;

(9) Coordinating Individual Education Plans: *Provided*, That this does not preclude school counselors from otherwise participating in Individual Education Plans when appropriate;

(10) Coordinating 504 Plans: *Provided*, That this does not preclude school counselors from otherwise participating in 504 Plans when appropriate; and

(11) Coordinating Student Study Teams; *Provided*, That this does not preclude school counselors from otherwise participating in Student Study Teams when appropriate.

(g) Beginning with the 2024—25 school year, school counselors shall participate in the training set forth below.

(1) At least once every two years, school counselors serving students in grades Pre-K through 12 shall participate in the School Counselors Conference, which shall address the following components:

(A) Career Counseling and Life Planning;

(B) Career awareness;

(C) Career and life planning;

(D) Career and life success;

(E) Opportunities with Career Technical Education available in West Virginia;

(F) Post secondary options;

(G) Academic Counseling and Personalized Planning;

(H) Academic motivation;

(I) Goal setting;

(J) Academic scheduling;

(K) Personalized Education Plans;

(L) Dual credit;

(M) Learning skills;

(N) Personal and Social Counseling;

(O) Decision making;

(P) Personal responsibility;

(Q) Conflict resolution; and

(R) Prevention.

(2) Every two years, school counselors serving students in grades seven through 12 shall receive training regarding building and trades and apprenticeship programs available to students in West Virginia. This training shall be administered by the department of education and provided at no cost to the counselors.

~~(g)~~ (h) Nothing in this section prohibits a county board from exceeding the provisions of this section, or requires any specific level of funding by the Legislature.

ARTICLE 20. EDUCATION OF EXCEPTIONAL CHILDREN.

§18-20-12. Special education student instructor ratio; waiver; compensation to teacher when ratio exceeded.

(a) Self-contained and resource classrooms, as well as any special education environment, shall not have a student/instructor ratio over the current limit provided for in the Individuals with Disabilities Education Act 2004 and State Board Policy 2419. A two-week waiver may be signed with the understanding that the local county board is responsible to remediate the situation while compensating the teacher with overage pay provided by the county per county or federal funds. This waiver shall be good for two weeks to allow the district time to find an additional classroom teacher. Should the district be unable to find an additional classroom teacher, the district, upon the agreement of the teacher, may submit a waiver to the state board of education. This waiver shall have the teachers signature acknowledging that although they are over the limit, they recognize that this is a dire situation.

(b) The county may not submit a waiver to exceed the current limit of students set forth in Individuals with Disabilities Education Act 2004 and Policy 2419 without the written consent of the special education instructor. If the instructor chooses to sign the waiver to exceed the limit, that instructor shall be entitled to the full amount of compensation as provided per county.

(c) The county may not allow more than three students over the limit, even with the additional pay for the teacher.

CHAPTER 18A. SCHOOL PERSONNEL.

ARTICLE 2A. TEACHERS BILL OF RIGHTS.

§18A-2A-1. Supplemental duty calendar provisions.

(a) In this section, "supplemental duty" means a duty other than a duty assigned under an employee's contract that is generally expected to be performed during an educational day and which may be governed by an agreement, other than the employee's contract, between the district and the employee.

(b) Not later than the 15th day before the first day of the employment term of each school year, the county board shall adopt and provide to each classroom teacher, full-time counselor, and full-time librarian employed by the district a calendar that specifies the days each employee is expected to work for that school year: *Provided*, That any supplemental duty exceeding the eight hour contracted day shall be by agreement with the employee and preapproved by the county superintendent or by his or her designee, unless the supplemental duty is the result of an unanticipated emergency, and shall be paid in accordance with the agreement between the employee and the county.

Engrossed Committee Substitute for House Bill 5262, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5262) passed.

At the request of Senator Grady, as chair of the Committee on Education, and by unanimous consent, the unreported Education committee amendment to the title of the bill was withdrawn.

At the request of Senator Tarr, as chair of the Committee on Finance, and by unanimous consent, the unreported Finance committee amendment to the title of the bill was withdrawn.

On motion of Senator Grady, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 5262—A Bill to amend and reenact §18-5-18b of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §18-20-12; and to amend said code by adding thereto a new article, designated §18A-2A-1; all relating generally to the rights of certain school professional personnel; providing that school counselors may not perform certain duties without written agreement; requiring school counselors to participate in certain training; limiting the student/instructor ratio in self-contained and resource classrooms, as well as any special education environment; allowing for a two-week waiver with the understanding that the local county board is responsible to remediate the situation while compensating the teacher with overage pay provided by the county per county or federal funds; allowing the district upon agreement of the teacher to submit a waiver to the state board of education if the district is unable to find an additional classroom teacher; prohibiting county from submitting a waiver to exceed a certain limit of students without the written consent of the special education instructor; providing that county may not allow more than three students over the limit, even with the additional pay for the teacher; defining supplemental duty; requiring each classroom teacher, full-time counselor, and full-time librarian to be provided with a calendar that specifies the days each employee is expected to work for that school year; requiring that any supplemental duty exceeding the eight hour contracted day be by agreement with the employee unless the duty is the result of an anticipated emergency; and requiring overtime pay to be by agreement and approved by the county superintendent or designee.

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

Eng. Com. Sub. for House Bill 4956, Creating the Oral Health and Cancer Rights Act.

On third reading, coming up out of regular order, with the unreported Health and Human Resources committee amendments pending, and with the right having been granted on March 7, 2024, for further amendments to be received on third reading, was read a third time.

The following amendments to the bill, from the Committee on Health and Human Resources, were reported by the Clerk, considered simultaneously, and adopted:

On page 1, section 8b, line 1, by striking out the words "July 1, 2024" and inserting in lieu of the words "July 1, 2025";

On page 2, section 34, line 1, by striking out the words "July 1, 2024" and inserting in lieu of the words "January 1, 2025";

On page 2, section 24, line 1, by striking out the words "July 1, 2024" and inserting in lieu of the words "January 1, 2025";

On page 3, section 20, line 1, by striking out the words "July 1, 2024" and inserting in lieu of the words "January 1, 2025";

On page 3, section 15, line 1, by striking out the words "July 1, 2024" and inserting in lieu of the words "January 1, 2025";

On page 4, section 23, line 1, by striking out the words "July 1, 2024" and inserting in lieu of the words "January 1, 2025";

And,

On page 4, section 37, line 1, by striking out the words "July 1, 2024" and inserting in lieu of the words "January 1, 2025".

On motion of Senator Tarr, the following amendment to the bill (Eng. Com. Sub. for H. B. 4956) was next reported by the Clerk and adopted:

On page 5, after line 9, by adding the following:

ARTICLE 63. REMOTE PATIENT OUTCOME IMPROVEMENT ACT.

§33-63-1. Remote Patient Outcome Improvement Act.

(a) Definitions.

"Health Insurer" is any entity providing "health insurance coverage" as that term is defined in §33-48-1 of this code;

"Internet Service Provider" is any person or entity who provides internet access to a consumer;

"Medical Provider" is any person or entity as that term is defined in §16-33-2 of this code;

"Patient" means a person receiving medical treatment;

"WLAN" means a Wireless Local Area Network which is a group of co-located computers or other devices that form a network based on radio transmissions rather than wired connections, all connected together in one physical location.

(b) Short title. – This article shall be known as the Remote Patient Outcome Improvement Act.

(c) Legislative Findings. – The Legislature of the State of West Virginia finds and declares that many emergency medical visits could have been prevented if providers had a means to identify trends in deteriorating vital signs and medical device data in real or near-real time. Accordingly, it is the policy of the state of West Virginia to further connectivity and facilitate a clear legal framework for Patients, Health Insurers, Medical Providers, and Internet Service Providers to facilitate connectivity and medical data review in real or near-real time. Therefore, to promote public wellness, diminish unnecessary costs for service, and improve outcomes for patients, the Legislature of the State of West Virginia hereby seeks to improve remote patient statistical

monitoring, most especially for those patients at greatest risk of emergent adverse health outcomes.

(d)(1) A Health Insurer or Medical Provider may elect to partner with an Internet Service Provider to build or subscribe to internet service at a Patient's home to facilitate the transmission and analysis of vital signs and medical device data in real or near-real time, if in the Health Insurer or Medical Provider's sole discretion, doing so would facilitate improved health outcomes for the Patient and a reduction in net costs for the care of that Patient. No data gathered or utilized in this way may be used to negatively impact the patient's costs or availability of services provided by the Health Insurer or the Medical Provider. A Patient may refuse such a subscription contemplated by this Act.

(2) If a Health Insurer or Medical Provider elects to subscribe to internet service to facilitate data transmission, an Internet Service Provider may share with the WLAN information, if any, maintained by the Internet Service Provider with the Health Insurer or Medical Provider. Health Insurers and Medical Providers may share the WLAN information with a medical device manufacturer, dealer, or distributor to facilitate preprogramming and any necessary troubleshooting for network connectivity. Each of these actions shall be free from liability, except as it relates to the Health Insurance Portability and Accountability Act of 1996 and any other federal law, rule or regulation.

(e) Utilization. – Each Health Insurer shall report utilization data to an employer in the case of employer sponsored health insurance coverage but shall not include data regarding any internet traffic.

Engrossed Committee Substitute for House Bill 4956, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4956) passed.

On motion of Senator Tarr, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 4956—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-8b; to amend said code by adding thereto a new section, designated §9-5-34; to amend said code by adding thereto a new section, designated §33-15-24; to amend said code by adding thereto a new section, designated §33-16-20; to amend said code by adding thereto a new section, designated §33-24-15; to amend said code by adding thereto a new section designated §33-25-23; to amend said code by adding thereto a new section designated §33-25A-37; and to amend said code by adding thereto a new section, designated, §33-63-1; all relating to health insurance; requiring health benefit plan

coverage; requiring coverage for medically necessary dental procedures that result from cancer treatment; explaining scope of procedures covered as a result of certain cancer treatments; creating of the Remote Patient Outcome Improvement Act; providing for definitions; providing for a short title; providing findings; allowing certain health insurance plans or health providers to partner with internet service providers to improve health outcomes; and providing for utilization.

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

Eng. Com. Sub. for House Bill 5162, Establish a program to promote creation and expansion of registered apprenticeship programs.

On third reading, coming up out regular order, with the unreported Education committee amendment pending, and with the right having been granted on March 7, 2024, for further amendments to be received on third reading, was read a third time.

At the request of Senator Grady, as chair of the Committee on Education, and by unanimous consent, the unreported Education committee amendment to the bill was withdrawn.

On motion of Senator Grady, the following amendment to the bill was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 18. EDUCATION.

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-7G. Youth Apprenticeship Program.

(a) In addition to any other registered apprenticeship programs, there is herein created the "Youth Apprenticeship Program," which shall allow for any public, private, or home school student in the eleventh or twelfth grade, or are 16 years or older, the opportunity to enroll in apprenticeship programs.

(b) For the purposes of this section, "apprenticeship program" shall have the same meaning as defined in §21-1E-2 of this code.

(c) Any student participating in the program may receive secondary credit or other credentialing for the apprenticeship when the apprenticeship is approved by the local county board of education and in keeping with the rules of the Division of Labor (hereinafter "the division.")

(d) The West Virginia Department of Education (hereinafter "the department") is responsible for establishing the Youth Apprenticeship Program, including setting standards, providing guidelines for county boards of education to approve local enterprise and granting release time from public schools to participate in the program.

(1) The Youth Apprenticeship Program shall include a broad range of skills, including those specifically focused on manufacturing, engineering technology, administration and office technology, and health care.

(2) The county boards of education shall develop materials in conjunction with industry to promote awareness of apprenticeship for students and to encourage recruitment.

(3) The program shall create a structural linkage between secondary and postsecondary components of the program leading to the school awarding a high school diploma and postsecondary certification of occupational skills to the student.

(e) The department shall develop pilot projects for the 2024-2025 school year and shall implement and direct a comprehensive apprenticeship program for all school systems by the beginning of the 2025-2026 school year.

(f) Each apprenticeship shall meet the department's criteria which shall include, but is not limited to:

(1) A detailed training plan between the employer and the apprentice that identifies specific work tasks that will develop workplace competency;

(2) A minimum of 135 classroom hours of related academic instruction and training;

(3) A minimum of 400 hours of on-the-job training;

(4) A progressive wage schedule established by the participating employer;

(5) On-site evaluation of the student's performance; and

(6) Training remediation as necessary at the school site.

CHAPTER 21. LABOR

ARTICLE 1E. CAREER TRAINING EDUCATION AND APPRENTICESHIPS

§21-1E-2. Definitions.

As used in this article and the legislative rules promulgated pursuant to this article:

"Apprentice" means someone who is enrolled in an apprenticeship program.

"Apprenticeship program" means a program offered by an employer to provide supervised on-the-job training to employees approved by the United States Department of Labor.

"Employer sponsored training program" means a program approved in accordance with a rule promulgated pursuant to authority established in §21-1E-4 of this code.

"License" means a valid and current certification or license issued by the Commissioner of Labor in accordance with the provisions of this article.

"Career technical education" means programs of study, clusters, and pathways approved by the West Virginia Board of Education pursuant to state board policy.

"Youth Apprenticeship Program" means the program created in §18-2-7g of this code and is subject to the definition of "apprentice" set forth in this section.

§21-1E-3. Recognition of training and apprenticeships; maintenance of current list of apprenticeships.

(a) Beginning July 1, 2019, applicants for certification or licensure shall be permitted to apply training hours earned via career technical education provided by West Virginia public schools or an apprenticeship program or employer-sponsored training program towards the requirements for certification and/or licensure in the same occupation in accordance with the standards and procedures authorized in accordance with this article. The training hours accumulated by a student's participation in the "Youth Apprenticeship Program" created in §18-2-7g of this code shall count towards the student's certifications or licensures, if appropriate.

(b) The State Board of Education, Higher Education Policy Commission, and Department of Commerce shall jointly maintain a list of current apprenticeships throughout the state along with free career exploration resources and planning materials for postsecondary opportunities in addition to credentials, certifications, and/or exams that reflect industry requirements or lead to postsecondary credit.

ARTICLE 6. CHILD LABOR.

§21-6-2. Employment of children under eighteen in certain occupations; determination as to other occupations; ~~appeal to supreme court~~ exemptions for certain students performing roofing operations.

(a) A child under 18 years of age may not be employed, permitted, or suffered to work in, about, or in connection with any of the following occupations:

(1) Motor vehicle driver and outside helper whose work includes riding on a motor vehicle outside the cab for the purpose of assisting in transporting or delivery of goods;

(2) The manufacture, storage, handling or transportation of explosives or highly flammable substances;

(3) Ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or in any other place in which the heating, melting, or heat treatment of metals is carried on;

(4) Logging and saw milling occupations;

(5) Power-driven woodworking machine occupations;

(6) Occupations involving exposure to radioactive substances and ionizing radiations;

(7) Power-driven hoisting apparatus occupations;

(8) Power-driven metal-forming, punching, and shearing machine occupations;

(9) Mining, including coal mining;

(10) Occupations involving slaughtering, meat-packing, or processing or rendering;

(11) Power-driven bakery machines;

(12) Power-driven paper-products machine occupations;

(13) Occupations involved in the manufacturing of brick, tile, and kindred products;

(14) Occupations involved in the operation of power-driven circular saws, band saws, and guillotine shears;

(15) Occupations involved in wrecking, demolition, and ship-breaking operations;

(16) Roofing operations above ground level, subject to subsection (d) of this section; and

(17) Excavation operations.

(b) A child under 18 years of age may not be employed or permitted to work in a bar, or be permitted, employed, or suffered to sell, dispense, or serve alcoholic beverages in any place or establishment where the consumption of alcoholic beverages is permitted by law.

(c) A child under 18 years of age may not be employed or permitted to work in any occupation prohibited by law or determined by the commissioner to be dangerous or injurious: *Provided*, That a child between the ages of 16 and 18 years who is enrolled in, participating in, or has completed the minimum training requirements of the West Virginia State Fire Commission, West Virginia Department of Education Public Service Training, or West Virginia University fire service extension, or equivalent approved program, and who has the written consent of his or her parents or guardian, may be employed by or elected as a member of a volunteer fire department to perform firefighting functions: *Provided, however*, That no child may be permitted to operate any fire fighting vehicles, enter a burning building in the course of his or her employment or work or enter into any area determined by the fire chief or fireman in charge at the scene of a fire or other emergency to be an area of danger exposing the child to physical harm by reason of impending collapse of a building or explosion, unless the child is under the immediate supervision of a fire line officer.

(d) Students enrolled in a Youth Apprenticeship Program pursuant to §18-2-7g of this code are authorized to work on machinery associated with occupations listed in §21-6-2(a) of this code only on an occasional and incidental basis while under mandatory direct supervision. For the purposes of this section, the term "occasional and incidental use" means use done for training purposes and for no more than five percent of the student's training hours a day.

(e) In compliance with U.S. Child Labor Provisions for nonagricultural occupations under the Fair Labor Standards Act, Child Labor Bulletin 101, exemptions shall be made for students 16 years of age or older performing roofing operations above ground level for the express purpose of learning how to install, wire, or repair a rooftop or other equipment provided the student is employed under the following conditions:

(1) The student is enrolled in a course of study and training in a cooperative vocational training program under a recognized state or local educational authority or in a course of study in a substantially similar program conducted by a private school;

(2) Written consent of the parent or legal guardian for the student to perform roofing operations pursuant to this subsection is submitted to both the cooperative vocational training program or private school, as applicable, and the employer; and

(3) The student is employed under a written agreement which stipulates that:

(A) The work will be intermittent and under the direct and close supervision of a qualified and experienced person;

(B) Safety instruction will be provided by the school and coordinated with the employer through on-the-job training; and

(C) A schedule of organized and progressive work processes be performed.

(f) Other limited exemptions for nonagricultural work in compliance with U.S. Child Labor Provisions for nonagricultural occupations under the Fair Standards Act, Child Labor Bulletin 101 may be permitted by the department.

Engrossed Committee Substitute for House Bill 5162, as just amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Boley and Takubo—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5162) passed.

At the request of Senator Grady, as chair of the Committee on Education, and by unanimous consent, the unreported Education committee amendment to the title of the bill was withdrawn.

On motion of Senator Grady, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 5162—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-7g; to amend and reenact §21-1E-2 of said Code; to amend and reenact §21-1E-3 of said Code; and to amend and reenact §21-6-2 of said Code, all relating to creating the Youth Apprenticeship Program which allows certain students to enroll in apprenticeship programs; allowing any student participating in the program to receive secondary credit or other credentialing for the apprenticeship under certain conditions; making the West Virginia Department of Education responsible for establishing the program; requiring the program to include a broad range of skills including those specifically focused in certain areas; requiring the county boards of education to develop materials in conjunction with industry to promote awareness of apprenticeship for students and to encourage recruitment; requiring program to create a structural linkage between secondary and postsecondary components of the program leading to the school awarding a high school diploma and postsecondary certification of occupational skills to the student; requiring the department to develop pilot projects for the 2024-2025 school year and to implement and direct a comprehensive apprenticeship program for all school systems by the beginning of the 2025-2026 school year; requiring each apprenticeship to meet the department's criteria; specifying minimum criteria; adding definition of "Youth Apprenticeship Program"; providing that training hours accumulated by a student's participation in the program count towards the student's certifications or licensures,

if appropriate; requiring maintenance of a list of current apprenticeships throughout the state along with certain other resources, planning materials, credentials, certifications, and exams; authorizing students enrolled in a Youth Apprenticeship Program to work on machinery associated with certain listed occupations otherwise prohibited for a child under 18 years of age on an occasional and incidental basis while under mandatory direct supervision; providing exemptions for certain students performing roofing operations under certain conditions; and allowing the department to grant other limited exemptions for nonagricultural work in compliance with the U.S. Child Labor Provisions for nonagricultural occupations under the Fair Standards Act, Child Labor Bulletin 101.

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

Eng. House Bill 5548, Relating to modifying requirements imposed on any owner, operator, or manager within a tourism development project.

Having been removed from the Senate third reading calendar in earlier proceedings today, no further action thereon was taken.

Pending announcement of a meeting of the Committee on Rules,

On motion of Senator Weld, at 8:47 p.m., the Senate recessed until 9:15 p.m. tonight.

The Senate reconvened at 9:48 p.m.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 200, Budget Bill.

On motion of Senator Weld, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

"TITLE I – GENERAL PROVISIONS.

Section 1. General policy. – The purpose of this bill is to appropriate money necessary for the economical and efficient discharge of the duties and responsibilities of the state and its agencies during the fiscal year 2025.

Sec. 2. Definitions.—For the purpose of this bill:

"Governor" shall mean the Governor of the State of West Virginia.

"Code" shall mean the Code of West Virginia, one thousand nine hundred thirty-one, as amended.

"Spending unit" shall mean the department, bureau, division, office, board, commission, agency, or institution to which an appropriation is made.

The "fiscal year 2025" shall mean the period from July 1, 2024, through June 30, 2025.

"General revenue fund" shall mean the general operating fund of the state and includes all moneys received or collected by the state except as provided in W.V. Code §12-2-2 or as otherwise provided.

"Special revenue funds" shall mean specific revenue sources which by legislative enactments are not required to be accounted for as general revenue, including federal funds.

"From collections" shall mean that part of the total appropriation which must be collected by the spending unit to be available for expenditure. If the authorized amount of collections is not collected, the total appropriation for the spending unit shall be reduced automatically by the amount of the deficiency in the collections. If the amount collected exceeds the amount designated "from collections," the excess shall be set aside in a special surplus fund and may be expended for the purpose of the spending unit as provided by Article 2, Chapter 11B of the Code.

Sec. 3. Classification of appropriations.—An appropriation for:

"Personal services" shall mean salaries, wages and other compensation paid to full-time, part-time and temporary employees of the spending unit but shall not include fees or contractual payments paid to consultants or to independent contractors engaged by the spending unit. "Personal services" shall include "annual increment" for "eligible employees" and shall be disbursed only in accordance with Article 5, Chapter 5 of the Code.

Unless otherwise specified, appropriations for "personal services" shall include salaries of heads of spending units.

"Employee benefits" shall mean social security matching, workers' compensation, unemployment compensation, pension and retirement contributions, public employees insurance matching, personnel fees or any other benefit normally paid by the employer as a direct cost of employment. Should the appropriation be insufficient to cover such costs, the remainder of such cost shall be paid by each spending unit from its "unclassified" appropriation, or its "current expenses" appropriation or other appropriate appropriation. Each spending unit is hereby authorized and required to make such payments in accordance with the provisions of Article 2, Chapter 11B of the Code.

Each spending unit shall be responsible for all contributions, payments or other costs related to coverage and claims of its employees for unemployment compensation and workers compensation. Such expenditures shall be considered an employee benefit.

"BRIM Premiums" shall mean the amount charged as consideration for insurance protection and includes the present value of projected losses and administrative expenses. Premiums are assessed for coverages, as defined in the applicable policies, for claims arising from, inter alia, general liability, wrongful acts, property, professional liability, and automobile exposures.

Should the appropriation for "BRIM Premium" be insufficient to cover such cost, the remainder of such costs shall be paid by each spending unit from its "unclassified" appropriation, its "current expenses" appropriation or any other appropriate appropriation to the Board of Risk and

Insurance Management. Each spending unit is hereby authorized and required to make such payments. If there is no appropriation for "BRIM Premium" such costs shall be paid by each spending unit from its "current expenses" appropriation, "unclassified" appropriation or other appropriate appropriation.

West Virginia Council for Community and Technical College Education and Higher Education Policy Commission entities operating with special revenue funds and/or federal funds shall pay their proportionate share of the Board of Risk and Insurance Management total insurance premium cost for their respective institutions.

"Current expenses" shall mean operating costs other than personal services and shall not include equipment, repairs and alterations, buildings, or lands. Each spending unit shall be responsible for and charged monthly for all postage meter service and shall reimburse the appropriate revolving fund monthly for all such amounts. Such expenditures shall be considered a current expense.

"Equipment" shall mean equipment items which have an appreciable and calculable period of usefulness in excess of one year.

"Repairs and alterations" shall mean routine maintenance and repairs to structures and minor improvements to property which do not increase the capital assets.

"Buildings" shall include new construction and major alteration of existing structures and the improvement of lands and shall include shelter, support, storage, protection, or the improvement of a natural condition.

"Lands" shall mean the purchase of real property or interest in real property.

"Capital outlay" shall mean and include buildings, lands or buildings and lands, with such category or item of appropriation to remain in effect as provided by W.V. Code §12-3-12.

From appropriations made to the spending units of state government, upon approval of the Governor there may be transferred to a special account an amount sufficient to match federal funds under any federal act.

Appropriations classified in any of the above categories shall be expended only for the purposes as defined above and only for the spending units herein designated: *Provided*, That the secretary of each department shall have the authority to transfer within the department those general revenue funds appropriated to the various agencies of the department: *Provided, however*, That no more than five percent of the general revenue funds appropriated to any one agency or board may be transferred to other agencies or boards within the department: and no funds may be transferred to a "Personal Services and Employee Benefits" appropriation unless the source funds are also wholly from a "Personal Services and Employee Benefits" line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds are also permanently transferred to the receiving agency or board within the department: *Provided further*, Notwithstanding any previous provision no more than twenty-five percent of the general revenue funds appropriated to the following funds 0401, 0402, 0408, 0409, 0410, 0411, 0412, 0413, 0414 and 0415 within the Department of Health Facilities may be transferred between the aforementioned funds: and no funds may be transferred to a "Personal Services and Employee Benefits" appropriation unless the source funds are also

wholly from a "Personal Services and Employee Benefits" line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds are also permanently transferred to the receiving agency or board within the department: *Provided further*, That the secretary of each department and the director, commissioner, executive secretary, superintendent, chairman or any other agency head not governed by a departmental secretary as established by Chapter 5F of the Code shall have the authority to transfer funds appropriated to "Personal Services and Employee Benefits," "Current Expenses," "Repairs and Alterations," "Equipment," "Other Assets," "Land," "Buildings," "Contract Nursing" and "Unclassified: to other appropriations within the same account and no funds from other appropriations shall be transferred to the "Personal Services and Employee Benefits" or the "Unclassified" appropriation except that during Fiscal Year 2025, and upon approval from the State Budget Office, agencies with the appropriation "Salary and Benefits of Cabinet Secretary and Agency Heads" and "Salary and Benefits of Elected Officials" may transfer between this appropriation and the appropriation "Personal Services and Employee Benefits" an amount to cover annualized salaries and employee benefits for the fiscal year ending June 30, 2025, as provided by W.V. Code §6-7-2a: *And provided further*, That no authority exists hereunder to transfer funds into appropriations to which no funds are legislatively appropriated: *And provided further*, That if the Legislature consolidates, reorganizes or terminates agencies, boards or functions, within any fiscal year the secretary or other appropriate agency head, or in the case of the termination of a spending unit of the state, the Director of the State Budget Office, in the absence of general law providing otherwise, may transfer the funds formerly appropriated to such agency, board or function, allocating items of appropriation as may be necessary if only part of the item may be allocated, in order to implement such consolidation, reorganization or termination. No funds may be transferred from a Special Revenue Account, dedicated account, capital expenditure account or any other account or fund specifically exempted by the Legislature from transfer, except that the use of the appropriations from the State Road Fund for the office of the Secretary of the Department of Transportation is not a use other than the purpose for which such funds were dedicated and is permitted.

Appropriations otherwise classified shall be expended only where the distribution of expenditures for different purposes cannot well be determined in advance or it is necessary or desirable to permit the spending unit the freedom to spend an appropriation for more than one of the above classifications.

Sec. 4. Method of expenditure.—Money appropriated by this bill, unless otherwise specifically directed, shall be appropriated, and expended according to the provisions of Article 3, Chapter 12 of the Code or according to any law detailing a procedure specifically limiting that article.

Sec. 5. Maximum expenditures.—No authority or requirement of law shall be interpreted as requiring or permitting an expenditure in excess of the appropriations set out in this bill.

TITLE II – APPROPRIATIONS.

ORDER OF SECTIONS

SECTION 1. Appropriations from general revenue.

SECTION 2. Appropriations from state road fund.

- SECTION 3. Appropriations from other funds.
- SECTION 4. Appropriations from lottery net profits.
- SECTION 5. Appropriations from state excess lottery revenue.
- SECTION 6. Appropriations of federal funds.
- SECTION 7. Appropriations from federal block grants.
- SECTION 8. Awards for claims against the state.
- SECTION 9. Appropriations from general revenue fund surplus accrued.
- SECTION 10. Appropriations from lottery net profits surplus accrued.
- SECTION 11. Appropriations from state excess lottery revenue surplus accrued.
- SECTION 12. Special revenue appropriations.
- SECTION 13. State improvement fund appropriations.
- SECTION 14. Specific funds and collection accounts.
- SECTION 15. Appropriations for refunding erroneous payment.
- SECTION 16. Sinking fund deficiencies.
- SECTION 17. Appropriations for local governments.
- SECTION 18. Total appropriations.
- SECTION 19. General school fund.

Section 1. Appropriations from general revenue. – From the State Fund, General Revenue, there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B the following amounts, as itemized, for expenditure during the fiscal year 2025.

LEGISLATIVE

1 - Senate

Fund 0165 FY 2025 Org 2100

			General Revenue Fund
Compensation of Members (R)	00300	\$	1,010,000

Compensation and Per Diem of Officers

and Employees (R)	00500	4,111,332
Current Expenses and Contingent Fund (R)	02100	321,392
Repairs and Alterations (R)	06400	35,000
Technology Repair and Modernization (R)	29800	80,000
Expenses of Members (R)	39900	550,000
BRIM Premium (R).....	91300	<u>44,482</u>
Total		\$ 6,152,206

The appropriations for the Senate for the fiscal year 2024 are to remain in full force and effect and are hereby reappropriated to June 30, 2025. Any balances so reappropriated may be transferred and credited to the fiscal year 2024 accounts.

Upon the written request of the Clerk of the Senate, the Auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

The Clerk of the Senate, with the approval of the President, is authorized to draw his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the Senate, for any bills for supplies and services that may have been incurred by the Senate and not included in the appropriation bill, for supplies and services incurred in preparation for the opening, the conduct of the business and after adjournment of any regular or extraordinary session, and for the necessary operation of the Senate offices, the requisitions for which are to be accompanied by bills to be filed with the Auditor.

The Clerk of the Senate, with the approval of the President, or the President of the Senate shall have authority to employ such staff personnel during any session of the Legislature as shall be needed in addition to staff personnel authorized by the Senate resolution adopted during any such session. The Clerk of the Senate, with the approval of the President, or the President of the Senate shall have authority to employ such staff personnel between sessions of the Legislature as shall be needed, the compensation of all staff personnel during and between sessions of the Legislature, notwithstanding any such Senate resolution, to be fixed by the President of the Senate. The Clerk is hereby authorized to draw his or her requisitions upon the Auditor for the payment of all such staff personnel for such services, payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

For duties imposed by law and by the Senate, the Clerk of the Senate shall be paid a monthly salary as provided by the Senate resolution, unless increased between sessions under the authority of the President, payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

Included in the above appropriation for Senate (fund 0165, appropriation 02100), an amount not less than \$5,000 is to be used for the West Virginia Academy of Family Physicians - Doc of the Day Program.

2 - *House of Delegates*

Fund 0170 FY 2025 Org 2200

Compensation of Members (R)	00300	\$	3,500,000
Compensation and Per Diem of Officers and Employees (R)	00500		575,000
Current Expenses and Contingent Fund (R)	02100		6,000,000
Expenses of Members (R)	39900		1,350,000
Capital Outlay, Repairs and Equipment (R).....	58900		500,000
BRIM Premium (R).....	91300		<u>60,000</u>
Total		\$	11,985,000

The appropriations for the House of Delegates for the fiscal year 2024 are to remain in full force and effect and are hereby reappropriated to June 30, 2025. Any balances so reappropriated may be transferred and credited to the fiscal year 2024 accounts.

Upon the written request of the Clerk of the House of Delegates, the Auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

The Clerk of the House of Delegates, with the approval of the Speaker, is authorized to draw his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the House of Delegates, for any bills for supplies and services that may have been incurred by the House of Delegates and not included in the appropriation bill, for bills for services and supplies incurred in preparation for the opening of the session and after adjournment, and for the necessary operation of the House of Delegates' offices, the requisitions for which are to be accompanied by bills to be filed with the Auditor.

The Speaker of the House of Delegates shall have authority to employ such staff personnel during and between sessions of the Legislature as shall be needed, in addition to personnel designated in the House resolution, and the compensation of all personnel shall be as fixed in such House resolution for the session or fixed by the Speaker during and between sessions of the Legislature, notwithstanding such House resolution. The Clerk of the House of Delegates is hereby authorized to draw requisitions upon the Auditor for such services, payable out of the appropriation for the Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the House of Delegates.

For duties imposed by law and by the House of Delegates, including salary allowed by law as keeper of the rolls, the Clerk of the House of Delegates shall be paid a monthly salary as provided in the House resolution, unless increased between sessions under the authority of the Speaker and payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the House of Delegates.

Included in the above appropriation for House of Delegates (fund 0170, appropriation 02100), an amount not less than \$5,000 is to be used for the West Virginia Academy of Family Physicians - Doc of the Day Program.

3 - Joint Expenses

(W.V. Code Chapter 4)

Fund 0175 FY 2025 Org 2300

Joint Committee on Government and Finance (R)	10400	\$	8,725,138
Legislative Printing (R).....	10500		260,000
Legislative Rule-Making Review Committee (R).....	10600		147,250
Legislative Computer System (R).....	10700		1,447,500
Legislative Dues and Fees (R).....	10701		600,000
BRIM Premium (R).....	91300		<u>60,569</u>
Total		\$	11,240,457

The appropriations for the Joint Expenses for the fiscal year 2024 are to remain in full force and effect and are hereby reappropriated to June 30, 2025. Any balances reappropriated may be transferred and credited to the fiscal year 2024 accounts.

Upon the written request of the Clerk of the Senate, with the approval of the President of the Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the House of Delegates, and a copy to the Legislative Auditor, the Auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

JUDICIAL

4 - Supreme Court –

General Judicial

Fund 0180 FY 2025 Org 2400

Personal Services and Employee Benefits (R).....	00100	\$	140,195,477
Repairs and Alterations (R)	06400		45,000
Equipment (R).....	07000		1,814,000
Military Services Members Court (R).....	09002		300,000
Judges' Retirement System (R).....	11000		1,220,000
Current Expenses (R)	13000		21,482,914

Buildings (R)	25800	10,000
Other Assets (R)	69000	80,000
BRIM Premium (R).....	91300	<u>636,118</u>
Total		\$ 165,783,509

The appropriations to the Supreme Court of Appeals for the fiscal years 2021, 2022, 2023 and 2024 are to remain in full force and effect and are hereby reappropriated to June 30, 2025. Any balances so reappropriated may be transferred and credited to the fiscal year 2024 accounts.

This fund shall be administered by the Administrative Director of the Supreme Court of Appeals, who shall draw requisitions for warrants in payment in the form of payrolls, making deductions therefrom as required by law for taxes and other items.

The appropriation for the Judges' Retirement System (fund 0180, appropriation 11000) is to be transferred to the Consolidated Public Retirement Board, in accordance with the law relating thereto, upon requisition of the Administrative Director of the Supreme Court of Appeals.

EXECUTIVE

5 - Governor's Office

(W.V. Code Chapter 5)

Fund 0101 FY 2025 Org 0100

Personal Services and Employee Benefits.....	00100	\$ 3,334,423
Salary and Benefits of Elected Officials.....	00200	201,802
Repairs and Alterations	06400	25,000
Equipment.....	07000	1,000
National Governors Association	12300	60,700
Current Expenses (R)	13000	799,000
Herbert Henderson Office of Minority Affairs	13400	396,726
Community Food Program	18500	1,000,000
Office of Resiliency (R)	18600	623,744
BRIM Premium.....	91300	<u>183,645</u>
Total		\$ 6,626,040

Any unexpended balances remaining in the appropriations for Unclassified (fund 0101, appropriation 09900), Current Expenses (fund 0101, appropriation 13000), Office of Resiliency

(fund 0101, appropriation 18600) and Posey Perry Emergency Food Band Fund – Surplus (fund 0101, appropriation 42399) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Herbert Henderson Office of Minority Affairs (fund 0101, appropriation 13400) shall be transferred to the Minority Affairs Fund (fund 1058).

6 - Governor's Office –

Custodial Fund

(W.V. Code Chapter 5)

Fund 0102 FY 2025 Org 0100

Personal Services and Employee Benefits.....	00100	\$	427,269
Repairs and Alterations.....	06400		5,000
Equipment.....	07000		1,000
Current Expenses (R)	13000		<u>182,158</u>
Total		\$	615,427

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0102, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

Appropriations are to be used for current general expenses, including compensation of employees, household maintenance, cost of official functions, and additional household expenses occasioned by such official functions.

7 - Governor's Office –

Civil Contingent Fund

(W.V. Code Chapter 5)

Fund 0105 FY 2025 Org 0100

Milton Flood Wall (R).....	75701		3,500,000
Local Economic Development Assistance (R)	81900		<u>5,000,000</u>
Total		\$	8,500,000

Any unexpended balances remaining in the appropriations for Business and Economic Development Stimulus – Surplus (fund 0105, appropriation 08400), Civil Contingent Fund – Total (fund 0105, appropriation 11400), 2012 Natural Disasters – Surplus (fund 0105, appropriation 13500), Congressional Earmark Maintenance of Effort – Surplus (fund 0105, appropriation 22599), Civil Contingent Fund – Total – Surplus (fund 0105, appropriation 23800), Civil Contingent

Fund – Surplus (fund 0105, appropriation 26300), Local Economic Development Assistance – Surplus (fund 0105, appropriation 26600), Business and Economic Development Stimulus (fund 0105, appropriation 58600), Civil Contingent Fund (fund 0105, appropriation 61400), Milton Flood Wall (fund 0105, appropriation 75701), Milton Flood Wall – Surplus (fund 0105, appropriation 75799), Natural Disasters – Surplus (fund 0105, appropriation 76400), Local Economic Development Assistance (fund 0105, appropriation 81900), and Federal Funds/Grant Match – Surplus (fund 0105, appropriation 85700) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Directed Transfer (fund 0105, appropriation 70000), shall be transferred to the Governor's Office, West Virginia Flood Resiliency Trust Fund (fund 1070).

From this fund there may be expended, at the discretion of the Governor, an amount not to exceed \$1,000 as West Virginia's contribution to the Interstate Oil Compact Commission.

The above fund is intended to provide contingency funding for accidental, unanticipated, emergency, or unplanned events which may occur during the fiscal year and is not to be expended for the normal day-to-day operations of the Governor's Office.

8 - Auditor's Office –

General Administration

(W.V. Code Chapter 12)

Fund 0116 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	2,526,780
Salary and Benefits of Elected Officials.....	00200		172,237
Current Expenses (R)	13000		13,429
BRIM Premium.....	91300		<u>12,077</u>
Total		\$	2,724,523

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0116, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

9 - Treasurer's Office

(W.V. Code Chapter 12)

Fund 0126 FY 2025 Org 1300

Personal Services and Employee Benefits.....	00100	\$	2,673,991
Salary and Benefits of Elected Officials.....	00200		179,158
Unclassified	09900		31,463

Abandoned Property Program.....	11800	41,794
Current Expenses (R)	13000	572,684
Other Assets	69000	10,000
ABLE Program.....	69201	150,000
BRIM Premium.....	91300	<u>59,169</u>
Total		\$ 3,718,259

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0126, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

10 - Department of Agriculture

(W.V. Code Chapter 19)

Fund 0131 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$ 7,126,454
Salary and Benefits of Elected Officials.....	00200	158,702
Animal Identification Program	03900	140,226
State Farm Museum.....	05500	87,759
Gypsy Moth Program (R)	11900	1,156,460
WV Farmers Market.....	12801	150,467
Current Expenses (R)	13000	848,115
Black Fly Control.....	13700	462,894
HEMP Program.....	13701	393,442
Donated Foods Program.....	36300	45,000
Veterans to Agriculture Program (R).....	36301	276,314
Predator Control (R).....	47000	176,400
Bee Research	69100	177,071
Microbiology Program	78500	109,024
Moorefield Agriculture Center.....	78600	1,106,427

Chesapeake Bay Watershed.....	83000	127,793
Livestock Care Standards Board.....	84300	8,820
BRIM Premium.....	91300	138,905
State FFA-FHA Camp and Conference Center.....	94101	809,507
Threat Preparedness	94200	80,708
WV Food Banks.....	96900	426,000
Senior's Farmers' Market Nutrition Coupon Program	97000	<u>55,835</u>
Total		\$ 14,062,323

Any unexpended balances remaining in the appropriations for Gypsy Moth Program (fund 0131, appropriation 11900), Current Expenses (fund 0131, appropriation 13000), Veterans to Agriculture Program (fund 0131, appropriation 36301), Predator Control (fund 0131, appropriation 47000), and Agricultural Disaster and Mitigation Needs – Surplus (fund 0131, appropriation 85000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Predator Control (fund 0131, appropriation 47000) is to be made available to the United States Department of Agriculture, Wildlife Services to administer the Predator Control Program.

A portion of the Current Expenses appropriation may be transferred to a special revenue fund for the purpose of matching federal funds for marketing and development activities.

From the above appropriation for WV Food Banks (fund 0131, appropriation 96900), \$20,000 is for House of Hope and the remainder of the appropriation shall be allocated to the Huntington Food Bank and the Mountaineer Food Bank in Braxton County.

11 - West Virginia Conservation Agency

(W.V. Code Chapter 19)

Fund 0132 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$ 914,027
Unclassified	09900	77,059
Soil Conservation Projects (R).....	12000	10,293,335
Current Expenses (R)	13000	317,848
BRIM Premium.....	91300	<u>34,428</u>
Total		\$ 11,636,697

Any unexpended balances remaining in the appropriations for Soil Conservation Projects (fund 0132, appropriation 12000), Current Expenses (fund 0132, appropriation 13000), and Soil Conservation Projects – Surplus (fund 0132, appropriation 26900) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

12 - Department of Agriculture –

Meat Inspection Fund

(W.V. Code Chapter 19)

Fund 0135 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	1,079,845
Unclassified	09900		7,090
Current Expenses	13000		<u>82,605</u>
Total		\$	1,169,540

Any part or all of this appropriation may be transferred to a special revenue fund for the purpose of matching federal funds for the above-named program.

13 - Department of Agriculture –

Agricultural Awards Fund

(W.V. Code Chapter 19)

Fund 0136 FY 2025 Org 1400

Programs and Awards for 4-H Clubs and FFA/FHA.....	57700	\$	15,000
Commissioner's Awards and Programs.....	73700		<u>39,250</u>
Total		\$	54,250

14 - Department of Agriculture –

West Virginia Agricultural Land Protection Authority

(W.V. Code Chapter 8A)

Fund 0607 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	108,743
Unclassified	09900		<u>950</u>
Total		\$	109,693

15 - Attorney General

(W.V. Code Chapters 5, 14, 46A and 47)

Fund 0150 FY 2025 Org 1500

Personal Services and Employee Benefits (R).....	00100	\$	3,599,891
Salary and Benefits of Elected Officials.....	00200		156,799
Repairs and Alterations.....	06400		1,000
Equipment.....	07000		7,500
Unclassified (R).....	09900		24,428
Current Expenses (R).....	13000		681,295
Criminal Convictions and Habeas Corpus Appeals (R).....	26000		1,010,387
Better Government Bureau.....	74000		292,286
BRIM Premium.....	91300		<u>120,654</u>
Total.....		\$	5,894,240

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0150, appropriation 00100), Unclassified (fund 0150, appropriation 09900), Current Expenses (fund 0150, appropriation 13000), Criminal Convictions and Habeas Corpus Appeals (fund 0150, appropriation 26000), and Agency Client Revolving Liquidity Pool (fund 0150, appropriation 36200) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

When legal counsel or secretarial help is appointed by the Attorney General for any state spending unit, this account shall be reimbursed from such spending units specifically appropriated account or from accounts appropriated by general language contained within this bill: *Provided*, That the spending unit shall reimburse at a rate and upon terms agreed to by the state spending unit and the Attorney General: *Provided, however*, That if the spending unit and the Attorney General are unable to agree on the amount and terms of the reimbursement, the spending unit and the Attorney General shall submit their proposed reimbursement rates and terms to the Governor for final determination.

16 - Secretary of State

(W.V. Code Chapters 3, 5, and 59)

Fund 0155 FY 2025 Org 1600

Salary and Benefits of Elected Officials.....	00200	\$	158,702
Unclassified (R).....	09900		8,352

Current Expenses (R)	13000	781,584
BRIM Premium.....	91300	<u>34,500</u>
Total		\$ 983,138

Any unexpended balances remaining in the appropriations for Unclassified (fund 0155, appropriation 09900) and Current Expenses (fund 0155, appropriation 13000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

17 - State Election Commission

(W.V. Code Chapter 3)

Fund 0160 FY 2025 Org 1601

Personal Services and Employee Benefits.....	00100	\$ 2,477
Unclassified	09900	75
Current Expenses	13000	<u>4,956</u>
Total		\$ 7,508

DEPARTMENT OF ADMINISTRATION

18 - Department of Administration –

Office of the Secretary

(W.V. Code Chapter 5F)

Fund 0186 FY 2025 Org 0201

Personal Services and Employee Benefits.....	00100	\$ 494,563
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	153,400
Repairs and Alterations	06400	100
Equipment.....	07000	1,000
Unclassified	09900	9,177
Current Expenses	13000	85,009
Financial Advisor (R).....	30400	27,546
Lease Rental Payments	51600	14,850,000

Design-Build Board	54000	4,000
Other Assets	69000	100
BRIM Premium.....	91300	<u>5,736</u>
Total		\$ 15,630,631

Any unexpended balance remaining in the appropriation for Financial Advisor (fund 0186, appropriation 30400) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The appropriation for Lease Rental Payments (fund 0186, appropriation 51600) shall be disbursed as provided by W.V. Code §31-15-6b.

19 - Consolidated Public Retirement Board

(W.V. Code Chapter 5)

Fund 0195 FY 2025 Org 0205

The Division of Highways, Division of Motor Vehicles, Public Service Commission, and other departments, bureaus, divisions, or commissions operating from special revenue funds and/or federal funds shall pay their proportionate share of the retirement costs for their respective divisions. When specific appropriations are not made, such payments may be made from the balances in the various special revenue funds in excess of specific appropriations.

20 - Division of Finance

(W.V. Code Chapter 5A)

Fund 0203 FY 2025 Org 0209

Personal Services and Employee Benefits.....	00100	\$ 67,855
Unclassified	09900	1,400
GAAP Project (R).....	12500	667,274
Current Expenses	13000	53,563
BRIM Premium.....	91300	<u>12,675</u>
Total		\$ 810,767

Any unexpended balance remaining in the appropriation for GAAP Project (fund 0203, appropriation 12500) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

21 - Division of General Services

(W.V. Code Chapter 5A)

Fund 0230 FY 2025 Org 0211

Personal Services and Employee Benefits.....	00100	\$	3,147,415
Repairs and Alterations	06400		500
Equipment.....	07000		5,000
Unclassified	09900		20,000
Fire Service Fee.....	12600		14,000
Current Expenses	13000		1,148,349
Preservation and Maintenance of Statues and Monuments			
on Capitol Grounds	37100		68,000
Capital Outlay, Repairs and Equipment (R).....	58900		21,610,888
BRIM Premium.....	91300		<u>379,983</u>
Total		\$	26,394,135

Any unexpended balance remaining in the appropriation for Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900), Capital Outlay, Repairs and Equipment – Surplus (fund 0230, appropriation 67700), and Consolidated State Laboratory – Surplus (fund 0230, appropriation 37799) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Preservation and Maintenance of Statues and Monuments on Capitol Grounds (fund 0230, appropriation 37100), the Division shall consult the Division of Culture and History and Capitol Building Commission in all aspects of planning, assessment, maintenance, and restoration.

The above appropriation for Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900) shall be expended for capital improvements, maintenance, repairs, and equipment for state-owned buildings.

22 - Division of Purchasing

(W.V. Code Chapter 5A)

Fund 0210 FY 2025 Org 0213

Personal Services and Employee Benefits.....	00100	\$	1,138,111
Repairs and Alterations	06400		200
Unclassified	09900		144
Current Expenses	13000		1,285

BRIM Premium.....	91300	<u>6,922</u>
Total		\$ 1,146,662

The Division of Highways shall reimburse Fund 2031 within the Division of Purchasing for all actual expenses incurred pursuant to the provisions of W.V. Code §17-2A-13.

23 - Travel Management

(W.V. Code Chapter 5A)

Fund 0615 FY 2025 Org 0215

Personal Services and Employee Benefits.....	00100	\$ 866,731
Repairs and Alterations	06400	1,000
Equipment.....	07000	5,000
Unclassified	09900	12,032
Current Expenses	13000	440,247
Buildings	25800	100
Other Assets	69000	<u>100</u>
Total		\$ 1,325,210

24 - Commission on Uniform State Laws

(W.V. Code Chapter 29)

Fund 0214 FY 2025 Org 0217

Current Expenses	13000	\$ 45,550
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To pay expenses for members of the Commission on Uniform State Laws.

25 - West Virginia Public Employees Grievance Board

(W.V. Code Chapter 6C)

Fund 0220 FY 2025 Org 0219

Personal Services and Employee Benefits.....	00100	\$ 1,058,141
Equipment.....	07000	50
Unclassified	09900	1,000
Current Expenses	13000	145,295

BRIM Premium.....	91300	<u>8,000</u>
Total		\$ 1,212,486

26 - Ethics Commission

(W.V. Code Chapter 6B)

Fund 0223 FY 2025 Org 0220

Personal Services and Employee Benefits.....	00100	\$ 660,353
Repairs and Alterations	06400	500
Unclassified	09900	2,200
Current Expenses	13000	105,501
Other Assets	69000	100
BRIM Premium.....	91300	<u>4,574</u>
Total		\$ 773,228

27 - Public Defender Services

(W.V. Code Chapter 29)

Fund 0226 FY 2025 Org 0221

Personal Services and Employee Benefits.....	00100	\$ 2,007,935
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	119,000
Unclassified	09900	333,300
Current Expenses	13000	12,740
Public Defender Corporations	35200	23,021,081
Appointed Counsel Fees (R).....	78800	12,691,113
BRIM Premium.....	91300	<u>10,575</u>
Total		\$ 38,195,744

Any unexpended balance remaining in the appropriation for Appointed Counsel Fees - Surplus (fund 0226, appropriation 43500) and Appointed Counsel Fees (fund 0226, appropriation 78800) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The Director shall have the authority to transfer funds from the appropriation to Public Defender Corporations (fund 0226, appropriation 35200) to Appointed Counsel Fees (fund 0226, appropriation 78800

28 - Division of Personnel

(W.V. Code Chapter 29)

Fund 0206 FY 2025 Org 0222

Directed Transfer	70000	\$	1,800,000
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The above appropriation for Directed Transfer (fund 0206, appropriation 70000) shall be transferred to the Division of Personnel (fund 2440).

29 - Committee for the Purchase of

Commodities and Services from the Handicapped

(W.V. Code Chapter 5A)

Fund 0233 FY 2025 Org 0224

Personal Services and Employee Benefits.....	00100	\$	3,187
Current Expenses	13000		<u>868</u>
Total		\$	4,055

30 - West Virginia Prosecuting Attorneys Institute

(W.V. Code Chapter 7)

Fund 0557 FY 2025 Org 0228

Forensic Medical Examinations (R).....	68300	\$	571,016
Federal Funds/Grant Match (R)	74900		<u>117,028</u>
Total		\$	688,044

Any unexpended balances remaining in the appropriations for Forensic Medical Examinations (fund 0557, appropriation 68300) and Federal Funds/Grant Match (fund 0557, appropriation 74900) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

31 - Real Estate Division

(W.V. Code Chapter 5A)

Fund 0610 FY 2025 Org 0233

Personal Services and Employee Benefits.....	00100	\$	752,882
Repairs and Alterations	06400		100
Equipment.....	07000		2,500
Unclassified	09900		124
Current Expenses	13000		137,381
BRIM Premium.....	91300		<u>8,284</u>
Total		\$	901,271

DEPARTMENT OF COMMERCE

32 - Division of Forestry

(W.V. Code Chapter 19)

Fund 0250 FY 2025 Org 0305

Personal Services and Employee Benefits.....	00100	\$	5,235,593
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		111,674
Repairs and Alterations	06400		80,000
Unclassified	09900		21,435
Current Expenses	13000		558,024
BRIM Premium.....	91300		<u>98,754</u>
Total		\$	6,105,480

Out of the above appropriations a sum may be used to match federal funds for cooperative studies or other funds for similar purposes.

Any unexpended balances remaining in the appropriations for Current Expenses – Surplus (fund 0250, appropriation 13099) and Equipment – Surplus (fund 0250, appropriation 34100) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

33 - Geological and Economic Survey

(W.V. Code Chapter 29)

Fund 0253 FY 2025 Org 0306

Personal Services and Employee Benefits.....	00100	\$	1,895,457
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		112,753
Repairs and Alterations	06400		968
Unclassified	09900		27,678
Current Expenses	13000		51,524
Mineral Mapping System (R).....	20700		1,215,510
BRIM Premium.....	91300		<u>24,486</u>
Total		\$	3,328,376

Any unexpended balance remaining in the appropriation for Mineral Mapping System (fund 0253, appropriation 20700) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The above Unclassified and Current Expenses appropriations include funding to secure federal and other contracts and may be transferred to a special revolving fund (fund 3105) for the purpose of providing advance funding for such contracts.

34 - Division of Labor

(W.V. Code Chapters 21 and 47)

Fund 0260 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	1,738,911
Repairs and Alterations	06400		28,000
Unclassified	09900		15,000
Current Expenses	13000		227,000
BRIM Premium.....	91300		<u>8,500</u>
Total		\$	2,017,411

35 - Division of Natural Resources

(W.V. Code Chapter 20)

Fund 0265 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$ 21,378,594
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	113,188
Repairs and Alterations.....	06400	100
Equipment.....	07000	100
Unclassified	09900	184,711
Current Expenses	13000	529,654
Buildings (R)	25800	100
Capital Outlay – Parks (R)	28800	6,000,000
Litter Control Conservation Officers	56400	156,980
Upper Mud River Flood Control (R).....	65400	176,930
Other Assets	69000	100
Land (R).....	73000	100
Law Enforcement.....	80600	2,731,281
BRIM Premium.....	91300	<u>45,141</u>
Total		\$ 31,316,979

Any unexpended balances remaining in the appropriations for Equine Enrichment - Surplus (fund 0265, appropriation 22899), Buildings (fund 0265, appropriation 25800), Capital Outlay – Parks (fund 0265, appropriation 28800), Upper Mud River Flood Control (fund 0265, appropriation 65400), Current Expenses – Surplus (fund 0265, appropriation 13099), Capital Outlay, Repairs and Equipment – Surplus (fund 0265, appropriation 67700), Land (fund 0265, appropriation 73000), and State Park Improvements – Surplus (fund 0265, appropriation 76300) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

Any revenue derived from mineral extraction at any state park shall be deposited in a special revenue account of the Division of Natural Resources, first for bond debt payment purposes and with any remainder to be for park operation and improvement purposes.

36 - Division of Miners' Health, Safety and Training

(W.V. Code Chapter 22A)

Fund 0277 FY 2025 Org 0314

Personal Services and Employee Benefits.....	00100	\$ 10,244,651
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Unclassified	09900	111,016
Current Expenses	13000	1,396,141
Coal Dust and Rock Dust Sampling	27000	509,584
BRIM Premium.....	91300	<u>80,668</u>
Total		\$ 12,342,060

Included in the above appropriation for Current Expenses (fund 0277, appropriation 13000) is \$500,000 to be used for coal mine training activities at an established mine training facility in southern West Virginia.

37 - Board of Coal Mine Health and Safety

(W.V. Code Chapter 22A)

Fund 0280 FY 2025 Org 0319

Personal Services and Employee Benefits.....	00100	\$ 248,931
Unclassified	09900	3,480
Current Expenses	13000	<u>118,138</u>
Total		\$ 370,549

Included in the above appropriation for Current Expenses (fund 0280, appropriation 13000) up to \$29,000 shall be used for the Coal Mine Safety and Technical Review Committee.

38 - WorkForce West Virginia

(W.V. Code Chapter 21A)

Fund 0572 FY 2025 Org 0323

Personal Services and Employee Benefits.....	00100	\$ 51,433
Unclassified	09900	584
Current Expenses	13000	<u>6,456</u>
Total		\$ 58,473

39 - Department of Commerce –

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 0606 FY 2025 Org 0327

Personal Services and Employee Benefits.....	00100	\$	1,469,368
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		153,750
Unclassified	09900		1,490
Current Expenses	13000		<u>353,147</u>
Total		\$	1,977,755

Any unexpended balance remaining in the appropriation for Jobs for WV Graduates - Surplus (fund 0606, appropriation 86399) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

40 - State Board of Rehabilitation –

Division of Rehabilitation Services

(W.V. Code Chapter 18)

Fund 0310 FY 2025 Org 0932

Personal Services and Employee Benefits.....	00100	\$	12,795,976
Independent Living Services	00900		429,418
Current Expenses	13000		558,815
Workshop Development.....	16300		1,817,427
Supported Employment Extended Services	20600		77,960
Ron Yost Personal Assistance Fund.....	40700		333,828
Employment Attendant Care Program.....	59800		131,575
BRIM Premium.....	91300		<u>77,464</u>
Total		\$	16,222,463

The above appropriation for Workshop Development (fund 0310, appropriation 16300) shall be used exclusively with the private nonprofit community rehabilitation program organizations known as work centers or sheltered workshops. The appropriation shall also be used to continue the support of the program, services, and individuals with disabilities currently in place at those organizations.

DEPARTMENT OF TOURISM

41 - Department of Tourism –

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 0246 FY 2025 Org 0304

Tourism – Brand Promotion (R).....	61803	\$	10,000,000
Tourism – Public Relations (R).....	61804		1,500,000
Tourism – Events and Sponsorships (R)	61805		8,800,000
Tourism – Industry Development (R).....	61806		8,500,000
State Parks and Recreation Advertising (R)	61900		<u>1,500,000</u>
Total		\$	30,300,000

Any unexpended balances remaining in the appropriations for Tourism – Development Opportunity Fund (fund 0246, appropriation 11601), Tourism – Brand Promotion (fund 0246, appropriation 61803), Tourism – Public Relations (fund 0246, appropriation 61804), Tourism – Events and Sponsorships (fund 0246, appropriation 61805), Tourism – Industry Development (fund 0246, appropriation 61806), State Parks and Recreation Advertising (fund 0246, appropriation 61900), Tourism – Brand Promotion – Surplus (fund 0246, appropriation 61893), and Tourism – Industry Development – Surplus (fund 0246, appropriation 61896 at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Tourism shall have the authority to transfer between the above items of appropriation.

DEPARTMENT OF ECONOMIC DEVELOPMENT*42 - Department of Economic Development –**Office of the Secretary*

(W.V. Code Chapter 5B)

Fund 0256 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$	4,403,988
Unclassified	09900		108,055
Current Expenses	13000		4,738,464
National Youth Science Camp.....	13200		241,570
Local Economic Development Partnerships (R).....	13300		1,250,000
ARC Assessment.....	13600		152,585

Global Economic Development Partnerships (R)	20201	150,000
Guaranteed Work Force Grant (R)	24200	994,970
Mainstreet Program	79400	176,663
Marshall University Research Corporation	80701	500,000
BRIM Premium.....	91300	3,157
Hatfield McCoy Recreational Trail	96000	<u>198,415</u>
Total		\$ 12,917,867

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0256, appropriation 09700), Partnership Grants (fund 0256, appropriation 13100), Local Economic Development Partnerships (fund 0256, appropriation 13300), Global Economic Development Partnerships (fund 0256, appropriation 20201), Guaranteed Work Force Grant (fund 0256, appropriation 24200), and Current Expenses – Surplus (fund 0256, appropriation 13099) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Current Expenses (fund 0256, appropriation 13000), \$50,000 shall be used for the Western Potomac Economic Partnership, \$100,000 shall be used for Advantage Valley, \$750,000 shall be used for the Robert C. Byrd Institute, \$548,915 shall be used for West Virginia University, and \$298,915 shall be used for Southern West Virginia Community and Technical College for the Mine Training and Energy Technologies Academy.

The above appropriation to Local Economic Development Partnerships (fund 0256, appropriation 13300) shall be used by the Department of Economic Development for the award of funding assistance to county and regional economic development corporations or authorities participating in the Certified Development Community Program developed under the provisions of W.V. Code §5B-2-14. The Department of Economic Development shall award the funding assistance through a matching grant program, based upon a formula whereby funding assistance may not exceed \$30,000 per county served by an economic development or redevelopment corporation or authority.

The above appropriation for Directed Transfer (fund 0256, appropriation 70000) shall be transferred to the Economic Enhancement Grant Fund (fund 3382).

DEPARTMENT OF EDUCATION

43 - State Board of Education –

School Lunch Program

(W.V. Code Chapters 18 and 18A)

Fund 0303 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$	378,654
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Current Expenses	13000	<u>2,118,865</u>
Total		\$ 2,497,519

44 - State Board of Education –

State Department of Education

(W.V. Code Chapters 18 and 18A)

Fund 0313 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$ 4,965,309
Teachers' Retirement Savings Realized	09500	38,166,000
Unclassified (R).....	09900	420,000
Center for Professional Development (R).....	11500	150,000
Current Expenses (R)	13000	4,580,000
Increased Enrollment	14000	10,440,000
Safe Schools.....	14300	4,432,241
Attendance Incentive Bonus (R).....	15001	2,262,389
National Teacher Certification (R).....	16100	300,000
Jobs & Hope – Childhood Drug Prevention Education	21901	5,000,000
Technology Repair and Modernization	29800	951,003
Hope Scholarship Program	30401	18,222,183
HVAC Technicians.....	35500	555,872
Early Retirement Notification Incentive.....	36600	300,000
MATH Program	36800	886,532
Assessment Programs (R)	39600	4,002,567
Benedum Professional Development Collaborative (R).....	42700	429,775
Governor's Honors Academy (R).....	47800	1,059,270
21st Century Fellows.....	50700	274,899
English as a Second Language.....	52800	96,000

Teacher Reimbursement.....	57300	297,188
Hospitality Training.....	60000	281,051
Youth in Government	61600	100,000
High Acuity Special Needs (R)	63400	1,500,000
Foreign Student Education.....	63600	102,133
State Board of Education Administrative Costs	68400	289,328
IT Academy (R).....	72100	500,000
Early Literacy Program.....	75600	5,724,015
School Based Truancy Prevention (R)	78101	2,084,385
Communities in Schools (R).....	78103	4,912,637
Mastery Based Education	78104	125,000
Mountain State Digital Literacy Program	86401	1,300,000
21st Century Learners (R).....	88600	1,859,919
BRIM Premium.....	91300	342,859
21st Century Assessment and Professional Development	93100	2,105,254
21st Century Technology Infrastructure Network		
Tools and Support (R)	93300	10,042,723
Special Olympic Games.....	96600	25,000
Educational Program Allowance.....	99600	<u>516,250</u>
Total		\$ 129,738,021

The above appropriations include funding for the State Board of Education and its executive office.

From the above appropriation for Current Expenses (fund 0313, appropriation 13000), \$2,000,000 shall be used for the Department of Education Child Nutrition Program – Non-traditional Child Hunger Solutions.

Any unexpended balances remaining in the appropriations for Unclassified (fund 0313, appropriation 09900), Current Expenses (fund 0313, appropriation 13000), Center for Professional Development (fund 0313, appropriation 11500), Attendance Incentive Bonus (fund 0313, appropriation 15001), National Teacher Certification (fund 0313, appropriation 16100), Hope Scholarship Program (fund 0313, appropriation 30401), Assessment Programs (fund 0313,

appropriation 39600), Benedum Professional Development Collaborative (fund 0313, appropriation 42700), Governor's Honors Academy (fund 0313, appropriation 47800), High Acuity Special Needs (fund 0313, appropriation 63400), IT Academy (fund 0313, appropriation 72100), School Based Truancy Prevention (fund 0313, appropriation 78101), Communities in Schools (fund 0313, appropriation 78103), 21st Century Learners (fund 0313, appropriation 88600), 21st Century Technology Infrastructure Network Tools and Support (fund 0313, appropriation 93300), and Communities in Schools – Surplus (fund 0313, appropriation 78199) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Teachers' Retirement Savings Realized (fund 0313, appropriation 09500) shall be transferred to the Employee Pension and Health Care Benefit Fund (fund 2044).

From the above appropriation for Unclassified (fund 0313, appropriation 09900), \$120,000 shall be for assisting low income students with AP and CLEP exam fees.

From the above appropriation for MATH Program (fund 0313, appropriation 36800), \$50,000 shall be for Math Counts.

The above appropriation for Hospitality Training (fund 0313, appropriation 60000), shall be allocated only to entities that have a plan approved for funding by the Department of Education, at the funding level determined by the State Superintendent of Schools. Plans shall be submitted to the State Superintendent of Schools to be considered for funding.

From the above appropriation for Educational Program Allowance (fund 0313, appropriation 99600), \$100,000 shall be expended for the Morgan County Board of Education for Paw Paw Schools; \$150,000 shall be for the Randolph County Board of Education for Pickens School; \$100,000 shall be for the Preston County Board of Education for the Aurora School; \$100,000 shall be for the Fayette County Board of Education for Meadow Bridge; and \$66,250 is for Project Based Learning in STEM fields.

45 - State Board of Education –

Aid for Exceptional Children

(W.V. Code Chapters 18 and 18A)

Fund 0314 FY 2025 Org 0402

Special Education – Counties	15900	\$	7,425,757
Special Education – Institutions	16000		4,289,257
Education of Juveniles Held in Predispositional			
Juvenile Detention Centers	30200		731,666
Education of Institutionalized Juveniles and Adults (R).....	47200		<u>22,666,536</u>
Total		\$	35,113,216

Any unexpended balance remaining in the appropriation for Education of Institutionalized Juveniles and Adults (fund 0314, appropriation 47200) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriations, the Superintendent shall have authority to expend funds for the costs of special education for those children residing in out-of-state placements.

46 - State Board of Education –

State Aid to Schools

(W.V. Code Chapters 18 and 18A)

Fund 0317 FY 2025 Org 0402

Other Current Expenses	02200	\$ 200,472,511
Advanced Placement	05300	716,707
Professional Educators	15100	968,229,854
Service Personnel.....	15200	384,280,888
Fixed Charges.....	15300	116,946,777
Transportation.....	15400	99,231,183
Improved Instructional Programs	15600	64,052,249
Professional Student Support Services	65500	66,746,268
21st Century Strategic Technology Learning Growth.....	93600	50,599,261
Teacher and Leader Induction.....	93601	<u>29,634,380</u>
Basic Foundation Allowances.....		1,980,910,078
Less Local Share		(597,038,264)
Adjustments		<u>8,212,243</u>
Total Basic State Aid		1,392,084,057
Public Employees' Insurance Matching	01200	292,043,423
Teachers' Retirement System	01900	68,992,393
Retirement Systems – Unfunded Liability.....	77500	<u>281,398,607</u>
Total		\$ 2,034,518,480

47 - State Board of Education –

Vocational Division

(W.V. Code Chapters 18 and 18A)

Fund 0390 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$	1,447,535
Unclassified	09900		268,800
Current Expenses	13000		883,106
Wood Products – Forestry Vocational Program.....	14600		82,713
Albert Yanni Vocational Program.....	14700		132,123
Vocational Aid	14800		24,826,517
Adult Basic Education	14900		5,905,442
Jobs & Hope (R)	14902		6,256,170
Program Modernization.....	30500		884,313
High School Equivalency Diploma Testing (R).....	72600		820,630
FFA Grant Awards.....	83900		11,496
Pre-Engineering Academy Program.....	84000		<u>265,294</u>
Total		\$	41,784,139

Any unexpended balances remaining in the appropriations for Jim's Dream (fund 0390, appropriation 14901), Jobs and Hope (fund 0390, appropriation 14902), High School Equivalency Diploma Testing (fund 0390, appropriation 72600), and Jobs & Hope – Surplus (fund 0390, appropriation 14099) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

*48 - State Board of Education –**West Virginia Schools for the Deaf and the Blind*

(W.V. Code Chapters 18 and 18A)

Fund 0320 FY 2025 Org 0403

Personal Services and Employee Benefits.....	00100	\$	11,281,982
Repairs and Alterations	06400		164,675
Equipment.....	07000		77,000

Unclassified (R).....	09900	110,000
Current Expenses (R)	13000	2,250,696
Buildings (R)	25800	45,000
Capital Outlay and Maintenance (R)	75500	1,670,000
BRIM Premium.....	91300	<u>130,842</u>
Total		\$ 15,730,195

Any unexpended balances remaining in the appropriations for Unclassified (fund 0320, appropriation 09900), Current Expenses (fund 0320, appropriation 13000), Buildings (fund 0320, appropriation 25800) and Capital Outlay and Maintenance (fund 0320, appropriation 75500) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

49 - State Board of Education –

School Building Authority

(W.V. Code Chapters 18 and 18A)

Fund 0318 FY 2025 Org 0404

School Building Authority	45300	\$ 24,000,000
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The above appropriation for School Building Authority (fund 0318, appropriation 45300) shall be transferred to the School Construction Fund (fund 3952).

DEPARTMENT OF ARTS, CULTURE, AND HISTORY

50 - Division of Culture and History

(W.V. Code Chapter 29)

Fund 0293 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$ 4,356,187
Salary and Benefits of Cabinet Secretary and		
Agency Heads.....	00201	120,106
Repairs and Alterations	06400	1,000
Equipment.....	07000	1
Unclassified (R).....	09900	28,483
Current Expenses	13000	610,843

WV Humanities Council	16800	250,000
Buildings	25800	1
Other Assets	69000	1
Educational Enhancements.....	69500	73,500
Land.....	73000	1
Culture and History Programming	73200	231,573
Capital Outlay and Maintenance (R)	75500	19,600
Historical Highway Marker Program.....	84400	57,548
BRIM Premium.....	91300	<u>39,337</u>
Total		\$ 5,788,181

Any unexpended balances remaining in the appropriations for Unclassified (fund 0293, appropriation 09900), Capital Outlay, Repairs and Equipment (fund 0293, appropriation 58900), Capital Improvements – Surplus (fund 0293, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0293, appropriation 67700), Capital Outlay and Maintenance (fund 0293, appropriation 75500), and Current Expenses – Surplus (fund 0293, appropriation 13099) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Educational Enhancements (fund 0293, appropriation 69500) \$73,500 shall be used for the Clay Center.

The Current Expenses appropriation includes funding for the arts funds, department programming funds, grants, fairs and festivals, and Camp Washington Carver; and shall be expended only upon authorization of the Division of Culture and History and in accordance with the provisions of Chapter 5A, Article 3, and Chapter 12 of the W.V. Code.

51 - Library Commission

(W.V. Code Chapter 10)

Fund 0296 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$ 1,206,111
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	112,000
Repairs and Alterations	06400	6,500
Current Expenses	13000	139,624

Services to Blind & Handicapped	18100	161,717
BRIM Premium.....	91300	<u>18,205</u>
Total		\$ 1,644,157

52 - Educational Broadcasting Authority

(W.V. Code Chapter 10)

Fund 0300 FY 2025 Org 0439

Personal Services and Employee Benefits.....	00100	\$ 3,542,948
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	120,106
Current Expenses	13000	113,844
Mountain Stage.....	24900	450,000
Capital Outlay and Maintenance (R)	75500	49,250
BRIM Premium.....	91300	<u>47,727</u>
Total		\$ 4,323,875

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 0300, appropriation 75500) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

53 - Environmental Quality Board

(W.V. Code Chapter 20)

Fund 0270 FY 2025 Org 0311

Personal Services and Employee Benefits.....	00100	\$ 100,930
Repairs and Alterations	06400	800
Equipment.....	07000	500
Current Expenses	13000	28,453
Other Assets	69000	400
BRIM Premium.....	91300	<u>791</u>

Total		\$	131,874
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54 - Division of Environmental Protection

(W.V. Code Chapter 22)

Fund 0273 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	4,428,232
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		168,000
Water Resources Protection and Management.....	06800		596,832
Current Expenses	13000		85,816
Environmental Response and Cleanups	27101		91,888
Dam Safety	60700		258,751
West Virginia Stream Partners Program.....	63700		77,396
West Virginia Drinking Water Treatment Revolving Fund – Transfer	68900		647,500
W.V. Contributions to River Commissions	77600		148,485
Office of Water Resources Non-Enforcement Activity.....	85500		<u>1,119,545</u>
Total		\$	7,622,445

55 - Air Quality Board

(W.V. Code Chapter 16)

Fund 0550 FY 2025 Org 0325

Personal Services and Employee Benefits.....	00100	\$	60,737
Repairs and Alterations	06400		800
Equipment.....	07000		400
Current Expenses	13000		11,612
Other Assets	69000		200
BRIM Premium.....	91300		<u>2,304</u>

Total \$ 76,053

DEPARTMENT OF HEALTH

56 - Department of Health –

Central Office

(W.V. Code Chapter 16)

Fund 0407 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$ 19,188,319
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	358,400
Chief Medical Examiner (R)	04500	10,888,464
Unclassified	09900	671,795
Current Expenses	13000	5,388,459
State Aid for Local and Basic Public Health Services	18400	19,043,283
Safe Drinking Water Program (R).....	18700	2,094,479
Women, Infants and Children.....	21000	38,621
Early Intervention	22300	8,134,060
Cancer Registry	22500	228,162
Office of Drug Control Policy	35401	4,773
Statewide EMS Program Support (R).....	38300	1,741,608
Office of Medical Cannabis (R)	42001	1,588,743
Black Lung Clinics.....	46700	170,885
Vaccine for Children	55100	341,261
Tuberculosis Control	55300	353,454
Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (R).....	57500	6,255,431
Epidemiology Support.....	62600	1,633,693

Primary Care Support	62800	1,257,178
Commission for the Deaf and Hard of Hearing	70400	234,018
Sexual Assault Intervention and Prevention	72300	2,000,000
Health Right Free Clinics	72700	4,250,000
Capital Outlay and Maintenance (R)	75500	70,000
Healthy Lifestyles	77800	916,519
Maternal Mortality Review	83400	52,692
Diabetes Education and Prevention	87300	97,125
BRIM Premium.....	91300	169,791
State Trauma and Emergency Care System	91800	1,968,716
WVU Charleston Poison Control Hotline	94400	<u>712,942</u>
Total		\$ 89,853,781

Any unexpended balances remaining in the appropriations for Chief Medical Examiner (fund 0407, appropriation 04500), Safe Drinking Water Program (fund 0407, appropriation 18700), Office of Drug Control Policy (fund 0407, appropriation 35401), Statewide EMS Program Support (fund 0407, appropriation 38300), Office of Medical Cannabis (fund 0407, appropriation 42001), Medical Cannabis-Surplus (fund 0407, appropriation 42099), Vaccine for Children (fund 0407, appropriation 55100), Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (fund 0407, appropriation 57500), Capital Outlay and Maintenance (fund 0407, appropriation 75500), Emergency Response Entities – Special Projects (fund 0407, appropriation 82200), Tobacco Education Program (fund 0407, appropriation 90600), and Pregnancy Centers – Surplus (fund 0407, appropriation 49999) the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

Notwithstanding the provisions of Title I, section three of this bill, the Secretary of the Department of Health shall have the authority to transfer funds within the above appropriations: *Provided*, That no more than five percent of the funds appropriated to one appropriation may be transferred to other appropriations: *Provided, however*, That no funds from other appropriations shall be transferred to the Personal Services and Employee Benefits appropriation.

From the above appropriation for Current Expenses (fund 0407, appropriation 13000), \$650,000 shall be used for the Office of Inspector General Program; an amount not less than \$100,000 shall be used for the West Virginia Cancer Coalition; \$50,000 shall be used for the West Virginia AIDS Coalition; \$100,000 shall be used for the Adolescent Immunization Education; \$73,065 shall be used for informal dispute resolution relating to nursing home administrative appeals; and \$1,000,000 shall be used for the administration of the Telestroke program.

From the above appropriation for Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (fund 0407, appropriation 57500) up to \$400,000 may be transferred to the

Breast and Cervical Cancer Diagnostic Treatment Fund (fund 5197) and \$11,000 shall be used for the Marshall County Health Department for dental services.

57 - Human Rights Commission

(W.V. Code Chapter 5)

Fund 0416 FY 2025 Org 0510

Personal Services and Employee Benefits.....	00100	\$	1,107,869
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		114,091
Unclassified	09900		4,024
Current Expenses	13000		331,304
BRIM Premium.....	91300		<u>10,764</u>
Total		\$	1,568,052

DEPARTMENT OF HUMAN SERVICES

58 - Division of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 0403 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	51,955,815
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		\$159,250
Unclassified	09900		5,688,944
Current Expenses	13000		19,658,300
Child Care Development.....	14400		3,176,471
Jobs & Hope	14902		1
Medical Services.....	18900		192,686,946
Social Services	19500		225,423,865
Family Preservation Program.....	19600		1,565,000
Behavioral Health Program (R)	21900		62,068,956

Family Resource Networks	27400	1,762,464
Substance Abuse Continuum of Care (R).....	35400	1
Office of Drug Control Policy (R)	35401	367,875
Domestic Violence Legal Services Fund	38400	400,000
James "Tiger" Morton Catastrophic Illness Fund	45500	377,871
I/DD Waiver.....	46600	108,541,736
Child Protective Services Case Workers	46800	31,715,573
Title XIX Waiver for Seniors	53300	24,593,620
WV Teaching Hospitals Tertiary/Safety Net	54700	6,356,000
In-Home Family Education	68800	1,000,000
WV Works Separate State Program.....	69800	1,535,000
Child Support Enforcement	70500	7,356,875
Temporary Assistance for Needy Families/ Maintenance of Effort	70700	25,819,096
Child Care – Maintenance of Effort Match.....	70800	5,693,743
Grants for Licensed Domestic Violence Programs and Statewide Prevention	75000	2,500,000
Capital Outlay and Maintenance (R)	75500	11,875
Community Based Services and Pilot Programs for Youth	75900	1,000,000
Medical Services Administrative Costs.....	78900	43,786,785
Traumatic Brain Injury Waiver	83500	800,000
Indigent Burials (R)	85100	550,000
CHIP Administrative Costs	85601	705,792
CHIP Services.....	85602	10,489,660
BRIM Premium.....	91300	945,891
Rural Hospitals Under 150 Beds	94000	2,596,000

Children's Trust Fund – Transfer	95100	220,000
PATH	95400	<u>7,345,411</u>
Total		\$ 841,338,416

From the above appropriation of Current Expenses (fund 0403, appropriation 13000), \$300,000 shall be used for Green Acres Regional Center, Inc.

Any unexpended balances remaining in the appropriations for Behavioral Health Program (fund 0403, appropriation 21900), Substance Abuse Continuum of Care (fund 0403, appropriation 35400), Office of Drug Control Policy (fund 0403, appropriation 35401), Capital Outlay and Maintenance (fund 0403, appropriation 75500), Indigent Burials (fund 0403, appropriation 85100), and Office of Drug Control Policy – Surplus (fund 0403, appropriation 35402) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

Notwithstanding the provisions of Title I, section three of this bill, the Secretary of the Department of Human Services shall have the authority to transfer funds within the above appropriations: *Provided*, That no more than five percent of the funds appropriated to one appropriation may be transferred to other appropriations: *Provided, however*, That no funds from other appropriations shall be transferred to the Personal Services and Employee Benefits appropriation.

The Secretary shall have authority to expend funds for the educational costs of those children residing in out-of-state placements, excluding the costs of special education programs.

Included in the above appropriation for Social Services (fund 0403, appropriation 19500) is funding for continuing education requirements relating to the practice of social work.

The above appropriation for Domestic Violence Legal Services Fund (fund 0403, appropriation 38400) shall be transferred to the Domestic Violence Legal Services Fund (fund 5455).

The above appropriation for James "Tiger" Morton Catastrophic Illness Fund (fund 0403, appropriation 45500) shall be transferred to the James "Tiger" Morton Catastrophic Illness Fund (fund 5454) as provided by Article 5Q, Chapter 16 of the WV Code.

The above appropriation for WV Works Separate State Program (fund 0403, appropriation 69800) shall be transferred to the WV Works Separate State College Program Fund (fund 5467) and the WV Works Separate State Two-Parent Program Fund (fund 5468) as determined by the Secretary of the Department of Human Services.

From the above appropriation for Child Support Enforcement (fund 0403, appropriation 70500), an amount not to exceed \$300,000 may be transferred to a local banking depository to be utilized to offset funds determined to be uncollectible.

From the above appropriation for the Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation 75000), 50 percent of the total shall be divided equally and distributed among the 14 licensed programs and the West Virginia Coalition Against Domestic Violence (WVCADV). The balance remaining in the appropriation for Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation

75000), shall be distributed according to the formula established by the Family Protection Services Board.

Included in the appropriation for Behavioral Health Program (fund 0403, appropriation 21900), is \$100,000 for Recovery Point of Huntington.

The above appropriation for Children's Trust Fund – Transfer (fund 0403, appropriation 95100) shall be transferred to the Children's Trust Fund (fund 5469).

From the above appropriation for Substance Abuse Continuum of Care (fund 0403, appropriation 35400), the funding will be consistent with the goal areas outlined in the Comprehensive Substance Abuse Strategic Action Plan.

DEPARTMENT OF HEALTH FACILITIES

59 - Health Facilities –

Central Office

(W.V. Code Chapter 16)

Fund 0401 FY 2025 Org 0512

Personal Services and Employee Benefits.....	00100	\$	1,710,519
Salary and Benefits of Cabinet Secretary and.....			
Agency Heads.....	00201		245,000
Current Expenses	13000		1,257,327
BRIM Premium.....	91300		<u>442,849</u>
Total		\$	3,655,695

60 - Health Facilities –

Health Facilities Capital Projects Fund

(W.V. Code Chapter 16)

Fund 0402 FY 2025 Org 0512

Capital Outlay and Maintenance	75500	\$	550,000
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The Secretary shall have the ability to transfer between appropriations for Capital Outlay and Maintenance within the funds 0402, 0408, 0409, 0410, 0411, 0412, 0413, 0414 and 0415 as needed.

61 - Health Facilities –

Hopemont Hospital

(W.V. Code Chapter 16)

Fund 0408 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$	6,580,740
Repairs and Alterations (R)	06400		90,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		2,173,082
Buildings (R)	25800		1
Other Assets (R)	69000		1
Contract Nursing (R).....	72301		3,893,811
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R).....	91300		<u>40,000</u>
Total		\$	12,827,637

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0408, appropriation 00100), Repairs and Alterations (fund 0408, appropriation 06400), Equipment (0408, appropriation 07000), Current Expenses (fund 0408, appropriation 13000), Buildings (fund 0408, appropriation 25800), Other Assets (fund 0408, appropriation 69000), Contract Nursing (fund 0408, appropriation 72301), Capital Outlay and Maintenance (fund 0408, appropriation 75500), and BRIM Premium (fund 0408, appropriation 91300)) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

*62 - Health Facilities –**Lakin Hospital*

(W.V. Code Chapter 16)

Fund 0409 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$	8,368,450
Repairs and Alterations (R)	06400		60,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		2,363,676

Buildings (R)	25800	1
Other Assets (R)	69000	1
Contract Nursing (R)	72301	3,539,262
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R).....	91300	<u>70,000</u>
Total		\$ 14,451,392

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0409, appropriation 00100), Repairs and Alterations (fund 0409, appropriation 06400), Equipment (0409, appropriation 07000), Current Expenses (fund 0409, appropriation 13000), Buildings (fund 0409, appropriation 25800), Other Assets (fund 0409, appropriation 69000), Contract Nursing (fund 0409, appropriation 72301), Capital Outlay and Maintenance (fund 0409, appropriation 75500), and BRIM Premium (fund 0409, appropriation 91300)) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

63 - Health Facilities –

John Manchin Senior Health Care Center

(W.V. Code Chapter 16)

Fund 0410 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$ 4,199,228
Repairs and Alterations (R)	06400	50,001
Equipment (R).....	07000	1
Current Expenses (R)	13000	1,471,878
Buildings (R)	25800	1
Other Assets (R)	69000	1
Contract Nursing (R).....	72301	2,907,556
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R).....	91300	<u>25,000</u>
Total		\$ 8,703,666

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0410, appropriation 00100), Repairs and Alterations (fund 0410, appropriation 06400), Equipment (0410, appropriation 07000), Current Expenses (fund 0410, appropriation 13000), Buildings (fund 0410, appropriation 25800), Other Assets (fund 0410, appropriation 69000), Contract Nursing (fund 0410, appropriation 72301), Capital Outlay and Maintenance (fund 0410, appropriation 75500), and BRIM Premium (fund 0410, appropriation 91300)) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

64 - Health Facilities –

Jackie Withrow Hospital

(W.V. Code Chapter 16)

Fund 0411 FY 2025 Org 0512

Personal Services and Employee Benefits (R)	00100	\$	7,380,957
Repairs and Alterations (R)	06400		200,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		2,655,893
Buildings (R)	25800		1
Other Assets (R)	69000		1
Contract Nursing (R).....	72301		2,000,311
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R).....	91300		<u>50,000</u>
Total		\$	12,337,165

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0411, appropriation 00100), Repairs and Alterations (fund 0411, appropriation 06400), Equipment (0411, appropriation 07000), Current Expenses (fund 0411, appropriation 13000), Buildings (fund 0411, appropriation 25800), Other Assets (fund 0411, appropriation 69000), Contract Nursing (fund 0411, appropriation 72301), Capital Outlay and Maintenance (fund 0411, appropriation 75500), and BRIM Premium (fund 0411, appropriation 91300)) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

65 - Health Facilities –

Welch Community Hospital

(W.V. Code Chapter 16)

Fund 0412 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$	15,111,349
Repairs and Alterations (R).....	06400		1
Equipment (R).....	07000		1
Current Expenses (R)	13000		13,199,285
Buildings (R)	25800		1
Other Assets (R)	69000		1
Contract Nursing (R).....	72301		2,576,401
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R).....	91300		<u>120,000</u>
Total		\$	31,057,039

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0412, appropriation 00100), Repairs and Alterations (fund 0412, appropriation 06400), Equipment (0412, appropriation 07000), Current Expenses (fund 0412, appropriation 13000), Buildings (fund 0412, appropriation 25800), Other Assets (fund 0412, appropriation 69000), Contract Nursing (fund 0412, appropriation 72301), Capital Outlay and Maintenance (fund 0412, appropriation 75500), and BRIM Premium (fund 0412, appropriation 91300)) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

66 - Health Facilities –

William R. Sharpe Jr. Hospital

(W.V. Code Chapter 16)

Fund 0413 FY 2025 Org 0512

Personal Services and Employee Benefits (R)	00100	\$	26,497,231
Repairs and Alterations (R).....	06400		350,001

Equipment (R).....	07000	1
Current Expenses (R)	13000	10,280,300
Buildings (R)	25800	1
Other Assets (R)	69000	1
Contract Nursing (R)	72301	41,969,835
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R).....	91300	<u>260,000</u>
Total		\$ 79,407,370

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0413, appropriation 00100), Repairs and Alterations (fund 0413, appropriation 06400), Equipment (0413, appropriation 07000), Current Expenses (fund 0413, appropriation 13000), Buildings (fund 0413, appropriation 25800), Other Assets (fund 0413, appropriation 69000), Contract Nursing (fund 0413, appropriation 72301), Capital Outlay and Maintenance (fund 0413, appropriation 75500), and BRIM Premium (fund 0413, appropriation 91300)) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

The above appropriation for Personal Services and Employee Benefits (fund 0413, appropriation 00100) contains prior year salary increases due to the Hartley court order in the amount of \$2,202,013.

67 - Health Facilities –

Mildred Mitchell-Bateman Hospital

(W.V. Code Chapter 16)

Fund 0414 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$ 25,016,184
Repairs and Alterations (R)	06400	300,001
Equipment (R).....	07000	1
Current Expenses (R)	13000	2,967,683
Buildings (R)	25800	1
Other Assets (R)	69000	1

Contract Nursing (R)	72301	24,957,520
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R).....	91300	<u>215,000</u>
Total		\$ 53,506,391

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0414, appropriation 00100), Repairs and Alterations (fund 0414, appropriation 06400), Equipment (0414, appropriation 07000), Current Expenses (fund 0414, appropriation 13000), Buildings (fund 0414, appropriation 25800), Other Assets (fund 0414, appropriation 69000), Contract Nursing (fund 0414, appropriation 72301), Capital Outlay and Maintenance (fund 0414, appropriation 75500), and BRIM Premium (fund 0414, appropriation 91300)) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

The above appropriation for Personal Services and Employee Benefits (fund 0414, appropriation 00100) contains prior year salary increases due to the Hartley court order in the amount of \$2,067,984.

68 - Health Facilities –

William R. Sharpe Jr. Hospital -

Transitional Living Facility

(W.V. Code Chapter 16)

Fund 0415 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$ 1,594,131
Repairs and Alterations (R)	06400	2,001
Equipment (R).....	07000	1
Current Expenses (R)	13000	171,794
Buildings (R)	25800	1
Other Assets (R)	69000	1
Contract Nursing (R)	72301	10,000
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R).....	91300	<u>20,000</u>

Total \$ 1,847,929

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0415, appropriation 00100), Repairs and Alterations (fund 0415, appropriation 06400), Equipment (0415, appropriation 07000), Current Expenses (fund 0415, appropriation 13000), Buildings (fund 0415, appropriation 25800), Other Assets (fund 0415, appropriation 69000), Contract Nursing (fund 0415, appropriation 72301), Capital Outlay and Maintenance (fund 0415, appropriation 75500), and BRIM Premium (fund 0415, appropriation 91300)) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

DEPARTMENT OF HOMELAND SECURITY

69 - Department of Homeland Security –

Office of the Secretary

(W.V. Code Chapter 5F)

Fund 0430 FY 2025 Org 0601

Personal Services and Employee Benefits.....	00100	\$	695,143
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		168,000
Repairs and Alterations	06400		500
Equipment.....	07000		500
Unclassified (R).....	09900		30,000
Current Expenses	13000		91,636
Fusion Center (R)	46900		3,052,318
Other Assets	69000		500
Directed Transfer	70000		32,000
BRIM Premium.....	91300		22,563
WV Fire and EMS Survivor Benefit (R)	93900		<u>200,000</u>
Total		\$	4,293,160

Any unexpended balances remaining in the appropriations for Unclassified (fund 0430, appropriation 09900), Fusion Center (fund 0430, appropriation 46900), Justice Reinvestment

Training – Surplus (fund 0430, appropriation 69900), WV Fire and EMS Survivor Benefit (fund 0430, appropriation 93900), and Homeland State Security Administrative Agency (fund 0430, appropriation 95300) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Directed Transfer (fund 0430, appropriation 70000) shall be transferred to the Law-Enforcement, Safety and Emergency Worker Funeral Expense Payment Fund (fund 6003).

70 - Division of Emergency Management

(W.V. Code Chapter 15)

Fund 0443 FY 2025 Org 0606

Personal Services and Employee Benefits.....	00100	\$	2,294,279
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		61,250
Repairs and Alterations.....	06400		600
Unclassified.....	09900		21,022
Current Expenses.....	13000		51,065
Radiological Emergency Preparedness.....	55400		17,052
SIRN.....	55401		600,000
Federal Funds/Grant Match (R).....	74900		1,538,775
Mine and Industrial Accident Rapid			
Response Call Center.....	78100		530,392
Early Warning Flood System (R).....	87700		1,480,890
BRIM Premium.....	91300		<u>96,529</u>
Total.....		\$	6,691,854

Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match (fund 0443, appropriation 74900), and Early Warning Flood System (fund 0443, appropriation 87700) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

71 - Division of Corrections and Rehabilitation –

West Virginia Parole Board

(W.V. Code Chapter 62)

Fund 0440 FY 2025 Org 0608

Personal Services and Employee Benefits.....	00100	\$	317,039
Unclassified	09900		10,000
Current Expenses	13000		334,440
Salaries of Members of West Virginia Parole Board	22700		786,374
BRIM Premium.....	91300		<u>6,149</u>
Total		\$	1,454,002

The above appropriation for Salaries of Members of West Virginia Parole Board (fund 0440, appropriation 22700) includes funding for salary, annual increment (as provided for in W.V. Code §5-5-1), and related employee benefits of board members.

*72 - Division of Corrections and Rehabilitation –**Central Office*

(W.V. Code Chapter 15A)

Fund 0446 FY 2025 Org 0608

Personal Services and Employee Benefits.....	00100	\$	256,747
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		126,000
Current Expenses	13000		<u>2,400</u>
Total		\$	385,147

*73 - Division of Corrections and Rehabilitation –**Correctional Units*

(W.V. Code Chapter 15A)

Fund 0450 FY 2025 Org 0608

Employee Benefits	01000	\$	1,258,136
Children's Protection Act (R)	09000		838,437
Unclassified	09900		1,578,800

Current Expenses (R)	13000	57,690,483
Facilities Planning and Administration (R)	38600	1,274,200
Charleston Correctional Center	45600	4,041,521
Beckley Correctional Center.....	49000	3,018,511
Anthony Correctional Center	50400	6,905,924
Huttonsville Correctional Center.....	51400	23,165,663
Northern Correctional Center	53400	9,593,719
Inmate Medical Expenses (R)	53500	62,226,064
Pruntytown Correctional Center	54300	10,310,325
Corrections Academy	56900	2,106,862
Information Technology Services.....	59901	2,759,052
Martinsburg Correctional Center	66300	5,358,718
Parole Services.....	68600	6,512,380
Special Services	68700	6,317,554
Directed Transfer	70000	7,432,686
Investigative Services	71600	3,743,303
Capital Outlay and Maintenance (R)	75500	2,000,000
Salem Correctional Center.....	77400	13,168,692
McDowell County Correctional Center	79000	2,542,590
Stevens Correctional Center	79100	7,863,195
Parkersburg Correctional Center.....	82800	7,511,290
St. Mary's Correctional Center	88100	17,061,358
Denmar Correctional Center	88200	6,018,233
Ohio County Correctional Center	88300	2,629,742
Mt. Olive Correctional Complex.....	88800	27,136,647
Lakin Correctional Center	89600	12,619,819

BRIM Premium.....	91300	<u>2,527,657</u>
Total		\$ 317,211,561

Any unexpended balances remaining in the appropriations for Children's Protection Act (fund 0450, appropriation 09000), Unclassified – Surplus (fund 0450, appropriation 09700), Current Expenses (fund 0450, appropriation 13000), Facilities Planning and Administration (fund 0450, appropriation 38600), Inmate Medical Expenses (fund 0450, appropriation 53500), Capital Improvements – Surplus (fund 0450, appropriation 66100), Capital Outlay and Maintenance (fund 0450, appropriation 75500), Security System Improvements – Surplus (fund 0450, appropriation 75501), and Roof Repairs and Mechanical System Upgrades (fund 0450, appropriation 75502) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Commissioner of Corrections and Rehabilitation shall have the authority to transfer between appropriations.

From the above appropriation to Current Expenses (fund 0450, appropriation 13000), payment shall be made to house Division of Corrections and Rehabilitation inmates in federal, county, and/or regional jails.

The above appropriation for Directed Transfer (fund 0450, appropriation 70000) shall be transferred to the Regional Jails Operating Cash Control Account (fund 6678).

Any realized savings from Energy Savings Contract may be transferred to Facilities Planning and Administration (fund 0450, appropriation 38600).

74 - Division of Corrections and Rehabilitation –

Bureau of Juvenile Services

(W.V. Code Chapter 15A)

Fund 0570 FY 2025 Org 0608

Statewide Reporting Centers	26200	\$ 7,507,863
Robert L. Shell Juvenile Center.....	26700	3,081,514
Resident Medical Expenses (R).....	53501	3,604,999
Central Office	70100	1,898,385
Capital Outlay and Maintenance (R)	75500	250,000
Gene Spadaro Juvenile Center	79300	3,274,266
BRIM Premium.....	91300	115,967
Kenneth Honey Rubenstein Juvenile Center (R).....	98000	6,613,974
Vicki Douglas Juvenile Center.....	98100	3,142,823

Northern Regional Juvenile Center	98200	2,876,302
Lorrie Yeager Jr. Juvenile Center	98300	2,993,572
Sam Perdue Juvenile Center	98400	3,214,598
Tiger Morton Center	98500	3,195,339
Donald R. Kuhn Juvenile Center	98600	6,177,512
J.M. "Chick" Buckbee Juvenile Center	98700	<u>3,260,770</u>
Total		\$ 51,207,884

Any unexpended balances remaining in the appropriations for Resident Medical Expenses (fund 0570, appropriation 53501), Capital Outlay and Maintenance (fund 0570, appropriation 75500), Roof Repairs and Mechanical System Upgrades (fund 0570, appropriation 75502), and Kenneth Honey Rubenstein Juvenile Center (fund 0570, appropriation 98000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Director of Juvenile Services shall have the authority to transfer between appropriations to the individual juvenile centers above including Statewide Reporting Centers and Central Office and may transfer funds from the individual juvenile centers to Resident Medical Expenses (fund 0570, appropriation 53501).

75 - West Virginia State Police

(W.V. Code Chapter 15)

Fund 0453 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$ 79,006,727
Salary and Benefits of Cabinet Secretary and		
Agency Heads.....	00201	139,300
Repairs and Alterations	06400	450,523
Children's Protection Act	09000	1,109,123
Current Expenses	13000	10,384,394
Trooper Class	52100	3,207,832
Barracks Lease Payments	55600	237,898
Communications and Other Equipment (R).....	55800	1,070,968
Trooper Retirement Fund	60500	14,319,315
Handgun Administration Expense	74700	87,088

Capital Outlay and Maintenance (R)	75500	250,000
Retirement Systems – Unfunded Liability.....	77500	8,626,000
Automated Fingerprint Identification System	89800	2,260,695
BRIM Premium.....	91300	<u>5,743,921</u>
Total		\$ 126,893,784

Any unexpended balances remaining in the appropriations for Communications and Other Equipment (fund 0453, appropriation 55800) and Capital Outlay and Maintenance (fund 0453, appropriation 75500) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Personal Services and Employee Benefits (fund 0453, appropriation 00100), an amount not less than \$25,000 shall be expended to offset the costs associated with providing police services for the West Virginia State Fair.

76 - Fire Commission

(W.V. Code Chapter 15A)

Fund 0436 FY 2025 Org 0619

Current Expenses	13000	\$ 63,061
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77 - Division of Protective Services

(W.V. Code Chapter 5F)

Fund 0585 FY 2025 Org 0622

Personal Services and Employee Benefits.....	00100	\$ 3,473,329
Repairs and Alterations	06400	8,500
Equipment (R).....	07000	64,171
Unclassified (R).....	09900	21,991
Current Expenses	13000	422,981
BRIM Premium.....	91300	<u>32,602</u>
Total		\$ 4,023,574

Any unexpended balances remaining in the appropriations for Equipment (fund 0585, appropriation 07000) and Unclassified (fund 0585, appropriation 09900) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

78 - Division of Administrative Services -

Criminal Justice Fund

(W.V. Code Chapter 15A)

Fund 0546 FY 2025 Org 0623

Personal Services and Employee Benefits.....	00100	\$	639,264
Repairs and Alterations	06400		1,804
Current Expenses	13000		233,360
Child Advocacy Centers (R)	45800		2,344,040
Community Corrections (R).....	56100		4,614,368
Statistical Analysis Program	59700		50,739
Sexual Assault Forensic Examination Commission (R)	71400		283,351
Qualitative Analysis and Training for Youth Services (R)	76200		90,373
Law Enforcement Professional Standards.....	83800		182,512
Justice Reinvestment Initiative (R).....	89501		2,344,040
BRIM Premium.....	91300		<u>2,123</u>
Total		\$	10,656,295

Any unexpended balances remaining in the appropriations for Child Advocacy Centers (fund 0546, appropriation 45800), Community Corrections (fund 0546, appropriation 56100), Sexual Assault Forensic Examination Commission (fund 0546 appropriation 71400), Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200), Justice Reinvestment Initiative (fund 0546, appropriation 89501) and Victims of Crime Act – Surplus (fund 0546, appropriation 21099) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Current Expenses (fund 0546, appropriation 13000), \$100,000 shall be used for Court Appointed Special Advocates.

From the above appropriation for Child Advocacy Centers (fund 0546, appropriation 45800), the Division may retain an amount not to exceed four percent of the appropriation for administrative purposes.

79 - Division of Administrative Services

(W.V. Code Chapter 15A)

Fund 0619 FY 2025 Org 0623

Personal Services and Employee Benefits.....	00100	\$	5,675,223
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Unclassified	09900	50,000
Current Expenses	13000	<u>555,000</u>
Total		\$ 6,280,223

DEPARTMENT OF REVENUE

80 - Office of the Secretary

(W.V. Code Chapter 11)

Fund 0465 FY 2025 Org 0701

Personal Services and Employee Benefits.....	00100	\$ 388,713
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	168,000
Repairs and Alterations	06400	1,262
Equipment.....	07000	8,000
Unclassified	09900	437
Current Expenses	13000	81,594
Other Assets	69000	<u>500</u>
Total		\$ 648,506

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 0465, appropriation 09600) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

81 - Tax Division

(W.V. Code Chapter 11)

Fund 0470 FY 2025 Org 0702

Personal Services and Employee Benefits (R).....	00100	\$ 20,505,046
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	147,000
Repairs and Alterations	06400	10,150
Equipment.....	07000	54,850

Tax Technology Upgrade.....	09400	3,700,000
Unclassified (R).....	09900	174,578
Current Expenses (R)	13000	6,823,635
Multi State Tax Commission	65300	77,958
Other Assets	69000	10,000
BRIM Premium.....	91300	<u>15,579</u>
Total		\$ 31,518,796

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0470, appropriation 00100), Unclassified (fund 0470, appropriation 09900), Current Expenses (fund 0470, appropriation 13000), and Integrated Tax Assessment System (fund 0470, appropriation 29200) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

82 - State Budget Office

(W.V. Code Chapter 11B)

Fund 0595 FY 2025 Org 0703

Personal Services and Employee Benefits.....	00100	\$ 1,055,236
Unclassified (R).....	09900	9,200
Current Expenses (R)	13000	<u>119,449</u>
Total		\$ 1,183,885

Any unexpended balances remaining in the appropriations for Unclassified (fund 0595, appropriation 09900) and Current Expenses (fund 0595, appropriation 13000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

83 - West Virginia Office of Tax Appeals

(W.V. Code Chapter 11)

Fund 0593 FY 2025 Org 0709

Personal Services and Employee Benefits.....	00100	\$ 976,887
Unclassified	09900	5,255
Current Expenses (R)	13000	229,374
BRIM Premium.....	91300	<u>3,062</u>

Total \$ 1,214,578

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0593, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

84 - State Athletic Commission

(W.V. Code Chapter 29)

Fund 0523 FY 2025 Org 0933

Personal Services and Employee Benefits.....	00100	\$	7,200
Current Expenses	13000		<u>29,611</u>
Total		\$	36,811

DEPARTMENT OF TRANSPORTATION

85 - Division of Multimodal Transportation Facilities –

State Rail Authority

(W.V. Code Chapter 17)

Fund 0506 FY 2025 Org 0810

Personal Services and Employee Benefits.....	00100	\$	385,773
Current Expenses	13000		287,707
Other Assets (R)	69000		1,270,019
BRIM Premium.....	91300		<u>201,541</u>
Total		\$	2,145,040

Any unexpended balance remaining in the appropriation for Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

86 - Division of Multimodal Transportation Facilities –

Public Transit

(W.V. Code Chapter 17)

Fund 0510 FY 2025 Org 0810

Equipment (R).....	07000	\$	100,000
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Current Expenses (R)	13000	2,042,989
Buildings (R)	25800	100,000
Other Assets (R)	69000	<u>50,000</u>
Total		\$ 2,292,989

Any unexpended balances remaining in the appropriations for Equipment (fund 0510, appropriation 07000), Current Expenses (fund 0510, appropriation 13000), Buildings (fund 0510, appropriation 25800), and Other Assets (fund 0510, appropriation 69000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

87 - Division of Multimodal Transportation Facilities –

(W.V. Code Chapter 17)

Fund 0580 FY 2025 Org 0810

Personal Services and Employee Benefits (R).....	00100	\$ 713,763
Current Expenses (R)	13000	750,000
BRIM Premium.....	91300	<u>7,500</u>
Total		\$ 1,471,263

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0580, appropriation 00100), and Current Expenses (fund 0580, appropriation 13000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

88 - Division of Multimodal Transportation Facilities –

Aeronautics Commission

(W.V. Code Chapter 17)

Fund 0582 FY 2025 Org 0810

Personal Services and Employee Benefits.....	00100	\$ 235,249
Repairs and Alterations	06400	100
Current Expenses (R)	13000	791,839
BRIM Premium.....	91300	<u>4,438</u>
Total		\$ 1,031,626

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0582, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

DEPARTMENT OF VETERANS' ASSISTANCE

89 - Department of Veterans' Assistance

(W.V. Code Chapter 9A)

Fund 0456 FY 2025 Org 0613

Personal Services and Employee Benefits.....	00100	\$	2,560,846
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		110,880
Repairs and Alterations.....	06400		5,000
Unclassified.....	09900		20,000
Current Expenses.....	13000		161,450
Veterans' Field Offices (R).....	22800		405,550
Veterans' Nursing Home (R).....	28600		8,294,373
Veterans' Toll Free Assistance Line.....	32800		2,015
Veterans' Reeducation Assistance (R).....	32900		40,000
Veterans' Grant Program (R).....	34200		560,000
Veterans' Grave Markers.....	47300		10,000
Veterans' Cemetery (R).....	80800		420,079
BRIM Premium.....	91300		<u>50,000</u>
Total.....		\$	12,640,193

Any unexpended balances remaining in the appropriations for Veterans' Field Offices (fund 0456, appropriation 22800), Buildings – Surplus (fund 0456, appropriation 25899), Veterans' Nursing Home (fund 0456, appropriation 28600), Veterans' Reeducation Assistance (fund 0456, appropriation 32900), Veterans' Grant Program (fund 0456, appropriation 34200), Veterans' Bonus – Surplus (fund 0456, appropriation 34400), Veterans' Cemetery (fund 0456, appropriation 80800), and Educational Opportunities for Children of Deceased Veterans (fund 0456, appropriation 85400) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

90 - Department of Veterans' Assistance –

Veterans' Home

(W.V. Code Chapter 9A)

Fund 0460 FY 2025 Org 0618

Personal Services and Employee Benefits.....	00100	\$	1,525,632
Current Expenses (R)	13000		46,759
Veterans Outreach Programs.....	61700		<u>213,377</u>
Total		\$	1,785,768

Any unexpended balances remaining in the appropriations for Current Expenses (fund 0460, appropriation 13000) at the close of fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

BUREAU OF SENIOR SERVICES

91 - Bureau of Senior Services

(W.V. Code Chapter 29)

Fund 0420 FY 2025 Org 0508

Transfer to Division of Human Services for Health Care

and Title XIX Waiver for Senior Citizens	53900	\$	6,580,366`
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The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 0420, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

The above appropriation is in addition to funding provided in fund 5405 for this program.

WEST VIRGINIA COUNCIL FOR COMMUNITY

AND TECHNICAL COLLEGE EDUCATION

92 - West Virginia Council for

Community and Technical College Education –

Control Account

(W.V. Code Chapter 18B)

Fund 0596 FY 2025 Org 0420

West Virginia Council for Community

and Technical Education (R).....	39200	\$	761,164
Transit Training Partnership	78300		34,293
Community College Workforce Development (R).....	87800		2,791,367
College Transition Program.....	88700		278,222
West Virginia Advance Workforce Development (R).....	89300		3,126,336
Technical Program Development (R).....	89400		1,800,735
WV Invests Grant Program (R)	89401		<u>7,046,959</u>
Total		\$	15,839,076

Any unexpended balances remaining in the appropriations for West Virginia Council for Community and Technical Education (fund 0596, appropriation 39200), Capital Improvements – Surplus (fund 0596, appropriation 66100), Community College Workforce Development (fund 0596, appropriation 87800), West Virginia Advance Workforce Development (fund 0596, appropriation 89300), Technical Program Development (fund 0596, appropriation 89400), and WV Invests Grant Program (fund 0596, appropriation 89401) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

93 - Mountwest Community and Technical College

(W.V. Code Chapter 18B)

Fund 0599 FY 2025 Org 0444

Mountwest Community and Technical College	48700	\$	7,165,674
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94 - New River Community and Technical College

(W.V. Code Chapter 18B)

Fund 0600 FY 2025 Org 0445

New River Community and Technical College	35800	\$	6,624,770
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95 - Pierpont Community and Technical College

(W.V. Code Chapter 18B)

Fund 0597 FY 2025 Org 0446

Pierpont Community and Technical College	93000	\$	8,699,120
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96 - Blue Ridge Community and Technical College

(W.V. Code Chapter 18B)

Fund 0601 FY 2025 Org 0447

Blue Ridge Community and Technical College 88500 \$ 8,821,525

97 - West Virginia University at Parkersburg

(W.V. Code Chapter 18B)

Fund 0351 FY 2025 Org 0464

West Virginia University – Parkersburg 47100 \$ 11,632,093

98 - Southern West Virginia Community and Technical College

(W.V. Code Chapter 18B)

Fund 0380 FY 2025 Org 0487

Southern West Virginia Community and Technical College 44600 \$ 9,185,300

99 - West Virginia Northern Community and Technical College

(W.V. Code Chapter 18B)

Fund 0383 FY 2025 Org 0489

West Virginia Northern Community and Technical College 44700 \$ 8,145,573

100 - Eastern West Virginia Community and Technical College

(W.V. Code Chapter 18B)

Fund 0587 FY 2025 Org 0492

Eastern West Virginia Community and Technical College 41200 \$ 2,447,264

101 - BridgeValley Community and Technical College

(W.V. Code Chapter 18B)

Fund 0618 FY 2025 Org 0493

BridgeValley Community and Technical College 71700 \$ 8,970,648

HIGHER EDUCATION POLICY COMMISSION

102 - Higher Education Policy Commission –

Administration –

Control Account

(W.V. Code Chapter 18B and 18C)

Fund 0589 FY 2025 Org 0441

Personal Services and Employee Benefits.....	00100	\$	2,914,927
RHI Program and Site Support –			
RHEP Program Administration (R)	03700		80,000
Mental Health Provider Loan Repayment (R).....	11301		330,000
Current Expenses	13000		1,096,902
Higher Education Grant Program	16400		40,619,864
Tuition Contract Program (R)	16500		1,225,676
Underwood-Smith Scholarship Program-Student Awards.....	16700		1,478,349
Facilities Planning and Administration	38600		1,760,254
Dual Enrollment Program	42201		4,200,000
Higher Education System Initiatives	48801		1,651,889
PROMISE Scholarship – Transfer	80000		18,874,400
HEAPS Grant Program (R)	86700		5,025,376
Health Professionals' Student Loan Program (R)	86701		547,470
BRIM Premium.....	91300		<u>17,817</u>
Total		\$	79,448,524

Any unexpended balances remaining in the appropriations for RHI Program and Site Support – RHEP Program Administration (fund 0589, 03700), Mental Health Provider Loan Repayment (fund 0589, appropriation 11301), Tuition Contract Program (fund 0589, appropriation 16500), Dual Enrollment Program (fund 0589, appropriation 42201), HEAPS Grant Program (fund 0589, appropriation 86700), and Health Professionals' Student Loan Program (fund 0589, appropriation 86701) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Facilities Planning and Administration (fund 0589, appropriation 38600) is for operational expenses of the West Virginia Regional Technology Park between construction and full occupancy.

The above appropriation for Higher Education Grant Program (fund 0589, appropriation 16400) shall be transferred to the Higher Education Grant Fund (fund 4933) established by W.V. Code §18C-5-3.

The above appropriation for Underwood-Smith Scholarship Program - Student Awards (fund 0589, appropriation 16700) shall be transferred to the Underwood-Smith Teaching Scholars Program Fund (4922) established by W.V. Code §18C-4-1.

The above appropriation for PROMISE Scholarship-Transfer (fund 0589, appropriation 80000) shall be transferred to the PROMISE Scholarship Fund (fund 4296) established by W.V. Code §18C-7-7.

The above appropriation for Dual Enrollment Program (fund 0589, appropriation 42201) shall be used for the Dual Enrollment Program established by House Bill 2005 during the 2023 Regular Session.

103 - West Virginia University –

School of Medicine

Medical School Fund

(W.V. Code Chapter 18B)

Fund 0343 FY 2025 Org 0463

WVU School of Health Science – Eastern Division	05600	\$	2,426,012
WVU – School of Health Sciences	17400		16,155,605
WVU – School of Health Sciences – Charleston Division	17500		2,478,576
Rural Health Outreach Programs (R)	37700		170,278
West Virginia University School of Medicine			
BRIM Subsidy	46000		<u>1,203,087</u>
Total		\$	22,433,558

Any unexpended balances remaining in the appropriations for Rural Health Outreach Programs (fund 0343, appropriation 37700) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

104 - West Virginia University –

General Administrative Fund

(W.V. Code Chapter 18B)

Fund 0344 FY 2025 Org 0463

West Virginia University	45900	\$	95,207,347
West Virginia University Land Grant Match	45101		8,549,644

Jackson's Mill	46100	513,760
West Virginia University Institute of Technology	47900	8,901,994
State Priorities – Brownfield Professional Development	53100	816,556
Energy Express.....	86100	382,935
West Virginia University – Potomac State	99400	<u>5,136,407</u>
Total		\$ 119,508,643

From the above appropriation for Jackson's Mill (fund 0344, appropriation 46100), \$250,000 shall be used for the West Virginia State Fire Training Academy.

Any unexpended balances remaining in the appropriations for Jackson's Mill (fund 0344, appropriation 46100), State Priorities – Brownfield Professional Development (fund 0344, appropriation 53100), National Cancer Institute - Surplus (fund 0344, appropriation 65399), and Energy Express (fund 0344, appropriation 86100) and at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

105 - Marshall University –

School of Medicine

(W.V. Code Chapter 18B)

Fund 0347 FY 2025 Org 0471

Marshall Medical School	17300	\$ 8,357,258
Rural Health Outreach Programs (R)	37700	160,732
Forensic Lab (R)	37701	227,415
Center for Rural Health (R)	37702	169,390
Marshall University Medical School BRIM Subsidy	44900	<u>872,612</u>
Total		\$ 9,787,407

Any unexpended balances remaining in the appropriations for Rural Health Outreach Programs (fund 0347, appropriation 37700), Forensic Lab (fund 0347, appropriation 37701), and Center for Rural Health (fund 0347, appropriation 37702) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

106 - Marshall University –

General Administration Fund

(W.V. Code Chapter 18B)

Fund 0348 FY 2025 Org 0471

Marshall University.....	44800	\$	53,609,703
Marshall University Minority Health Institute.....	42301		100,000
Luke Lee Listening Language and Learning Lab (R).....	44801		157,901
VISTA E-Learning (R).....	51900		229,019
State Priorities – Brownfield Professional Development (R)....	53100		809,606
Marshall University Graduate College Writing Project (R)	80700		25,412
WV Autism Training Center (R)	93200		<u>1,992,337</u>
Total		\$	56,923,978

Any unexpended balances remaining in the appropriations for Luke Lee Listening Language and Learning Lab (fund 0348, appropriation 44801), VISTA E-Learning (fund 0348, appropriation 51900), State Priorities – Brownfield Professional Development (fund 0348, appropriation 53100), Marshall University Graduate College Writing Project (fund 0348, appropriation 80700), WV Autism Training Center (fund 0348, appropriation 93200), Marshall University Minority Health Institute (fund 0348, appropriation 42301), and Marshall University Cybersecurity Program – Surplus (fund 0348, appropriation 42302) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

107 - West Virginia School of Osteopathic Medicine

(W.V. Code Chapter 18B)

Fund 0336 FY 2025 Org 0476

West Virginia School of Osteopathic Medicine	17200	\$	5,588,340
Rural Health Outreach Programs (R).....	37700		174,997
West Virginia School of Osteopathic Medicine			
BRIM Subsidy	40300		153,405
Rural Health Initiative – Medical Schools Support.....	58100		<u>415,363</u>
Total		\$	6,332,105

Any unexpended balance remaining in the appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700), and West Virginia School of Osteopathic Medicine – Surplus (fund 0336, appropriation 17299) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

108 - Bluefield State University

(W.V. Code Chapter 18B)

Fund 0354 FY 2025 Org 0482

Bluefield State University 40800 \$ 7,184,100

109 - Concord University

(W.V. Code Chapter 18B)

Fund 0357 FY 2025 Org 0483

Concord University..... 41000 \$ 11,600,864

110 - Fairmont State University

(W.V. Code Chapter 18B)

Fund 0360 FY 2025 Org 0484

Fairmont State University 41400 \$ 20,805,888

111 - Glenville State University

(W.V. Code Chapter 18B)

Fund 0363 FY 2025 Org 0485

Glenville State University 42800 \$ 7,470,766

112 - Shepherd University

(W.V. Code Chapter 18B)

Fund 0366 FY 2025 Org 0486

Shepherd University..... 43200 \$ 13,935,597

113 - West Liberty University

(W.V. Code Chapter 18B)

Fund 0370 FY 2025 Org 0488

West Liberty University 43900 \$ 10,530,209

114 - West Virginia State University

(W.V. Code Chapter 18B)

Fund 0373 FY 2025 Org 0490

West Virginia State University	44100	\$	12,144,676
Healthy Grandfamilies (R).....	62101		800,000
West Virginia State University Land Grant Match	95600		<u>5,000,000</u>
Total		\$	17,944,676

Any unexpended balance remaining in the appropriation for Healthy Grandfamilies (fund 0373, appropriation 62101) at the close of fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

115 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(W.V. Code Chapter 18B)

Fund 0551 FY 2025 Org 0495

WVNET	16900	\$	1,946,515
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MISCELLANEOUS BOARDS AND COMMISSIONS

116 - Adjutant General –

State Militia

(W.V. Code Chapter 15)

Fund 0433 FY 2025 Org 0603

Salary and Benefits of Cabinet Secretary and

Agency Heads.....	00201	\$	189,000
Unclassified (R).....	09900		106,798
College Education Fund	23200		4,000,000
Civil Air Patrol	23400		249,664
Armory Board Transfer.....	70015		2,317,555
Mountaineer ChalleNGe Academy	70900		3,570,640
Military Authority (R).....	74800		6,621,038
Drug Enforcement and Support.....	74801		<u>1,592,221</u>

Total \$ 18,646,916

Any unexpended balances remaining in the appropriations for Unclassified (fund 0433, appropriation 09900), Military Authority (fund 0433, appropriation 74800), Armory Board Transfers – Surplus (fund 0433, appropriation 70299), Military Authority – Surplus (fund 0433, appropriation 74899), and Federal Funds/Grant Match (fund 0433, appropriation 85700) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriations an amount approved by the Adjutant General may be transferred to the State Armory Board for operation and maintenance of National Guard Armories.

The Adjutant General shall have the authority to transfer between appropriations.

From the above appropriation and other state and federal funding, the Adjutant General shall provide an amount not less than \$3,570,640 to the Mountaineer ChalleNGe Academy to meet anticipated program demand.

117 - Adjutant General –

Military Fund

(W.V. Code Chapter 15)

Fund 0605 FY 2025 Org 0603

Personal Services and Employee Benefits.....	00100	\$	100,000
Current Expenses	13000		<u>57,775</u>
Total		\$	157,775

Total TITLE II, Section 1 – General Revenue

(Including claims against the state) \$ 4,996,828,751

Sec. 2. Appropriations from state road fund.—From the state road fund there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following ,amounts, as itemized, for expenditure during the fiscal year 2025.

DEPARTMENT OF TRANSPORTATION

118 - Division of Motor Vehicles

(W.V. Code Chapters 17, 17A, 17B, 17C, 17D, 20, and 24A)

Fund 9007 FY 2025 Org 0802

	State
Appro-	Road
priation	Fund

Personal Services and Employee Benefits.....	00100	\$ 43,505,517
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	129,500
Repairs and Alterations.....	06400	144,000
Equipment.....	07000	1,080,000
Current Expenses.....	13000	22,556,730
Buildings.....	25800	10,000
Other Assets.....	69000	2,480,000
BRIM Premium.....	91300	<u>110,000</u>
Total.....		\$ 70,015,747

119 - Division of Highways

(W.V. Code Chapters 17 and 17C)

Fund 9017 FY 2025 Org 0803

Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	\$ 200,000
Debt Service.....	04000	143,000,000
Maintenance.....	23700	565,235,315
Inventory Revolving.....	27500	4,000,000
Equipment Revolving.....	27600	52,950,166
General Operations.....	27700	186,166,680
Interstate Construction.....	27800	275,000,000
Other Federal Aid Programs.....	27900	450,000,000
Appalachian Programs.....	28000	250,000,000
Highway Litter Control.....	28200	<u>1,650,000</u>
Total.....		\$ 1,928,202,161

The above appropriations are to be expended in accordance with the provisions of Chapters 17 and 17C of the W.V. Code.

The Commissioner of Highways shall have the authority to operate revolving funds within the State Road Fund for the operation and purchase of various types of equipment used directly and indirectly in the construction and maintenance of roads and for the purchase of inventories and materials and supplies.

There is hereby appropriated in addition to the above appropriations, sufficient money for the payment of claims, accrued or arising during this budgetary period, to be paid in accordance with Sections 17 and 18, Article 2, Chapter 14 of the W.V. Code.

It is the intent of the Legislature to capture and match all federal funds available for expenditure on the Appalachian highway system at the earliest possible time. Therefore, should amounts in excess of those appropriated be required for the purposes of Appalachian Programs, funds in excess of the amount appropriated may be made available upon recommendation of the Commissioner and approval of the Governor. Further, for the purpose of Appalachian Programs, funds appropriated by appropriation may be transferred to other appropriations upon recommendation of the Commissioner and approval of the Governor.

Total TITLE II, Section 2 – State Road Fund

(Including claims against the state) \$ 1,998,642,908

Sec. 3. Appropriations from other funds.—From the funds designated there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2025.

LEGISLATIVE

120 - Crime Victims Compensation Fund

(W.V. Code Chapter 14)

Fund 1731 FY 2025 Org 2300

	Appro-		Other
	priation		Funds
Personal Services and Employee Benefits.....	00100	\$	498,020
Repairs and Alterations.....	06400		1,000
Current Expenses.....	13000		133,903
Economic Loss Claim Payment Fund.....	33400		2,000,000
Other Assets.....	69000		<u>3,700</u>
Total.....		\$	2,636,623

JUDICIAL

121 - Supreme Court –

Court Advanced Technology Subscription Fund

(W.V. Code Chapter 51)

Fund 1704 FY 2025 Org 2400

Current Expenses	13000	\$	100,000
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122 - Supreme Court –

Adult Drug Court Participation Fund

(W.V. Code Chapter 62)

Fund 1705 FY 2025 Org 2400

Current Expenses	13000	\$	200,000
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123 - Supreme Court –

Family Court Fund

(W.V. Code Chapter 51)

Fund 1763 FY 2025 Org 2400

Current Expenses	13000	\$	900,000
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124 - Supreme Court –

Court Facilities Maintenance Fund

(W.V. Code Chapter 51)

Fund 1766 FY 2025 Org 2400

Repairs and Alterations	06400	\$	150,000
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Current Expenses	13000		<u>750,000</u>
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Total		\$	900,000
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EXECUTIVE

125 - Governor's Office –

Minority Affairs Fund

(W.V. Code Chapter 5)

Fund 1058 FY 2025 Org 0100

Personal Services and Employee Benefits.....	00100	\$	239,958
Martin Luther King, Jr. Holiday Celebration	03100		8,926
Current Expenses	13000		<u>453,200</u>
Total		\$	702,084

126 - Auditor's Office –

Grant Recovery Fund

(W.V. Code Chapter 12)

Fund 1205 FY 2025 Org 1200

Repairs and Alterations.....	06400	\$	2,000
Equipment.....	07000		7,000
Current Expenses	13000		<u>191,000</u>
Total		\$	200,000

127 - Auditor's Office –

Land Operating Fund

(W.V. Code Chapters 11A, 12, and 36)

Fund 1206 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	901,372
Repairs and Alterations.....	06400		2,600
Equipment.....	07000		426,741
Unclassified	09900		15,139
Current Expenses	13000		715,291
Cost of Delinquent Land Sale.....	76800		<u>1,841,168</u>
Total		\$	3,902,311

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the necessary amount for the expenditure of funds other than Personal Services and Employee Benefits to enable the division to pay the direct expenses relating to land sales as provided in Chapter 11A of the West Virginia Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

128 - Auditor's Office –

Local Government Purchasing Card Expenditure Fund

(W.V. Code Chapter 6)

Fund 1224 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	670,729
Repairs and Alterations	06400		6,000
Equipment.....	07000		10,805
Current Expenses	13000		282,030
Other Assets	69000		50,000
Statutory Revenue Distribution.....	74100		<u>3,500,000</u>
Total		\$	4,519,564

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer of revenue distribution requirements to provide a proportionate share of rebates back to the general fund of local governments based on utilization of the program in accordance with W.V. Code §6-9-2b.

129 - Auditor's Office –

Securities Regulation Fund

(W.V. Code Chapter 32)

Fund 1225 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	3,009,931
Repairs and Alterations	06400		12,400
Equipment.....	07000		594,700
Unclassified	09900		31,866
Current Expenses	13000		1,463,830
Other Assets	69000		<u>1,200,000</u>
Total		\$	6,312,727

130 - Auditor's Office –

Technology Support and Acquisition Fund

(W.V. Code Chapter 12)

Fund 1233 FY 2025 Org 1200

Current Expenses	13000	\$	10,000
Other Assets	69000		<u>5,000</u>
Total		\$	15,000

Fifty percent of the deposits made into this fund shall be transferred to the Treasurer's Office – Technology Support and Acquisition Fund (fund 1329) for expenditure for the purposes described in W.V. Code §12-3-10c.

131 - Auditor's Office –

Purchasing Card Administration Fund

(W.V. Code Chapter 12)

Fund 1234 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	3,407,244
Repairs and Alterations	06400		5,500
Equipment.....	07000		850,000
Current Expenses	13000		2,303,622
Other Assets	69000		508,886
Statutory Revenue Distribution.....	74100		<u>8,000,000</u>
Total		\$	15,075,252

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer and revenue distribution requirements to the Purchasing Improvement Fund (fund 2264), the Entrepreneurship and Innovation Investment Fund (fund 3014), the Hatfield-McCoy Regional Recreation Authority, and the State Park Operating Fund (fund 3265) per W.V. Code §12-3-10d.

132 - Auditor's Office –

Chief Inspector's Fund

(W.V. Code Chapter 6)

Fund 1235 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	3,910,235
Equipment.....	07000		50,000
Current Expenses	13000		<u>765,915</u>
Total		\$	4,726,150

*133 - Auditor's Office –**Volunteer Fire Department Workers'**Compensation Premium Subsidy Fund*

(W.V. Code Chapters 12 and 33)

Fund 1239 FY 2025 Org 1200

Volunteer Fire Department

Workers' Compensation Subsidy.....	83200	\$	2,500,000
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*134 - Auditor's Office –**Private Trust Company Application Fund*

(W.V. Code Chapters 31 and 46)

Fund 1241 FY 2025 Org 1200

Equipment.....	07000	\$	30,000
Current Expenses	13000		<u>60,000</u>
Total		\$	90,000

*135 - Department of Agriculture –**Agriculture Fees Fund*

(W.V. Code Chapters 19)

Fund 1401 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	3,102,402
Repairs and Alterations	06400		158,500
Equipment.....	07000		436,209

Unclassified	09900	37,425
Current Expenses	13000	1,856,184
Other Assets	69000	<u>10,000</u>
Total		\$ 5,600,720

*136 - Department of Agriculture –
West Virginia Rural Rehabilitation Program*

(W.V. Code Chapter 19)

Fund 1408 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$ 85,293
Unclassified	09900	10,476
Current Expenses	13000	<u>2,200,000</u>
Total		\$ 2,295,769

*137 - Department of Agriculture –
General John McCausland Memorial Farm Fund*

(W.V. Code Chapter 19)

Fund 1409 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$ 85,545
Repairs and Alterations	06400	36,400
Equipment.....	07000	15,000
Unclassified	09900	2,100
Current Expenses	13000	<u>89,500</u>
Total		\$ 228,545

The above appropriations shall be expended in accordance with Article 26, Chapter 19 of the Code.

*138 - Department of Agriculture –
Farm Operating Fund*

(W.V. Code Chapter 19)

Fund 1412 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	932,035
Repairs and Alterations.....	06400		388,722
Equipment.....	07000		399,393
Unclassified	09900		15,173
Current Expenses	13000		1,367,464
Other Assets	69000		<u>20,000</u>
Total		\$	3,122,787

*139 - Department of Agriculture –**Capital Improvements Fund*

(W.V. Code Chapter 19)

Fund 1413 FY 2025 Org 1400

Repairs and Alterations.....	06400		250,000
Equipment.....	07000		350,000
Unclassified	09900		20,000
Current Expenses	13000		510,000
Buildings	25800		670,000
Other Assets	69000		<u>200,000</u>
Total		\$	2,000,000

*140 - Department of Agriculture –**Agriculture Development Fund*

(W.V. Code Chapter 19)

Fund 1423 FY 2025 Org 1400

Current Expenses	13000	\$	100,000
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*141 - Department of Agriculture –**Donated Food Fund*

(W.V. Code Chapter 19)

Fund 1446 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	1,163,783
Repairs and Alterations.....	06400		128,500
Equipment.....	07000		10,000
Unclassified	09900		45,807
Current Expenses	13000		3,410,542
Other Assets	69000		27,000
Land.....	73000		<u>250,000</u>
Total		\$	5,035,632

142 - Department of Agriculture –

Integrated Predation Management Fund

(W.V. Code Chapter 7)

Fund 1465 FY 2025 Org 1400

Current Expenses	13000	\$	112,500
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143 - Department of Agriculture –

West Virginia Spay Neuter Assistance Fund

(W.V. Code Chapter 19)

Fund 1481 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	100,000
Current Expenses	13000		<u>1,000,000</u>
Total		\$	1,100,000

144 - Department of Agriculture –

Veterans and Warriors to Agriculture Fund

(W.V. Code Chapter 19)

Fund 1483 FY 2025 Org 1400

Current Expenses	13000	\$	7,500
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*145 - Department of Agriculture –
State FFA-FHA Camp and Conference Center
(W.V. Code Chapters 18 and 18A)
Fund 1484 FY 2025 Org 1400*

Personal Services and Employee Benefits.....	00100	\$	1,289,160
Repairs and Alterations	06400		82,500
Equipment.....	07000		76,000
Unclassified	09900		17,000
Current Expenses	13000		1,143,306
Buildings	25800		1,000
Other Assets	69000		10,000
Land.....	73000		<u>1,000</u>
Total		\$	2,619,966

*146 - Attorney General –
Antitrust Enforcement Fund
(W.V. Code Chapter 47)
Fund 1507 FY 2025 Org 1500*

Personal Services and Employee Benefits.....	00100	\$	371,036
Repairs and Alterations	06400		1,000
Equipment.....	07000		1,000
Current Expenses	13000		<u>148,803</u>
Total		\$	521,839

*147 - Attorney General –
Preneed Burial Contract Regulation Fund
(W.V. Code Chapter 47)*

Fund 1513 FY 2025 Org 1500

Personal Services and Employee Benefits.....	00100	\$	240,959
Repairs and Alterations.....	06400		1,000
Equipment.....	07000		1,000
Current Expenses.....	13000		<u>54,615</u>
Total.....		\$	297,574

*148 - Attorney General –**Preneed Funeral Guarantee Fund*

(W.V. Code Chapter 47)

Fund 1514 FY 2025 Org 1500

Current Expenses.....	13000	\$	901,135
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*149 - Secretary of State –**Service Fees and Collection Account*

(W.V. Code Chapters 3, 5, and 59)

Fund 1612 FY 2025 Org 1600

Personal Services and Employee Benefits.....	00100	\$	1,196,867
Unclassified.....	09900		4,524
Current Expenses.....	13000		<u>8,036</u>
Total.....		\$	1,209,427

*150 - Secretary of State –**General Administrative Fees Account*

(W.V. Code Chapters 3, 5, and 59)

Fund 1617 FY 2025 Org 1600

Personal Services and Employee Benefits.....	00100	\$	3,248,467
Unclassified.....	09900		25,529
Current Expenses.....	13000		1,276,716

Technology Improvements	59900	<u>870,000</u>
Total		\$ 5,420,712

DEPARTMENT OF ADMINISTRATION

151 - Department of Administration –

Office of the Secretary –

Tobacco Settlement Fund

(W.V. Code Chapter 4)

Fund 2041 FY 2025 Org 0201

Tobacco Settlement Securitization Trustee Passthru.....	65000	\$ 80,000,000
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152 - Department of Administration –

Office of the Secretary –

Employee Pension and Health Care Benefit Fund

(W.V. Code Chapter 18)

Fund 2044 FY 2025 Org 0201

Current Expenses	13000	\$ 57,260,000
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The above appropriation for Current Expenses (fund 2044, appropriation 13000) shall be transferred to the Consolidated Public Retirement Board – Teachers' Accumulation Fund (fund 2600).

153 - Department of Administration –

Division of Finance –

Shared Services Section Fund

(W.V. Code Chapter 5A)

Fund 2020 FY 2025 Org 0209

Personal Services and Employee Benefits.....	00100	\$ 1,638,791
Current Expenses	13000	<u>500,000</u>
Total		\$ 2,138,791

154 - Division of Information Services and Communications

(W.V. Code Chapter 5A)

Fund 2220 FY 2025 Org 0210

Personal Services and Employee Benefits.....	00100	\$	23,367,490
Equipment.....	07000		2,050,000
Unclassified	09900		344,119
Current Expenses	13000		34,418,001
Other Assets	69000		<u>1,045,000</u>
Total		\$	61,224,610

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Division of Information Services and Communications as provided by law.

Each spending unit operating from the General Revenue Fund, from special revenue funds or receiving reimbursement for postage from the federal government shall be charged monthly for all postage meter service and shall reimburse the revolving fund monthly for all such amounts.

*155 - Division of Purchasing –**Vendor Fee Fund*

(W.V. Code Chapter 5A)

Fund 2263 FY 2025 Org 0213

Personal Services and Employee Benefits.....	00100	\$	611,378
Current Expenses	13000		9,115
BRIM Premium.....	91300		<u>810</u>
Total		\$	621,303

*156 - Division of Purchasing –**Purchasing Improvement Fund*

(W.V. Code Chapter 5A)

Fund 2264 FY 2025 Org 0213

Personal Services and Employee Benefits.....	00100	\$	1,060,880
Repairs and Alterations	06400		500
Equipment.....	07000		500

Unclassified	09900	5,562
Current Expenses	13000	492,066
Other Assets	69000	500
BRIM Premium.....	91300	<u>850</u>
Total		\$ 1,560,858

*157 - Travel Management –**Aviation Fund*

(W.V. Code Chapter 5A)

Fund 2302 FY 2025 Org 0215

Repairs and Alterations	06400	\$ 1,275,237
Equipment.....	07000	1,000
Unclassified	09900	1,000
Current Expenses	13000	149,700
Buildings	25800	100
Other Assets	69000	100
Land.....	73000	<u>100</u>
Total		\$ 1,427,237

158 - Fleet Management Division Fund

(W.V. Code Chapter 5A)

Fund 2301 FY 2025 Org 0216

Personal Services and Employee Benefits.....	00100	\$ 839,903
Repairs and Alterations	06400	12,000
Equipment.....	07000	800,000
Unclassified	09900	4,000
Current Expenses	13000	11,630,614
Other Assets	69000	<u>2,000</u>

Total		\$	13,288,517
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159 - Division of Personnel

(W.V. Code Chapter 29)

Fund 2440 FY 2025 Org 0222

Personal Services and Employee Benefits.....	00100	\$	5,034,147
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		122,500
Repairs and Alterations	06400		5,000
Equipment.....	07000		20,000
Unclassified	09900		51,418
Current Expenses	13000		1,262,813
Other Assets	69000		<u>60,000</u>
Total		\$	6,555,878

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Personnel.

160 - West Virginia Prosecuting Attorneys Institute

(W.V. Code Chapter 7)

Fund 2521 FY 2025 Org 0228

Personal Services and Employee Benefits.....	00100	\$	139,779
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		119,000
Repairs and Alterations	06400		600
Equipment.....	07000		500
Unclassified	09900		4,023
Current Expenses	13000		297,528
Other Assets	69000		<u>500</u>
Total		\$	561,930

161 - Office of Technology –

Technology Infrastructure Reinvestment Fund

(W.V. Code Chapter 31)

Fund 2209 FY 2025 Org 0231

Current Expenses	13000	\$	400,000
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162 - Office of Technology –

Chief Technology Officer Administration Fund

(W.V. Code Chapter 5A)

Fund 2531 FY 2025 Org 0231

Personal Services and Employee Benefits.....	00100	\$	469,481
Repairs and Alterations	06400		1,000
Equipment.....	07000		50,000
Unclassified	09900		6,949
Current Expenses	13000		2,196,504
Other Assets	69000		<u>10,000</u>
Total		\$	2,733,934

From the above fund, the provisions of W.V. Code §11B-2-18 shall not operate to permit expenditures in excess of the funds authorized for expenditure herein.

DEPARTMENT OF COMMERCE

163 - Division of Forestry

(W.V. Code Chapter 19)

Fund 3081 FY 2025 Org 0305

Personal Services and Employee Benefits.....	00100	\$	224,509
Repairs and Alterations	06400		53,000
Equipment.....	07000		300,000
Current Expenses	13000		<u>439,830</u>
Total		\$	1,017,339

164 - Division of Forestry –

Timbering Operations Enforcement Fund

(W.V. Code Chapter 19)

Fund 3082 FY 2025 Org 0305

Personal Services and Employee Benefits.....	00100	\$	260,661
Repairs and Alterations	06400		11,250
Current Expenses	13000		<u>54,873</u>
Total		\$	326,784

165 - Division of Forestry –

Severance Tax Operations

(W.V. Code Chapter 11)

Fund 3084 FY 2025 Org 0305

Current Expenses	13000	\$	282,614
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166 - Geological and Economic Survey –

Geological and Analytical Services Fund

(W.V. Code Chapter 29)

Fund 3100 FY 2025 Org 0306

Personal Services and Employee Benefits.....	00100	\$	37,966
Repairs and Alterations	06400		50,000
Equipment.....	07000		20,000
Unclassified	09900		2,182
Current Expenses	13000		141,631
Other Assets	69000		<u>10,000</u>
Total		\$	261,779

The above appropriations shall be used in accordance with W.V. Code §29-2-4.

167 - Division of Labor –

West Virginia Jobs Act Fund

(W.V. Code Chapter 21)

Fund 3176 FY 2025 Org 0308

Equipment.....	07000	\$	25,000
Current Expenses	13000		<u>75,000</u>
Total		\$	100,000

*168 - Division of Labor –**HVAC Fund*

(W.V. Code Chapter 21)

Fund 3186 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	482,855
Repairs and Alterations	06400		4,500
Unclassified	09900		4,000
Current Expenses	13000		82,000
Buildings	25800		1,000
BRIM Premium.....	91300		<u>8,500</u>
Total		\$	582,855

*169 - Division of Labor –**Elevator Safety Fund*

(W.V. Code Chapter 21)

Fund 3188 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	305,995
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		123,221
Repairs and Alterations	06400		2,000
Unclassified	09900		2,261

Current Expenses	13000		94,712
Buildings	25800		1,000
BRIM Premium.....	91300		<u>8,500</u>
Total		\$	537,689

170 - Division of Labor –

Steam Boiler Fund

(W.V. Code Chapter 21)

Fund 3189 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	83,471
Repairs and Alterations	06400		2,000
Unclassified	09900		1,000
Current Expenses	13000		20,000
Buildings	25800		1,000
BRIM Premium.....	91300		<u>1,000</u>
Total		\$	108,471

171 - Division of Labor –

Crane Operator Certification Fund

(W.V. Code Chapter 21)

Fund 3191 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	203,573
Repairs and Alterations	06400		1,500
Unclassified	09900		1,380
Current Expenses	13000		51,265
Buildings	25800		1,000
BRIM Premium.....	91300		<u>7,000</u>
Total		\$	265,718

*172 - Division of Labor –**Amusement Rides and Amusement Attraction Safety Fund*

(W.V. Code Chapter 21)

Fund 3192 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	202,269
Repairs and Alterations	06400		2,000
Unclassified	09900		1,281
Current Expenses	13000		44,520
Buildings	25800		1,000
BRIM Premium.....	91300		<u>8,500</u>
Total		\$	259,570

*173 - Division of Labor –**State Manufactured Housing Administration Fund*

(W.V. Code Chapter 21)

Fund 3195 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	303,686
Repairs and Alterations	06400		1,000
Unclassified	09900		1,847
Current Expenses	13000		43,700
Buildings	25800		1,000
BRIM Premium.....	91300		<u>3,404</u>
Total		\$	354,637

*174 - Division of Labor –**Weights and Measures Fund*

(W.V. Code Chapter 47)

Fund 3196 FY 2025 Org 0308

Repairs and Alterations	06400	\$	10,000
Equipment.....	07000		10,000
Unclassified	09900		1,200
Current Expenses	13000		93,000
BRIM Premium.....	91300		<u>7,000</u>
Total		\$	121,200

175 - Division of Labor –

Bedding and Upholstery Fund

(W.V. Code Chapter 47)

Fund 3198 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	156,381
Repairs and Alterations	06400		2,000
Unclassified	09900		2,000
Current Expenses	13000		145,400
Buildings	25800		1,000
BRIM Premium.....	91300		<u>8,700</u>
Total		\$	315,481

176 - Division of Labor –

Psychophysiological Examiners Fund

(W.V. Code Chapter 21)

Fund 3199 FY 2025 Org 0308

Current Expenses	13000	\$	4,000
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177 - Division of Natural Resources –

License Fund – Wildlife Resources

(W.V. Code Chapter 20)

Fund 3200 FY 2025 Org 0310

Wildlife Resources	02300	\$	10,689,217
Administration	15500		2,417,057
Capital Improvements and Land Purchase (R).....	24800		5,140,907
Law Enforcement.....	80600		<u>9,989,958</u>
Total		\$	28,237,139

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Natural Resources.

Any unexpended balance remaining in the appropriation for Capital Improvements and Land Purchase (fund 3200, appropriation 24800) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

178 - Division of Natural Resources –

Natural Resources Game Fish and Aquatic Life Fund

(W.V. Code Chapter 22)

Fund 3202 FY 2025 Org 0310

Current Expenses	13000	\$	125,000
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179 - Division of Natural Resources –

Nongame Fund

(W.V. Code Chapter 20)

Fund 3203 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$	727,138
Equipment.....	07000		106,615
Current Expenses	13000		<u>201,810</u>
Total		\$	1,035,563

180 - Division of Natural Resources –

Planning and Development Division

(W.V. Code Chapter 20)

Fund 3205 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$	482,802
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Repairs and Alterations	06400	15,016
Equipment.....	07000	308,300
Current Expenses	13000	1,056,876
Buildings	25800	8,300
Other Assets	69000	1,900,000
Land.....	73000	<u>31,700</u>
Total		\$ 3,802,994

181 - Division of Natural Resources –

State Parks and Recreation Endowment Fund

(W.V. Code Chapter 20)

Fund 3211 FY 2025 Org 0310

Repairs and Alterations	06400	\$ 3,000
Equipment.....	07000	2,000
Current Expenses	13000	6,000
Buildings	25800	3,000
Other Assets	69000	3,504,000
Land.....	73000	<u>2,000</u>
Total		\$ 3,520,000

182 - Division of Natural Resources –

Whitewater Study and Improvement Fund

(W.V. Code Chapter 20)

Fund 3253 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$ 76,836
Equipment.....	07000	1,297
Current Expenses	13000	64,778
Buildings	25800	<u>6,969</u>

Total		\$	149,880
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183 - Division of Natural Resources –

Whitewater Advertising and Promotion Fund

(W.V. Code Chapter 20)

Fund 3256 FY 2025 Org 0310

Unclassified	09900	\$	200
Current Expenses	13000		<u>19,800</u>
Total		\$	20,000

184 - Division of Miners' Health, Safety and Training –

Special Health, Safety and Training Fund

(W.V. Code Chapter 22A)

Fund 3355 FY 2025 Org 0314

Personal Services and Employee Benefits.....	00100	\$	538,305
W.V. Mining Extension Service.....	02600		150,000
Unclassified	09900		23,700
Current Expenses	13000		<u>1,671,842</u>
Total		\$	2,383,847

185 - Department of Commerce –

Office of the Secretary –

Marketing and Communications Operating Fund

(W.V. Code Chapter 5B)

Fund 3002 FY 2025 Org 0327

Personal Services and Employee Benefits.....	00100	\$	2,285,770
Equipment.....	07000		36,000
Unclassified	09900		30,000
Current Expenses	13000		<u>1,315,078</u>

Total \$ 3,666,848

186 - State Board of Rehabilitation –

Division of Rehabilitation Services –

West Virginia Rehabilitation Center Special Account

(W.V. Code Chapter 18)

Fund 8664 FY 2025 Org 0932

Personal Services and Employee Benefits.....	00100	\$	119,738
Repairs and Alterations.....	06400		85,500
Equipment.....	07000		220,000
Current Expenses.....	13000		1,180,122
Buildings.....	25800		150,000
Other Assets.....	69000		<u>150,000</u>
Total.....		\$	1,905,360

DEPARTMENT OF ECONOMIC DEVELOPMENT

187 - Department of Economic Development –

Office of Energy –

Energy Assistance

(W.V. Code Chapter 5B)

Fund 3010 FY 2025 Org 0307

Energy Assistance - Total..... 64700 \$ 7,211

188 - Department of Economic Development –

Office of the Secretary –

Broadband Enhancement Fund

(W.V. Code Chapter 31G)

Fund 3013 FY 2025 Org 0307

Personal Services and Employee Benefits..... 00100 \$ 131,682

Current Expenses	13000	<u>1,648,318</u>
Total		\$ 1,780,000

*189 - Department of Economic Development –
Office of the Secretary –
Entrepreneurship and Innovation Investment Fund
(W.V. Code Chapter 5B)
Fund 3014 FY 2025 Org 0307*

Entrepreneurship and Innovation Investment Fund	70301	\$ 1,500,000
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*190 - Department of Economic Development –
Office of the Secretary –
Broadband Development Fund
(W.V. Code Chapter 31G)
Fund 3034 FY 2025 Org 0307*

Personal Services and Employee Benefits	00100	\$ 682,669
Unclassified	09900	2,000,000
Current Expenses	13000	<u>235,302,925</u>
Total		\$ 237,985,594

*191 - Department of Economic Development –
Office of the Secretary –
Office of Coalfield Community Development
(W.V. Code Chapter 5B)
Fund 3162 FY 2025 Org 0307*

Personal Services and Employee Benefits	00100	\$ 438,687
Unclassified	09900	8,300
Current Expenses	13000	<u>399,191</u>
Total		\$ 846,178

DEPARTMENT OF EDUCATION*192 - State Board of Education –**Strategic Staff Development*

(W.V. Code Chapter 18)

Fund 3937 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$	35,000
Unclassified	09900		26,000
Current Expenses	13000		<u>2,539,000</u>
Total		\$	2,600,000

*193 - School Building Authority –**School Construction Fund*

(W.V. Code Chapters 18 and 18A)

Fund 3952 FY 2025 Org 0404

SBA Construction Grants	24000	\$	102,345,818
Directed Transfer	70000		<u>1,516,472</u>
Total		\$	103,862,290

The above appropriation for Directed Transfer (fund 3952, appropriation 70000) shall be transferred to the School Building Authority Fund (fund 3959) for the administrative expenses of the School Building Authority.

194 - School Building Authority

(W.V. Code Chapter 18)

Fund 3959 FY 2025 Org 0404

Personal Services and Employee Benefits.....	00100	\$	1,233,127
Repairs and Alterations	06400		13,150
Equipment.....	07000		26,000
Current Expenses	13000		<u>244,195</u>
Total		\$	1,516,472

DEPARTMENT OF ARTS, CULTURE, AND HISTORY

195 - Division of Culture and History –

Public Records and Preservation Revenue Account

(W.V. Code Chapter 5A)

Fund 3542 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$	254,946
Equipment.....	07000		75,000
Current Expenses	13000		862,241
Buildings	25800		1,000
Other Assets	69000		52,328
Land.....	73000		<u>1,000</u>
Total		\$	1,246,515

DEPARTMENT OF ENVIRONMENTAL PROTECTION

196 - Solid Waste Management Board

(W.V. Code Chapter 22C)

Fund 3288 FY 2025 Org 0312

Personal Services and Employee Benefits.....	00100	\$	922,334
Repairs and Alterations	06400		1,000
Equipment.....	07000		5,000
Current Expenses	13000		2,059,457
Other Assets	69000		<u>4,403</u>
Total		\$	2,992,194

197 - Division of Environmental Protection –

Hazardous Waste Management Fund

(W.V. Code Chapter 22)

Fund 3023 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	831,098
Repairs and Alterations	06400		500
Equipment.....	07000		1,505
Unclassified	09900		8,072
Current Expenses	13000		155,969
Other Assets	69000		<u>2,000</u>
Total		\$	999,144

198 - Division of Environmental Protection –

Air Pollution Education and Environment Fund

(W.V. Code Chapter 22)

Fund 3024 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	590,995
Repairs and Alterations	06400		13,000
Equipment.....	07000		53,105
Unclassified	09900		12,919
Current Expenses	13000		612,291
Other Assets	69000		<u>20,000</u>
Total		\$	1,302,310

199 - Division of Environmental Protection –

Special Reclamation Fund

(W.V. Code Chapter 22)

Fund 3321 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	1,778,866
Repairs and Alterations	06400		79,950
Equipment.....	07000		130,192
Current Expenses	13000		16,185,006

Other Assets	69000	<u>32,000</u>
Total		\$ 18,206,014

200 - Division of Environmental Protection –

Oil and Gas Reclamation Fund

(W.V. Code Chapter 22)

Fund 3322 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 562,296
Current Expenses	13000	<u>956,094</u>
Total		\$ 1,518,390

201 - Division of Environmental Protection –

Oil and Gas Operating Permit and Processing Fund

(W.V. Code Chapter 22)

Fund 3323 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 3,080,953
Repairs and Alterations	06400	9,500
Equipment.....	07000	230,500
Unclassified	09900	30,700
Current Expenses	13000	937,300
Other Assets	69000	<u>500</u>
Total		\$ 4,289,453

202 - Division of Environmental Protection –

Mining and Reclamation Operations Fund

(W.V. Code Chapter 22)

Fund 3324 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 2,774,699
Repairs and Alterations	06400	60,260

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Equipment.....	07000	83,000
Unclassified	09900	920
Current Expenses	13000	1,479,231
Other Assets	69000	<u>57,500</u>
Total		\$ 4,455,610

203 - Division of Environmental Protection –

Underground Storage Tank

Administrative Fund

(W.V. Code Chapter 22)

Fund 3325 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 503,574
Repairs and Alterations	06400	5,350
Equipment.....	07000	3,610
Unclassified	09900	7,520
Current Expenses	13000	318,420
Other Assets	69000	<u>3,500</u>
Total		\$ 841,974

204 - Division of Environmental Protection –

Hazardous Waste Emergency Response Fund

(W.V. Code Chapter 22)

Fund 3331 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 354,585
Repairs and Alterations	06400	7,014
Equipment.....	07000	9,000
Unclassified	09900	10,616
Current Expenses	13000	767,905

Other Assets	69000	<u>3,500</u>
Total		\$ 1,152,620

205 - Division of Environmental Protection –

Solid Waste Reclamation and

Environmental Response Fund

(W.V. Code Chapter 22)

Fund 3332 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 904,165
Repairs and Alterations	06400	25,000
Equipment.....	07000	106,500
Unclassified	09900	22,900
Current Expenses	13000	3,929,737
Buildings.....	25800	500
Other Assets	69000	<u>1,000</u>
Total		\$ 4,989,802

206 - Division of Environmental Protection –

Solid Waste Enforcement Fund

(W.V. Code Chapter 22)

Fund 3333 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 3,572,719
Repairs and Alterations	06400	30,930
Equipment.....	07000	23,356
Unclassified	09900	28,460
Current Expenses	13000	932,229
Other Assets	69000	<u>20,554</u>
Total		\$ 4,608,248

*207 - Division of Environmental Protection –**Air Pollution Control Fund*

(W.V. Code Chapter 22)

Fund 3336 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	6,452,446
Repairs and Alterations	06400		84,045
Equipment.....	07000		103,601
Unclassified	09900		70,572
Current Expenses	13000		1,469,467
Other Assets	69000		<u>52,951</u>
Total		\$	8,233,082

*208 - Division of Environmental Protection –**Environmental Laboratory**Certification Fund*

(W.V. Code Chapter 22)

Fund 3340 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	389,614
Repairs and Alterations	06400		1,000
Unclassified	09900		1,120
Current Expenses	13000		201,146
Other Assets	69000		<u>163,000</u>
Total		\$	755,880

*209 - Division of Environmental Protection –**Stream Restoration Fund*

(W.V. Code Chapter 22)

Fund 3349 FY 2025 Org 0313

Current Expenses	13000	\$	3,682,076
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210 - Division of Environmental Protection –

Litter Control Fund

(W.V. Code Chapter 22)

Fund 3486 FY 2025 Org 0313

Current Expenses	13000	\$	60,000
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211 - Division of Environmental Protection –

Recycling Assistance Fund

(W.V. Code Chapter 22)

Fund 3487 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	717,788
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Repairs and Alterations	06400		800
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Equipment.....	07000		500
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Unclassified	09900		400
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Current Expenses	13000		2,754,258
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Other Assets	69000		<u>2,500</u>
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Total		\$	3,476,246
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212 - Division of Environmental Protection –

Mountaintop Removal Fund

(W.V. Code Chapter 22)

Fund 3490 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	858,694
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Repairs and Alterations	06400		27,612
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Equipment.....	07000		23,500
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Unclassified	09900		1,180
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Current Expenses	13000		390,907
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Other Assets	69000	<u>11,520</u>
Total		\$ 1,313,413

213 - Oil and Gas Conservation Commission –

Special Oil and Gas Conservation Fund

(W.V. Code Chapter 22C)

Fund 3371 FY 2025 Org 0315

Personal Services and Employee Benefits.....	00100	\$ 171,356
Repairs and Alterations	06400	1,000
Equipment.....	07000	9,481
Current Expenses	13000	161,225
Other Assets	69000	<u>1,500</u>
Total		\$ 344,562

DEPARTMENT OF HEALTH

214 - Department of Health –

Emergency Medical Service Workers Salary Enhancement Fund

(W.V. Code Chapter 16A)

Fund 5049 FY 2025 Org 0506

Current Expenses	13000	\$ 10,000,000
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215 - Department of Health –

The Vital Statistics Account

(W.V. Code Chapter 16)

Fund 5144 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$ 1,198,160
Unclassified	09900	15,500
Current Expenses	13000	<u>3,557,788</u>
Total		\$ 4,771,448

The total amount of these appropriations shall be paid from the Hospital Services Revenue Account Special Fund created by W.V. Code §16-1-13, and shall be used for operating expenses and for improvements in connection with existing facilities.

Additional funds have been appropriated from General Revenue for the operation of the institutional facilities.

Necessary funds from the above appropriation for Institutional Facilities Operations may be used for medical facilities operations, either in connection with this fund or in connection with the appropriations designated for Hopemont Hospital, Lakin Hospital, John Manchin Senior Health Care Center, Jackie Withrow Hospital, Welch Community Hospital, William R. Sharpe Jr. Hospital, Mildred Mitchell-Bateman Hospital, and William R. Sharpe Jr. Hospital – Transitional Living Facility.

216 - Department of Health –

Laboratory Services Fund

(W.V. Code Chapter 16)

Fund 5163 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	1,083,838
Unclassified	09900		18,114
Current Expenses	13000		<u>2,209,105</u>
Total		\$	3,311,057

217 - Department of Health –

The Health Facility Licensing Account

(W.V. Code Chapter 16)

Fund 5172 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	712,839
Unclassified	09900		7,113
Current Expenses	13000		<u>98,247</u>
Total		\$	818,199

218 - Department of Health –

Hepatitis B Vaccine

(W.V. Code Chapter 16)

Fund 5183 FY 2025 Org 0506

Current Expenses 13000 \$ 9,740

219 - Department of Health –

Lead Abatement Account

(W.V. Code Chapter 16)

Fund 5204 FY 2025 Org 0506

Personal Services and Employee Benefits..... 00100 \$ 19,100

Unclassified 09900 373

Current Expenses 13000 17,875

Total \$ 37,348

220 - Department of Health –

West Virginia Birth-to-Three Fund

(W.V. Code Chapter 16)

Fund 5214 FY 2025 Org 0506

Personal Services and Employee Benefits..... 00100 \$ 769,278

Unclassified 09900 223,999

Current Expenses 13000 35,693,134

Total \$ 36,686,411

221 - Department of Health –

Tobacco Control Special Fund

(W.V. Code Chapter 16)

Fund 5218 FY 2025 Org 0506

Current Expenses 13000 \$ 7,579

222 - Department of Health –

Medical Cannabis Program Fund

(W.V. Code Chapter 16A)

Fund 5420 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	509,658
Current Expenses	13000		<u>2,046,040</u>
Total		\$	2,555,698

*223 - West Virginia Health Care Authority –**Health Care Cost Review Fund*

(W.V. Code Chapter 16)

Fund 5375 FY 2025 Org 0507

Personal Services and Employee Benefits.....	00100	\$	366,513
Unclassified	09900		13,500
Current Expenses	13000		<u>536,586</u>
Total		\$	916,599

The above appropriation is to be expended in accordance with and pursuant to the provisions of W.V. Code §16-29B and from the special revolving fund designated Health Care Cost Review Fund.

*224 - West Virginia Health Care Authority –**Certificate of Need Program Fund*

(W.V. Code Chapter 16)

Fund 5377 FY 2025 Org 0507

Personal Services and Employee Benefits.....	00100	\$	555,842
Current Expenses	13000		<u>392,267</u>
Total		\$	948,109

DEPARTMENT OF HUMAN SERVICES*225 - Department of Human Services –**Health Care Provider Tax –**Medicaid State Share Fund*

(W.V. Code Chapter 11)

Fund 5090 FY 2025 Org 0511

Medical Services.....	18900	\$ 393,594,315
Medical Services Administrative Costs.....	78900	<u>268,451</u>
Total		\$ 393,862,766

The above appropriation for Medical Services Administrative Costs (fund 5090, appropriation 78900) shall be transferred to a special revenue account in the treasury for use by the Department of Human Services for administrative purposes. The remainder of all moneys deposited in the fund shall be transferred to the Medical Services Program Fund (fund 5084).

226 - Department of Human Services –

Child Support Enforcement Fund

(W.V. Code Chapter 48A)

Fund 5094 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$ 27,809,509
Unclassified	09900	380,000
Current Expenses	13000	<u>12,810,491</u>
Total		\$ 41,000,000

227 - Department of Human Services –

Ryan Brown Addiction Prevention and Recovery Fund

(W.V. Code Chapter 19)

Fund 5111 FY 2025 Org 0511

Current Expenses	13000	\$ 10,667,392
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228 - Department of Human Services –

Medical Services Trust Fund

(W.V. Code Chapter 9)

Fund 5185 FY 2025 Org 0511

Medical Services.....	18900	\$ 55,000,000
Medical Services Administrative Costs.....	78900	<u>738,149</u>
Total		\$ 55,738,149

The above appropriation to Medical Services shall be used to provide state match of Medicaid expenditures as defined and authorized in subsection (c) of W.V. Code §9-4A-2a. Expenditures from the fund are limited to the following: payment of backlogged billings, funding for services to future federally mandated population groups and payment of the required state match for Medicaid disproportionate share payments. The remainder of all moneys deposited in the fund shall be transferred to the Department of Human Services accounts.

229 - Department of Human Services –

James "Tiger" Morton Catastrophic Illness Fund

(W.V. Code Chapter 16)

Fund 5454 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	136,984
Unclassified	09900		4,000
Current Expenses	13000		<u>396,000</u>
Total		\$	536,984

230 - Department of Human Services –

Domestic Violence Legal Services Fund

(W.V. Code Chapter 48)

Fund 5455 FY 2025 Org 0511

Current Expenses	13000	\$	900,000
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231 - Department of Human Services –

West Virginia Works Separate State College Program Fund

(W.V. Code Chapter 9)

Fund 5467 FY 2025 Org 0511

Current Expenses	13000	\$	500,000
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232 - Department of Human Services –

West Virginia Works Separate State Two-Parent Program Fund

(W.V. Code Chapter 9)

Fund 5468 FY 2025 Org 0511

Current Expenses	13000	\$	1,500,000
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233 - Department of Human Services –

Marriage Education Fund

(W.V. Code Chapter 9)

Fund 5490 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	10,000
Current Expenses	13000		<u>25,000</u>
Total		\$	35,000

DEPARTMENT OF HEALTH FACILITIES

234 - Department of Health Facilities –

Hospital Services Revenue Account

Special Fund

Capital Improvement, Renovation and Operations

(W.V. Code Chapter 16)

Fund 5156 FY 2025 Org 0512

Institutional Facilities Operations.....	33500	\$	59,195,646
Medical Services Trust Fund – Transfer	51200		<u>27,800,000</u>
Total		\$	86,995,646

DEPARTMENT OF HOMELAND SECURITY

235 - Department of Homeland Security –

Office of the Secretary –

Law-Enforcement, Safety and Emergency Worker

Funeral Expense Payment Fund

(W.V. Code Chapter 15)

Fund 6003 FY 2025 Org 0601

Current Expenses	13000	\$	32,000
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236 - Division of Emergency Management –

Statewide Interoperable Radio Network Account

(W.V. Code Chapter 15)

Fund 6208 FY 2025 Org 0606

Current Expenses	13000	\$	80,000
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*237 - Division of Emergency Management –**West Virginia Interoperable Radio Project*

(W.V. Code Chapter 24)

Fund 6295 FY 2025 Org 0606

Repairs and Alterations	06400	\$	950,000
Equipment.....	07000		550,000
Unclassified	09900		20,000
Current Expenses	13000		<u>3,980,000</u>
Total		\$	5,500,000

*238 - Division of Corrections and Rehabilitation –**Parolee Supervision Fees*

(W.V. Code Chapter 15A)

Fund 6362 FY 2025 Org 0608

Personal Services and Employee Benefits.....	00100	\$	1,247,729
Equipment.....	07000		30,000
Unclassified	09900		9,804
Current Expenses	13000		758,480
Other Assets	69000		<u>40,129</u>
Total		\$	2,086,142

*239 - Division of Corrections and Rehabilitation –**Regional Jail and Correctional Facility Authority*

(W.V. Code Chapter 15A)

Fund 6675 FY 2025 Org 0608

Personal Services and Employee Benefits.....	00100	\$	2,027,746
Debt Service	04000		1,900,000
Repairs and Alterations	06400		5,000,000
Equipment.....	07000		2,000,000
Unclassified	09900		100,000
Current Expenses	13000		<u>245,472</u>
Total		\$	11,273,218

*240 - West Virginia State Police –**Motor Vehicle Inspection Fund*

(W.V. Code Chapter 17C)

Fund 6501 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$	2,092,049
Repairs and Alterations	06400		204,500
Equipment.....	07000		3,770,751
Current Expenses	13000		1,488,211
Buildings	25800		534,000
Other Assets	69000		5,000
BRIM Premium.....	91300		<u>302,432</u>
Total		\$	8,396,943

The total amount of these appropriations shall be paid from the special revenue fund out of fees collected for inspection stickers as provided by law.

*241 - West Virginia State Police –**Forensic Laboratory Fund*

(W.V. Code Chapter 15)

Fund 6511 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$	1,637,078
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Repairs and Alterations	06400	5,000
Equipment.....	07000	545,000
Current Expenses	13000	<u>90,000</u>
Total		\$ 2,277,078

242 - West Virginia State Police –

Drunk Driving Prevention Fund

(W.V. Code Chapter 15)

Fund 6513 FY 2025 Org 0612

Equipment.....	07000	\$ 3,491,895
Current Expenses	13000	1,327,000
BRIM Premium.....	91300	<u>154,452</u>
Total		\$ 4,973,347

The total amount of these appropriations shall be paid from the special revenue fund out of receipts collected pursuant to W.V. Code §11-15-9a and 16 and paid into a revolving fund account in the State Treasury.

243 - West Virginia State Police –

Surplus Real Property Proceeds Fund

(W.V. Code Chapter 15)

Fund 6516 FY 2025 Org 0612

Buildings	25800	\$ 1,022,778
Land.....	73000	1,000
BRIM Premium.....	91300	<u>77,222</u>
Total		\$ 1,101,000

244 - West Virginia State Police –

Surplus Transfer Account

(W.V. Code Chapter 15)

Fund 6519 FY 2025 Org 0612

Repairs and Alterations	06400	\$	20,000
Equipment.....	07000		250,000
Current Expenses	13000		225,000
Buildings	25800		40,000
Other Assets	69000		45,000
BRIM Premium.....	91300		<u>5,000</u>
Total		\$	585,000

245 - West Virginia State Police –

Central Abuse Registry Fund

(W.V. Code Chapter 15)

Fund 6527 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$	289,971
Repairs and Alterations	06400		500
Equipment.....	07000		300,500
Current Expenses	13000		376,443
Other Assets	69000		300,500
BRIM Premium.....	91300		<u>18,524</u>
Total		\$	1,286,438

246 - West Virginia State Police –

Bail Bond Enforcer Account

(W.V. Code Chapter 15)

Fund 6532 FY 2025 Org 0612

Current Expenses	13000	\$	8,300
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247 - West Virginia State Police –

State Police Academy Post Exchange

(W.V. Code Chapter 15)

Fund 6544 FY 2025 Org 0612

Repairs and Alterations	06400	\$	40,000
Current Expenses	13000		<u>160,000</u>
Total		\$	200,000

*248 - Fire Commission –**Fire Marshal Fees*

(W.V. Code Chapter 15A)

Fund 6152 FY 2025 Org 0619

Personal Services and Employee Benefits	00100	\$	3,893,612
Repairs and Alterations	06400		58,500
Equipment	07000		140,800
Unclassified	09900		3,800
Current Expenses	13000		1,646,550
BRIM Premium	91300		<u>65,000</u>
Total		\$	5,808,262

*249 - Division of Administrative Services –**W.V. Community Corrections Fund*

(W.V. Code Chapter 62)

Fund 6386 FY 2025 Org 0623

Personal Services and Employee Benefits	00100	\$	176,985
Repairs and Alterations	06400		1,000
Unclassified	09900		750
Current Expenses	13000		<u>1,846,250</u>
Total		\$	2,024,985

*250 - Division of Administrative Services –**Court Security Fund*

(W.V. Code Chapter 51)

Fund 6804 FY 2025 Org 0623

Personal Services and Employee Benefits.....	00100	\$	26,462
Current Expenses	13000		<u>1,478,135</u>
Total		\$	1,504,597

251 - Division of Administrative Services –

Second Chance Driver's License Program Account

(W.V. Code Chapter 17B)

Fund 6810 FY 2025 Org 0623

Current Expenses	13000	\$	125,000
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DEPARTMENT OF REVENUE

252 - Division of Financial Institutions

(W.V. Code Chapter 31A)

Fund 3041 FY 2025 Org 0303

Personal Services and Employee Benefits.....	00100	\$	2,815,127
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		119,000
Equipment.....	07000		8,500
Current Expenses	13000		<u>650,475</u>
Total		\$	3,593,102

253 - Office of the Secretary –

State Debt Reduction Fund

(W.V. Code Chapter 29)

Fund 7007 FY 2025 Org 0701

Retirement Systems – Unfunded Liability.....	77500	\$	20,000,000
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The above appropriation for Retirement Systems – Unfunded Liability (fund 7007, appropriation 77500) shall be transferred to the School Aid Formula Funds Holding Account Fund (fund 2606).

254 - Home Rule Board Operations

(W.V. Code Chapter 8)

Fund 7010 FY 2025 Org 0701

Personal Services and Employee Benefits.....	00100	\$	25,000
Repairs and Alterations.....	06400		120
Equipment.....	07000		200
Unclassified	09900		680
Current Expenses	13000		<u>42,000</u>
Total		\$	68,000

255 - Tax Division –

Reduced Cigarette Ignition Propensity

Standard and Fire Prevention Act Fund

(W.V. Code Chapter 47)

Fund 7092 FY 2025 Org 0702

Equipment.....	07000	\$	15,000
Current Expenses	13000		<u>35,000</u>
Total		\$	50,000

256 - State Budget Office –

Public Employees Insurance Reserve Fund

(W.V. Code Chapter 11B)

Fund 7400 FY 2025 Org 0703

Public Employees Insurance Reserve Fund – Transfer.....	90300	\$	6,800,000
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The above appropriation for Public Employees Insurance Reserve Fund – Transfer shall be transferred to the Medical Services Trust Fund (fund 5185).

257 - Insurance Commissioner –

Examination Revolving Fund

(W.V. Code Chapter 33)

Fund 7150 FY 2025 Org 0704

Personal Services and Employee Benefits.....	00100	\$	782,104
Repairs and Alterations	06400		3,000
Equipment.....	07000		81,374
Current Expenses	13000		1,357,201
Buildings	25800		8,289
Other Assets	69000		<u>11,426</u>
Total		\$	2,243,394

258 - Insurance Commissioner –

Consumer Advocate

(W.V. Code Chapter 33)

Fund 7151 FY 2025 Org 0704

Personal Services and Employee Benefits.....	00100	\$	602,587
Repairs and Alterations	06400		5,000
Equipment.....	07000		34,225
Current Expenses	13000		202,152
Buildings	25800		4,865
Other Assets	69000		<u>19,460</u>
Total		\$	868,289

259 - Insurance Commissioner –

Insurance Commission Fund

(W.V. Code Chapter 33)

Fund 7152 FY 2025 Org 0704

Personal Services and Employee Benefits.....	00100	\$	23,351,665
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Salary and Benefits of Cabinet Secretary and

Agency Heads.....	00201	136,500
Repairs and Alterations.....	06400	68,614
Equipment.....	07000	302,688
Current Expenses.....	13000	8,797,758
Buildings.....	25800	25,000
Other Assets.....	69000	<u>50,000</u>
Total.....		\$ 32,732,225

*260 - Insurance Commissioner –
Insurance Fraud Prevention Fund
(W.V. Code Chapter 33)
Fund 7153 FY 2025 Org 0704*

Current Expenses.....	13000	\$ 15,000
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*261 - Insurance Commissioner –
Workers' Compensation Old Fund
(W.V. Code Chapter 23)
Fund 7162 FY 2025 Org 0704*

Employee Benefits.....	01000	\$ 50,000
Current Expenses.....	13000	<u>250,500,000</u>
Total.....		\$ 250,550,000

*262 - Insurance Commissioner –
Workers' Compensation Uninsured Employers' Fund
(W.V. Code Chapter 23)
Fund 7163 FY 2025 Org 0704*

Current Expenses.....	13000	\$ 15,000,000
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263 - Insurance Commissioner –

Self-Insured Employer Guaranty Risk Pool

(W.V. Code Chapter 23)

Fund 7164 FY 2025 Org 0704

Current Expenses	13000	\$	9,000,000
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264 - Insurance Commissioner –

Self-Insured Employer Security Risk Pool

(W.V. Code Chapter 23)

Fund 7165 FY 2025 Org 0704

Current Expenses	13000	\$	14,000,000
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265 - Municipal Bond Commission

(W.V. Code Chapter 13)

Fund 7253 FY 2025 Org 0706

Personal Services and Employee Benefits.....	00100	\$	383,671
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Equipment.....	07000		100
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Current Expenses	13000		<u>154,344</u>
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Total		\$	538,115
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266 - Racing Commission –

Relief Fund

(W.V. Code Chapter 19)

Fund 7300 FY 2025 Org 0707

Medical Expenses – Total.....	24500	\$	154,000
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The total amount of this appropriation shall be paid from the special revenue fund out of collections of license fees and fines as provided by law.

No expenditures shall be made from this fund except for hospitalization, medical care, and/or funeral expenses for persons contributing to this fund.

267 - Racing Commission –

Administration and Promotion Account

(W.V. Code Chapter 19)

Fund 7304 FY 2025 Org 0707

Personal Services and Employee Benefits.....	00100	\$	288,127
Current Expenses	13000		85,433
Other Assets	69000		<u>5,000</u>
Total		\$	378,560

*268 - Racing Commission –**General Administration*

(W.V. Code Chapter 19)

Fund 7305 FY 2025 Org 0707

Personal Services and Employee Benefits.....	00100	\$	2,523,239
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		59,533
Repairs and Alterations	06400		5,000
Current Expenses	13000		497,284
Other Assets	69000		<u>40,000</u>
Total		\$	3,125,056

*269 - Racing Commission –**Administration, Promotion, Education, Capital Improvement**and Greyhound Adoption Programs**to include Spaying and Neutering Account*

(W.V. Code Chapter 19)

Fund 7307 FY 2025 Org 0707

Personal Services and Employee Benefits.....	00100	\$	937,171
Current Expenses	13000		160,099
Other Assets	69000		<u>200,000</u>

Total \$ 1,297,270

270 - Racing Commission –

Advanced Depositing Wagering Fund

(W.V. Code Chapter 19)

Fund 7309 FY 2025 Org 0707

Current Expenses 13000 \$ 1,116,000

271 - Alcohol Beverage Control Administration –

Wine License Special Fund

(W.V. Code Chapter 60)

Fund 7351 FY 2025 Org 0708

Personal Services and Employee Benefits..... 00100 \$ 156,111

Repairs and Alterations 06400 7,263

Equipment..... 07000 10,000

Current Expenses 13000 160,436

Buildings 25800 100,000

Transfer Liquor Profits and Taxes..... 42500 30,750

Other Assets 69000 350,100

Total \$ 814,660

To the extent permitted by law, four classified exempt positions shall be provided from Personal Services and Employee Benefits appropriation for field auditors.

272 - Alcohol Beverage Control Administration

(W.V. Code Chapter 60)

Fund 7352 FY 2025 Org 0708

Personal Services and Employee Benefits..... 00100 \$ 6,239,729

Salary and Benefits of Cabinet Secretary and

Agency Heads..... 00201 122,500

Repairs and Alterations 06400 91,000

Equipment.....	07000	108,000
Current Expenses	13000	2,890,577
Buildings	25800	375,100
Purchase of Supplies for Resale	41900	104,000,000
Transfer Liquor Profits and Taxes.....	42500	33,400,000
Other Assets	69000	125,100
Land.....	73000	<u>100</u>
Total		\$ 147,352,106

The total amount of these appropriations shall be paid from a special revenue fund out of liquor revenues and any other revenues available.

The above appropriations include the salary of the commissioner and the salaries, expenses, and equipment of administrative offices, warehouses, and inspectors.

The above appropriations include funding for the Tobacco/Alcohol Education Program.

There is hereby appropriated from liquor revenues, in addition to the above appropriations as needed, the necessary amount for the purchase of liquor as provided by law and the remittance of profits and taxes to the General Revenue Fund.

273 - State Athletic Commission Fund

(W.V. Code Chapter 29)

Fund 7009 FY 2025 Org 0933

Personal Services and Employee Benefits.....	00100	\$ 17,500
Current Expenses	13000	<u>28,000</u>
Total		\$ 45,500

DEPARTMENT OF TRANSPORTATION

274 - Division of Motor Vehicles –

Dealer Recovery Fund

(W.V. Code Chapter 17)

Fund 8220 FY 2025 Org 0802

Current Expenses	13000	\$ 189,000
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275 - Division of Motor Vehicles –

Motor Vehicle Fees Fund

(W.V. Code Chapter 17B)

Fund 8223 FY 2025 Org 0802

Personal Services and Employee Benefits.....	00100	\$	4,478,448
Repairs and Alterations	06400		16,000
Equipment.....	07000		75,000
Current Expenses	13000		4,337,712
Other Assets	69000		10,000
BRIM Premium.....	91300		<u>110,000</u>
Total		\$	9,027,160

276 - Division of Highways –

A. James Manchin Fund

(W.V. Code Chapter 22)

Fund 8319 FY 2025 Org 0803

Current Expenses	13000	\$	2,900,000
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277 - WV Division of Multimodal Transportation Facilities -

State Rail Authority -

West Virginia Commuter Rail Access Fund

(W.V. Code Chapter 29)

Fund 8402 FY 2025 Org 0810

Current Expenses	13000	\$	600,000
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DEPARTMENT OF VETERANS' ASSISTANCE

278 - Veterans' Facilities Support Fund

(W.V. Code Chapter 9A)

Fund 6703 FY 2025 Org 0613

Personal Services and Employee Benefits.....	01000	\$	99,135
Current Expenses	13000		1,654,234
Other Assets	69000		<u>10,000</u>
Total		\$	1,763,369

279 - Department of Veterans' Assistance –

W.V. Veterans' Home –

Special Revenue Operating Fund

(W.V. Code Chapter 9A)

Fund 6754 FY 2025 Org 0618

Repairs and Alterations.....	06400	\$	10,600
Current Expenses	13000	\$	<u>289,400</u>
Total		\$	300,000

BUREAU OF SENIOR SERVICES

280 - Bureau of Senior Services –

Community Based Service Fund

(W.V. Code Chapter 29)

Fund 5409 FY 2025 Org 0508

Personal Services and Employee Benefits.....	00100	\$	160,628
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		30,000
Current Expenses	13000		<u>14,399,338</u>
Total		\$	14,529,966

The total amount of these appropriations are funded from annual table game license fees to enable the aged and disabled citizens of West Virginia to stay in their homes through the provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

281 - Higher Education Policy Commission –

*System –**Tuition Fee Capital Improvement Fund**(Capital Improvement and Bond Retirement Fund)**Control Account**(W.V. Code Chapters 18 and 18B)*Fund 4903 FY 2025 Org 0442

Debt Service	04000	\$	27,411,984
General Capital Expenditures	30600		5,000,000
Facilities Planning and Administration	38600		<u>479,369</u>
Total		\$	32,891,353

The total amount of these appropriations shall be paid from the Special Capital Improvement Fund created in W.V. Code §18B-10-8. Projects are to be paid on a cash basis and made available on July 1.

The above appropriations, except for Debt Service, may be transferred to special revenue funds for capital improvement projects at the institutions.

*282 - Tuition Fee Revenue Bond Construction Fund**(W.V. Code Chapters 18 and 18B)*Fund 4906 FY 2025 Org 0442

Any unexpended balance remaining in the appropriation for Capital Outlay (fund 4906, appropriation 51100) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The appropriation shall be paid from available unexpended cash balances and interest earnings accruing to the fund. The appropriation shall be expended at the discretion of the Higher Education Policy Commission and the funds may be allocated to any institution within the system.

The total amount of this appropriation shall be paid from the unexpended proceeds of revenue bonds previously issued pursuant to W.V. Code §18-12B-8, which have since been refunded.

*283 - West Virginia University –**West Virginia University Health Sciences Center**(W.V. Code Chapters 18 and 18B)*Fund 4179 FY 2025 Org 0463

Personal Services and Employee Benefits.....	00100	\$	11,795,211
Repairs and Alterations.....	06400		425,000
Equipment.....	07000		512,000
Current Expenses.....	13000		4,524,300
Buildings.....	25800		150,000
Other Assets.....	69000		<u>50,000</u>
Total.....		\$	17,456,511

284 - Marshall University –

School of Medicine

(W.V. Code Chapter 18B)

Fund 4271 FY 2025 Org 0471

Marshall Medical School.....	17300	\$	5,500,000
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285 - West Virginia School of Osteopathic Medicine

(W.V. Code Chapter 18B)

Fund 4272 FY 2025 Org 0476

West Virginia School of Osteopathic Medicine.....	17200	\$	4,115,931
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MISCELLANEOUS BOARDS AND COMMISSIONS

286 - Board of Barbers and Cosmetologists –

Barbers and Beauticians Special Fund

(W.V. Code Chapters 16 and 30)

Fund 5425 FY 2025 Org 0505

Personal Services and Employee Benefits.....	00100	\$	607,945
Repairs and Alterations.....	06400		5,000
Current Expenses.....	13000		<u>234,969</u>
Total.....		\$	847,914

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Board of Barbers and Cosmetologists as provided by law.

*287 - Hospital Finance Authority –**Hospital Finance Authority Fund*

(W.V. Code Chapter 16)

Fund 5475 FY 2025 Org 0509

Personal Services and Employee Benefits.....	00100	\$	10,000
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		93,339
Unclassified	09900		1,501
Current Expenses	13000		<u>55,268</u>
Total		\$	160,108

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by Article 29A, Chapter 16 of the W.V. Code.

*288 - State Armory Board –**General Armory Fund*

(W.V. Code Chapter 15)

Fund 6057 FY 2025 Org 0603

Personal Services and Employee Benefits.....	00100	\$	1,690,382
Repairs and Alterations	06400		385,652
Equipment.....	07000		250,000
Current Expenses	13000		650,000
Buildings	25800		520,820
Other Assets	69000		350,000
Land.....	73000		<u>200,000</u>
Total		\$	4,046,854

From the above appropriations, the Adjutant General may receive and expend funds to conduct operations and activities to include functions of the Military Authority. The Adjutant General may transfer funds between appropriations, except no funds may be transferred to Personal Services and Employee Benefits (fund 6057, appropriation 00100).

*289 - W.V. State Board of Examiners for Licensed Practical Nurses –**Licensed Practical Nurses*

(W.V. Code Chapter 30)

Fund 8517 FY 2025 Org 0906

Personal Services and Employee Benefits.....	00100	\$	1,002,286
Current Expenses	13000		<u>253,007</u>
Total		\$	1,255,293

*290 - W.V. Board of Examiners for Registered Professional Nurses –**Registered Professional Nurses*

(W.V. Code Chapter 30)

Fund 8520 FY 2025 Org 0907

Personal Services and Employee Benefits.....	00100	\$	1,432,788
Repairs and Alterations	06400		3,000
Equipment.....	07000		25,000
Current Expenses	13000		312,655
Other Assets	69000		<u>4,500</u>
Total		\$	1,777,943

291 - Public Service Commission

(W.V. Code Chapter 24)

Fund 8623 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$	14,410,245
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		318,640
Repairs and Alterations	06400		120,000
Equipment.....	07000		160,000
Unclassified	09900		147,643

Current Expenses	13000	2,157,202
Buildings	25800	10
PSC Weight Enforcement	34500	5,199,295
Debt Payment/Capital Outlay	52000	350,000
Land.....	73000	10
BRIM Premium.....	91300	<u>172,216</u>
Total		\$ 23,035,261

The total amount of these appropriations shall be paid from a special revenue fund out of collections for special license fees from public service corporations as provided by law.

The Public Service Commission is authorized to transfer up to \$500,000 from this fund to meet the expected deficiencies in the Motor Carrier Division (fund 8625) due to the amendment and reenactment of W.V. Code §24A-3-1 by Enrolled House Bill Number 2715, Regular Session, 1997.

292 - Public Service Commission –

Gas Pipeline Division –

Public Service Commission Pipeline Safety Fund

(W.V. Code Chapter 24B)

Fund 8624 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$ 394,133
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	11,949
Repairs and Alterations	06400	4,000
Unclassified	09900	3,851
Current Expenses	13000	<u>93,115</u>
Total		\$ 507,048

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over pipeline companies as provided by law.

293 - Public Service Commission –

Motor Carrier Division

(W.V. Code Chapter 24A)

Fund 8625 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$	2,536,213
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		67,711
Repairs and Alterations	06400		23,000
Equipment.....	07000		50,000
Unclassified	09900		29,233
Current Expenses	13000		<u>577,557</u>
Total		\$	3,283,714

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over motor carriers as provided by law.

*294 - Public Service Commission –**Consumer Advocate Fund*

(W.V. Code Chapter 24)

Fund 8627 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$	992,100
Equipment.....	07000		9,872
Current Expenses	13000		536,472
BRIM Premium.....	91300		<u>4,660</u>
Total		\$	1,543,104

The total amount of these appropriations shall be supported by cash from a special revenue fund out of collections made by the Public Service Commission.

*295 - Real Estate Commission –**Real Estate License Fund*

(W.V. Code Chapter 30)

Fund 8635 FY 2025 Org 0927

Personal Services and Employee Benefits.....	00100	\$	665,295
Repairs and Alterations	06400		2,500
Equipment.....	07000		5,000
Current Expenses	13000		<u>293,122</u>
Total		\$	965,917

The total amount of these appropriations shall be paid out of collections of license fees as provided by law.

296 - W.V. Board of Examiners for Speech-Language

Pathology and Audiology –

Speech-Language Pathology and Audiology Operating Fund

(W.V. Code Chapter 30)

Fund 8646 FY 2025 Org 0930

Personal Services and Employee Benefits.....	00100	\$	129,733
Current Expenses	13000		<u>63,499</u>
Total		\$	193,232

297 - W.V. Board of Respiratory Care –

Board of Respiratory Care Fund

(W.V. Code Chapter 30)

Fund 8676 FY 2025 Org 0935

Personal Services and Employee Benefits.....	00100	\$	125,073
Current Expenses	13000		<u>62,709</u>
Total		\$	187,782

298 - W.V. Board of Licensed Dietitians –

Dietitians Licensure Board Fund

(W.V. Code Chapter 30)

Fund 8680 FY 2025 Org 0936

Personal Services and Employee Benefits.....	00100	\$	20,219
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Current Expenses	13000	<u>20,250</u>
Total		\$ 40,469

299 - Massage Therapy Licensure Board –

Massage Therapist Board Fund

(W.V. Code Chapter 30)

Fund 8671 FY 2025 Org 0938

Personal Services and Employee Benefits.....	00100	\$ 122,310
Current Expenses	13000	<u>47,388</u>
Total		\$ 169,698

300 - Board of Medicine –

Medical Licensing Board Fund

(W.V. Code Chapter 30)

Fund 9070 FY 2025 Org 0945

Personal Services and Employee Benefits.....	00100	\$ 1,669,378
Repairs and Alterations	06400	8,000
Current Expenses	13000	<u>1,268,064</u>
Total		\$ 2,945,442

301 - West Virginia Enterprise Resource Planning Board –

Enterprise Resource Planning System Fund

(W.V. Code Chapter 12)

Fund 9080 FY 2025 Org 0947

Personal Services and Employee Benefits.....	00100	\$ 5,690,654
Repairs and Alterations	06400	300
Equipment.....	07000	502,000
Unclassified	09900	132,000
Current Expenses	13000	19,214,993

Buildings	25800	2,000
Other Assets	69000	<u>2,004,500</u>
Total		\$ 27,546,447

302 - Board of Treasury Investments –

Board of Treasury Investments Fee Fund

(W.V. Code Chapter 12)

Fund 9152 FY 2025 Org 0950

Personal Services and Employee Benefits.....	00100	\$ 982,714
Unclassified	09900	14,850
Current Expenses	13000	580,889
BRIM Premium.....	91300	31,547
Fees of Custodians, Fund Advisors and Fund Managers	93800	<u>5,500,000</u>
Total		\$ 7,110,000

There is hereby appropriated from this fund, in addition to the above appropriation if needed, an amount of funds necessary for the Board of Treasury Investments to pay the fees and expenses of custodians, fund advisors and fund managers for the consolidated fund of the State as provided in Article 6C, Chapter 12 of the W.V. Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

303 - Contractor Licensing Board Fund

(W.V. Code Chapter 21)

Fund 3187 FY 2025 Org 0951

Personal Services and Employee Benefits.....	00100	\$ 2,559,000
Repairs and Alterations	06400	10,000
Unclassified	09900	21,000
Current Expenses	13000	500,000
BRIM Premium.....	91300	<u>8,500</u>
Total		\$ 3,098,500

Total TITLE II, Section 3 – Other Funds

(Including claims against the state) \$ 2,141,776.021

Sec. 4. Appropriations from lottery net profits.—Net profits of the lottery are to be deposited by the Director of the Lottery to the following accounts in the amounts indicated. The Director of the Lottery shall prorate each deposit of net profits in the proportion the appropriation for each account bears to the total of the appropriations for all accounts.

After first satisfying the requirements for Fund 2252, Fund 3963, and Fund 4908 pursuant to W.V. Code §29-22-18, the Director of the Lottery shall make available from the remaining net profits of the lottery any amounts needed to pay debt service for which an appropriation is made for Fund 9065, Fund 4297, Fund 3390, Fund 3514, Fund 9067, and Fund 9068 and is authorized to transfer any such amounts to Fund 9065, Fund 4297, Fund 3390, Fund 3514, Fund 9067, and Fund 9068 for that purpose. Upon receipt of reimbursement of amounts so transferred, the Director of the Lottery shall deposit the reimbursement amounts to the following accounts as required by this section.

304 - Education, Arts, Sciences and Tourism –

Debt Service Fund

(W.V. Code Chapter 5)

Fund 2252 FY 2025 Org 0211

	Appro-		Lottery
	priation		Funds
Debt Service – Total	31000	\$	10,000,000

305 - Department of Tourism –

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 3067 FY 2025 Org 0304

Tourism – Telemarketing Center	46300	\$	82,080
Tourism – Advertising (R)	61800		2,422,407
Tourism – Operations (R)	66200		<u>4,582,523</u>
Total		\$	7,087,010

Any unexpended balances remaining in the appropriations for Tourism – Advertising (fund 3067, appropriation 61800) and Tourism – Operations (fund 3067, appropriation 66200) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

306 - Division of Natural Resources

(W.V. Code Chapter 20)

Fund 3267 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$	2,791,307
Current Expenses	13000		26,900
Pricketts Fort State Park	32400		106,560
Non-Game Wildlife (R).....	52700		483,485
State Parks and Recreation Advertising (R)	61900		<u>494,578</u>
Total		\$	3,902,830

Any unexpended balances remaining in the appropriations for Capital Outlay – Parks (fund 3267, appropriation 28800), Non-Game Wildlife (fund 3267, appropriation 52700), and State Parks and Recreation Advertising (fund 3267, appropriation 61900) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

307 - State Board of Education

(W.V. Code Chapters 18 and 18A)

Fund 3951 FY 2025 Org 0402

FBI Checks	37200	\$	125,744
Vocational Education Equipment Replacement.....	39300		800,000
Assessment Program (R).....	39600		490,439
Literacy Project	89900		700,000
21st Century Technology Infrastructure			
Network Tools and Support (R).....	93300		<u>12,638,280</u>
Total		\$	14,754,463

Any unexpended balances remaining in the appropriations for Assessment Program (fund 3951, appropriation 39600) and 21st Century Technology Infrastructure Network Tools and Support (fund 3951, appropriation 93300) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

*308 - State Department of Education –**School Building Authority –*

Debt Service Fund

(W.V. Code Chapter 18)

Fund 3963 FY 2025 Org 0404

Debt Service – Total	31000	\$	15,239,213
Directed Transfer	70000		<u>2,760,787</u>
Total		\$	18,000,000

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.V. Code §29-22-18.

The above appropriation for Directed Transfer (fund 3963, appropriation 70000) may be transferred to the Department of Education, State Board of Education, School Building Authority, School Construction Fund, (fund 3952,) to be used for school construction and maintenance projects.

309 - Division of Culture and History –

Lottery Education Fund

(W.V. Code Chapter 29)

Fund 3534 FY 2025 Org 0432

Huntington Symphony.....	02700	\$	59,058
Preservation West Virginia (R)	09200		491,921
Fairs and Festivals (R).....	12200		1,346,814
Commission for National and Community Service (R).....	19300		395,744
Archeological Curation/Capital Improvements (R).....	24600		43,174
Historic Preservation Grants (R)	31100		417,933
West Virginia Public Theater	31200		120,019
Greenbrier Valley Theater	42300		115,000
Theater Arts of West Virginia.....	46400		90,000
Marshall Artists Series.....	51800		36,005
Grants for Competitive Arts Program (R).....	62400		811,500
West Virginia State Fair.....	65700		31,241

Save the Music	68000	40,000
Contemporary American Theater Festival	81100	57,281
Independence Hall	81200	27,277
Mountain State Forest Festival.....	86400	38,187
WV Symphony	90700	59,058
Wheeling Symphony	90800	59,058
Appalachian Childrens' Chorus	91600	<u>54,554</u>
Total		\$ 4,293,824

Any unexpended balances remaining in the appropriations for Preservation West Virginia (fund 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200), Commission for National and Community Service (fund 3534, appropriation 19300), Archeological Curation/Capital Improvements (fund 3534, appropriation 24600), Historic Preservation Grants (fund 3534, appropriation 31100), and Grants for Competitive Arts Program (fund 3534, appropriation 62400) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

Any Fairs and Festivals awards shall be funded in addition to, and not in lieu of, individual grant allocations derived from the Arts Council and Cultural Grant Program allocations.

310 - Division of Culture and History –

Library Commission -

Lottery Education Fund

(W.V. Code Chapter 10)

Fund 3559 FY 2025 Org 0432

Books and Films	17900	\$ 360,784
Services to Libraries.....	18000	550,000
Grants to Public Libraries.....	18200	9,439,571
Digital Resources.....	30900	219,992
Infomine Network.....	88400	<u>943,353</u>
Total		\$ 11,513,700

311 - Educational Broadcasting Authority

(W.V. Code Chapter 10)

Fund 3587 FY 2025 Org 0439

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 3587, appropriation 75500) at the close of fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

*312 - Higher Education Policy Commission –**Lottery Education –**Higher Education Policy Commission –**Control Account*

(W.V. Code Chapters 18B and 18C)

Fund 4925 FY 2025 Org 0441

RHI Program and Site Support (R).....	03600	\$	1,922,710
RHI Program and Site Support –			
RHEP Program Administration	03700		146,653
RHI Program and Site Support – Grad Med			
Ed and Fiscal Oversight (R)	03800		90,192
Minority Doctoral Fellowship (R)	16600		129,604
Health Sciences Scholarship (R).....	17600		226,251
Vice Chancellor for Health Sciences –			
Rural Health Residency Program (R)	60100		62,725
WV Engineering, Science, and			
Technology Scholarship Program.....	86800		<u>452,831</u>
Total		\$	3,030,966

Any unexpended balances remaining in the appropriations for RHI Program and Site Support (fund 4925, appropriation 03600), RHI Program and Site Support – Grad Med Ed and Fiscal Oversight (fund 4925, appropriation 03800), Minority Doctoral Fellowship (fund 4925, appropriation 16600), Health Sciences Scholarship (fund 4925, appropriation 17600), and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4925, appropriation 60100) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for WV Engineering, Science, and Technology Scholarship Program (fund 4925, appropriation 86800) shall be transferred to the West Virginia Engineering, Science and Technology Scholarship Fund (fund 4928,) established by W.V. Code §18C-6-1.

313 - Community and Technical College –

Capital Improvement Fund

(W.V. Code Chapter 18B)

Fund 4908 FY 2025 Org 0442

Debt Service – Total	31000	\$	5,000,000
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Any unexpended balance remaining in the appropriation for Capital Outlay and Improvements – Total (fund 4908, appropriation 84700) and Capital Improvements - Total (fund 4908, appropriation 95800) at the close of fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The total amount of this appropriation shall be paid from the sale of the Series 2017 Community and Technical Colleges Capital Improvement Refunding Revenue Bonds and anticipated interest earnings.

314 - Higher Education Policy Commission –

Lottery Education –

West Virginia University – School of Medicine

(W.V. Code Chapter 18B)

Fund 4185 FY 2025 Org 0463

WVU Health Sciences –

RHI Program and Site Support (R).....	03500	\$	1,246,059
MA Public Health Program and			
Health Science Technology (R)	62300		52,445
Health Sciences Career Opportunities Program (R).....	86900		336,987
HSTA Program (R)	87000		1,903,647
Center for Excellence in Disabilities (R)	96700		<u>328,292</u>
Total		\$	3,867,430

Any unexpended balances remaining in the appropriations for WVU Health Sciences – RHI Program and Site Support (fund 4185, appropriation 03500), MA Public Health Program and Health Science Technology (fund 4185, appropriation 62300), Health Sciences Career

Opportunities Program (fund 4185, appropriation 86900), HSTA Program (fund 4185, appropriation 87000), and Center for Excellence in Disabilities (fund 4185, appropriation 96700) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

315 - Higher Education Policy Commission –

Lottery Education –

Marshall University – School of Medicine

(W.V. Code Chapter 18B)

Fund 4896 FY 2025 Org 0471

Marshall Medical School –

RHI Program and Site Support (R).....	03300	\$	453,525
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Vice Chancellor for Health Sciences –

Rural Health Residency Program (R).....	60100		<u>179,773</u>
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Total		\$	633,298
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Any unexpended balances remaining in the appropriations for Marshall Medical School – RHI Program and Site Support (fund 4896, appropriation 03300) and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4896, appropriation 60100) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

316 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(W.V. Code Chapter 29)

Fund 5405 FY 2025 Org 0508

Personal Services and Employee Benefits.....	00100	\$	160,387
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Salary and Benefits of Cabinet Secretary and

Agency Heads.....	00201		86,000
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Repairs and Alterations.....	06400		1,000
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Current Expenses	13000		332,284
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Local Programs Service Delivery Costs	20000		2,435,250
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Silver Haired Legislature.....	20200		18,500
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Transfer to Division of Human Services for Health Care

and Title XIX Waiver for Senior Citizens	53900	27,986,092
Roger Tompkins Alzheimers Respite Care	64300	2,308,914
WV Alzheimers Hotline.....	72400	45,000
Regional Aged and Disabled Resource Center	76700	425,000
Senior Services Medicaid Transfer.....	87100	16,400,070
Legislative Initiatives for the Elderly	90400	9,671,239
Long Term Care Ombudsmen	90500	297,226
BRIM Premium.....	91300	7,718
In-Home Services and Nutrition for Senior Citizens (R).....	91700	<u>6,845,941</u>
Total		\$ 67,020,621

Any unexpended balances remaining in the appropriation for Senior Citizen Centers and Programs (fund 5405, appropriation 46200) and In-Home Services and Nutrition for Senior Citizens (fund 5405, appropriation 91700) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

Included in the above appropriation for Current Expenses (fund 5405, appropriation 13000), is funding to support an in-home direct care workforce registry.

The above appropriation for Transfer to the Department of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 5405, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

Total TITLE II, Section 4 – Lottery Revenue \$ 149,104,142

Sec. 5. Appropriations from state excess lottery revenue fund.—In accordance with W.V. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the following appropriations shall be deposited and disbursed by the Director of the Lottery to the following accounts in this section in the amounts indicated.

After first funding the appropriations required by W.V. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the Director of the Lottery shall provide funding from the State Excess Lottery Revenue Fund for the remaining appropriations in this section to the extent that funds are available. In the event that revenues to the State Excess Lottery Revenue Fund are sufficient to meet all the appropriations required made pursuant to this section, then the Director of the Lottery shall then provide the funds available for fund 5365, appropriation 18900.

Fund 1046 FY 2025 Org 0100

Any unexpended balance remaining in the appropriation for Publication of Papers and Transition Expenses – Lottery Surplus (fund 1046, appropriation 06600) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

318 - Office of Technology

(W.V. Code Chapter 5A)

Fund 2532 FY 2025 Org 0231

Any unexpended balances remaining in the appropriations for Cyber Security (fund 2532, appropriation 99001), Enterprise Data Center (fund 2532, appropriation 99002), and Enterprise Telephony Modernization (fund 2532, appropriation 99003) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

319 - Department of Economic Development –

Office of the Secretary –

West Virginia Development Office

(W.V. Code Chapter 5B)

Fund 3170 FY 2025 Org 0307

Any unexpended balance remaining in the appropriation for Recreational Grants or Economic Development Loans (fund 3170, appropriation 25300) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

320 - Division of Natural Resources –

State Park Improvement Fund

Fund 3277 FY 2025 Org 0310

	Appro-		Excess
	priation		Lottery
			Funds
Repairs and Alterations (R)	06400	\$	161,200
Equipment (R).....	07000		200,000
Current Expenses (R)	13000		23,300
Buildings (R)	25800		100,000
Other Assets (R)	69000		<u>1,020,500</u>

Total \$ 1,505,000

Any unexpended balances remaining in the appropriations for Repairs and Alterations (fund 3277, appropriation 06400), Equipment (fund 3277, appropriation 07000), Unclassified – Total (fund 3277, appropriation 09600), Current Expenses (fund 3277, appropriation 13000), Buildings (fund 3277, appropriation 25800), and Other Assets (fund 3277, appropriation 69000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

321 - West Virginia Infrastructure Council –

West Virginia Infrastructure Transfer Fund

Fund 3390 FY 2025 Org 0316

Directed Transfer 70000 \$ 46,000,000

The above appropriation shall be allocated pursuant to W.V. Code §29-22-18d and §31-15-9.

322 - Department of Education –

School Building Authority

Fund 3514 FY 2025 Org 0404

Debt Service - Total..... 31000 \$ 18,948,000

Directed Transfer 70000 52,000

Total \$ 19,000,000

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.V. Code §29-22-18a.

The above appropriation for Directed Transfer (fund 3514, appropriation 70000) may be transferred to the Department of Education, State Board of Education, School Building Authority, School Construction Fund (fund 3952,) to be used for school construction and maintenance projects.

323 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2025 Org 0441

PROMISE Scholarship – Transfer 80000 \$ 29,000,000

The above appropriation shall be transferred to the PROMISE Scholarship Fund (fund 4296,) established by W.V. Code §18C-7-7.

The Legislature has explicitly set a finite amount of available appropriations and directed the administrators of the Program to provide for the award of scholarships within the limits of available appropriations.

*324 - Higher Education Policy Commission –**Higher Education Improvement Fund*Fund 4297 FY 2025 Org 0441

Directed Transfer	70000	\$	15,000,000
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The above appropriation for Directed Transfer shall be transferred to Higher Education Policy Commission – System – Tuition Fee Capital Improvement Fund (fund 4903) as authorized by Senate Concurrent Resolution No. 41.

*325 - Higher Education Policy Commission –**Administration –**Control Account*Fund 4932 FY 2025 Org 0441

Any unexpended balance remaining in the appropriation for Advanced Technology Centers (fund 4932, appropriation 02800) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

326 - Department of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 5365 FY 2025 Org 0511

Medical Services	18900	\$	63,232,578
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*327 - Division of Corrections and Rehabilitation –**Correctional Units*

(W.V. Code Chapter 15A)

Fund 6283 FY 2025 Org 0608

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 6283, appropriation 75500) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

*328 - Lottery Commission –**General Purpose Account*Fund 7206 FY 2025 Org 0705

General Revenue Fund – Transfer	70011	\$	65,000,000
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The above appropriation shall be transferred to the General Revenue Fund as determined by the Director of the Lottery in accordance with W.V. Code §29-22-18a.

329 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2025 Org 0705

Directed Transfer	70000	\$	10,000,000
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The above appropriation shall be transferred to the General Revenue Fund to provide reimbursement for the refundable credit allowable under W.V. Code §11-21-21. The amount of the required transfer shall be determined solely by the State Tax Commissioner and shall be completed by the Director of the Lottery upon the Commissioner's request.

330 - Lottery Commission –

Distributions to Statutory Funds and Purposes

Fund 7213 FY 2025 Org 0705

Parking Garage Fund – Transfer	70001	\$	500,000
2004 Capitol Complex Parking Garage Fund – Transfer	70002		216,478
Capitol Dome and Improvements Fund – Transfer	70003		1,796,256
Capitol Renovation and Improvement Fund – Transfer	70004		2,381,252
Economic Development Promotion and Closing Fund - Transfer	70005		1,298,864
Research Challenge Fund – Transfer	70006		1,731,820
Tourism Promotion Fund – Transfer	70007		4,808,142
Cultural Facilities and Capital Resources Matching Grant Program Fund – Transfer	70008		1,500,000
State Debt Reduction Fund – Transfer	70010		20,000,000
General Revenue Fund – Transfer	70011		1,167,799
West Virginia Racing Commission Racetrack Video Lottery Account	70012		3,463,637
Historic Resort Hotel Fund	70013		24,010

Licensed Racetrack Regular Purse Fund	70014	<u>22,383,247</u>
Total		\$ 61,271,505

331 - Racing Commission

Fund 7308 FY 2025 Org 0707

Special Breeders Compensation

(W.V. Code §29-22-18a, subsection (I)).....	21800	\$ 2,000,000
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332 - Economic Development Authority –

Economic Development Project Fund

Fund 9065 FY 2025 Org 0944

Debt Service – Total	31000	\$ 19,000,000
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Pursuant to W.V. Code §29-22-18a, subsection (f), excess lottery revenues are authorized to be transferred to the lottery fund as reimbursement of amounts transferred to the Economic Development Project fund pursuant to section four of this title and W.V. Code §29-22-18, subsection (f).

333 - Economic Development Authority –

Cacapon and Beech Fork State Parks –

Lottery Revenue Debt Service

Fund 9067 FY 2025 Org 0944

Debt Service	04000	\$ 2,032,000
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334 - Economic Development Authority –

State Parks Lottery Revenue Debt Service Fund

Fund 9068 FY 2025 Org 0944

Debt Service	04000	\$ 4,395,000
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Total TITLE II, Section 5 – Excess Lottery Funds		<u>\$ 337,436,083</u>
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Sec. 6. Appropriations of federal funds.—In accordance with Article 11, Chapter 4 of the Code from federal funds there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2025.

LEGISLATIVE

335 - Crime Victims Compensation Fund

(W.V. Code Chapter 14)

Fund 8738 FY 2025 Org 2300

	Appro-		Federal
	priation		Funds
Economic Loss Claim Payment Fund.....	33400	\$	442,000

JUDICIAL

336 - Supreme Court

Fund 8867 FY 2025 Org 2400

Personal Services and Employee Benefits.....	00100	\$	1,813,000
Repairs and Alterations	06400		100,000
Equipment.....	07000		250,000
Current Expenses	13000		1,557,000
Other Assets	69000		<u>280,000</u>
Total		\$	4,000,000

EXECUTIVE

337 - Governor's Office –

Coronavirus State Fiscal Recovery Fund

(W.V. Code Chapter 4)

Fund 8823 FY 2025 Org 0100

Repairs and Alterations	06400	\$	1,000
Equipment.....	07000		1,000
Unclassified	09900		500,000
Current Expenses	13000		25,497,000
Other Assets	69000		<u>1,000</u>
Total		\$	26,000,000

338 - Department of Agriculture

(W.V. Code Chapter 19)

Fund 8736 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	2,722,216
Repairs and Alterations	06400		650,000
Equipment.....	07000		910,500
Unclassified	09900		50,534
Current Expenses	13000		6,841,987
Buildings	25800		1,000,000
Other Assets	69000		550,000
Land.....	73000		500,000
Federal Coronavirus Pandemic.....	89101		<u>4,721,430</u>
Total		\$	17,946,667

*339 - Department of Agriculture –**Meat Inspection Fund*

(W.V. Code Chapter 19)

Fund 8737 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	739,966
Repairs and Alterations	06400		5,500
Equipment.....	07000		114,478
Unclassified	09900		8,755
Current Expenses	13000		<u>136,012</u>
Total		\$	1,004,711

*340 - Department of Agriculture –**State Conservation Committee*

(W.V. Code Chapter 19)

Fund 8783 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	99,978
Current Expenses	13000		<u>15,599,974</u>
Total		\$	15,699,952

*341 - Department of Agriculture –**Land Protection Authority**(W.V. Code Chapter 19)*Fund 8896 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	46,526
Unclassified	09900		5,004
Current Expenses	13000		<u>448,920</u>
Total		\$	500,450

*342 - Attorney General –**Medicaid Fraud Unit**(W.V. Code Chapter 5)*Fund 8882 FY 2025 Org 1500

Personal Services and Employee Benefits.....	00100	\$	1,850,458
Repairs and Alterations	06400		4,313
Equipment.....	07000		7,500
Unclassified	09900		15,336
Current Expenses	13000		611,287
Other Assets	69000		<u>11,336</u>
Total		\$	2,500,230

*343 - Secretary of State –**State Election Fund**(W.V. Code Chapter 3)*

Fund 8854 FY 2025 Org 1600

Personal Services and Employee Benefits.....	00100	\$	210,240
Repairs and Alterations.....	06400		15,000
Unclassified	09900		7,484
Current Expenses	13000		415,727
Other Assets	69000		<u>100,000</u>
Total		\$	748,451

DEPARTMENT OF COMMERCE*344 - Division of Forestry*

(W.V. Code Chapter 19)

Fund 8703 FY 2025 Org 0305

Personal Services and Employee Benefits.....	00100	\$	637,000
Repairs and Alterations.....	06400		155,795
Equipment.....	07000		1,000,000
Unclassified	09900		51,050
Current Expenses	13000		3,062,013
Other Assets	69000		<u>3,078,847</u>
Total		\$	7,984,705

345 - Geological and Economic Survey

(W.V. Code Chapter 29)

Fund 8704 FY 2025 Org 0306

Personal Services and Employee Benefits.....	00100	\$	204,432
Repairs and Alterations.....	06400		305,000
Equipment.....	07000		187,500
Unclassified	09900		2,803
Current Expenses	13000		195,639

Buildings	25800	1,500,000
Other Assets	69000	<u>15,000</u>
Total		\$ 2,410,374

346 - Division of Labor

(W.V. Code Chapters 21 and 47)

Fund 8706 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$ 460,197
Repairs and Alterations	06400	500
Unclassified	09900	5,572
Current Expenses	13000	<u>167,098</u>
Total		\$ 633,367

347 - Division of Natural Resources

(W.V. Code Chapter 20)

Fund 8707 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$ 11,474,295
Repairs and Alterations	06400	566,250
Equipment.....	07000	2,126,141
Unclassified	09900	107,693
Current Expenses	13000	7,887,660
Administration	15500	50,325
Buildings	25800	951,000
Other Assets	69000	4,768,670
Land.....	73000	<u>2,893,920</u>
Total		\$ 30,825,954

348 - Division of Miners' Health,

Safety and Training

(W.V. Code Chapter 22)

Fund 8709 FY 2025 Org 0314

Personal Services and Employee Benefits.....	00100	\$	705,030
Current Expenses	13000		<u>150,000</u>
Total		\$	855,030

349 - WorkForce West Virginia

(W.V. Code Chapter 23)

Fund 8835 FY 2025 Org 0323

Unclassified	09900	\$	5,127
Current Expenses	13000		667,530
Reed Act 2002 – Unemployment Compensation	62200		4,446,737
Reed Act 2002 – Employment Services	63000		<u>3,246,737</u>
Total		\$	8,366,131

Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of the Social Security Act, as amended, and the provisions of W.V. Code §21A-9-9, the above appropriation to Unclassified and Current Expenses shall be used by WorkForce West Virginia for the specific purpose of administration of the state's unemployment insurance program or job service activities, subject to each and every restriction, limitation or obligation imposed on the use of the funds by those federal and state statutes.

*350 - State Board of Rehabilitation –**Division of Rehabilitation Services*

(W.V. Code Chapter 18)

Fund 8734 FY 2025 Org 0932

Personal Services and Employee Benefits.....	00100	\$	12,642,892
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		153,000
Repairs and Alterations	06400		350,400
Equipment.....	07000		1,275,870
Current Expenses	13000		<u>68,440,940</u>

Total \$ 82,863,102

*351 - State Board of Rehabilitation –
Division of Rehabilitation Services –
Disability Determination Services
(W.V. Code Chapter 18)
Fund 8890 FY 2025 Org 0932*

Personal Services and Employee Benefits.....	00100	\$ 14,889,790
Repairs and Alterations.....	06400	1,100
Equipment.....	07000	83,350
Current Expenses.....	13000	<u>13,383,206</u>
Total		\$ 28,357,446

DEPARTMENT OF TOURISM

*352 - Department of Tourism –
Tourism Workforce Development Fund
(W.V. Code Chapter 5B)
Fund 8903 FY 2025 Org 0304*

Federal Coronavirus Pandemic..... 89101 \$ 2,765,115

DEPARTMENT OF ECONOMIC DEVELOPMENT

*353 - Department of Economic Development –
Office of the Secretary
(W.V. Code Chapter 5B)
Fund 8705 FY 2025 Org 0307*

Personal Services and Employee Benefits.....	00100	\$ 5,346,497
Unclassified	09900	50,000
Current Expenses.....	13000	<u>809,776,339</u>
Total		\$ 815,172,836

*354 - Department of Economic Development –**Office of Energy*

(W.V. Code Chapter 5B)

Fund 8892 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$	1,007,411
Unclassified	09900		7,350
Current Expenses	13000		<u>8,266,076</u>
Total		\$	9,280,837

*355 - Department of Economic Development –**Office of the Secretary –**Office of Economic Opportunity*

(W.V. Code Chapter 5)

Fund 8901 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$	854,189
Repairs and Alterations	06400		250
Equipment.....	07000		6,000
Unclassified	09900		106,795
Current Expenses	13000		<u>20,303,081</u>
Total		\$	21,270,315

DEPARTMENT OF EDUCATION*356 - State Board of Education –**State Department of Education*

(W.V. Code Chapters 18 and 18A)

Fund 8712 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$	6,146,942
Repairs and Alterations	06400		10,000

Equipment.....	07000	10,000
Unclassified	09900	2,000,000
Current Expenses	13000	1,434,146,008
Other Assets	69000	10,000
Federal Coronavirus Pandemic.....	89101	<u>4,990,123</u>
Total		\$ 1,447,313,073

357 - State Board of Education –

School Lunch Program

(W.V. Code Chapters 18 and 18A)

Fund 8713 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$ 2,010,501
Repairs and Alterations	06400	20,000
Equipment.....	07000	100,000
Unclassified	09900	1,150,500
Current Expenses	13000	258,781,265
Other Assets	69000	25,000
Federal Coronavirus Pandemic.....	89101	<u>743,436</u>
Total		\$ 262,830,702

358 - State Board of Education –

Vocational Division

(W.V. Code Chapters 18 and 18A)

Fund 8714 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$ 2,032,898
Repairs and Alterations	06400	10,000
Equipment.....	07000	10,000
Unclassified	09900	155,000

Current Expenses	13000	20,820,081
Other Assets	69000	<u>10,000</u>
Total		\$ 23,037,979

359 - State Board of Education –

Aid for Exceptional Children

(W.V. Code Chapters 18 and 18A)

Fund 8715 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$ 3,671,135
Repairs and Alterations	06400	10,000
Equipment.....	07000	10,000
Unclassified	09900	1,000,000
Current Expenses	13000	139,346,390
Other Assets	69000	10,000
Federal Coronavirus Pandemic.....	89101	<u>17,336,635</u>
Total		\$ 161,384,160

360 - WV Professional Charter School Board

(W.V. Code Chapter 18)

Fund 8828 FY 2025 Org 0405

Personal Services and Employee Benefits.....	00100	\$ 98,605
Repairs and Alterations	06400	500
Equipment.....	07000	500
Current Expenses	13000	3,012,108
Other Assets	69000	<u>500</u>
Total		\$ 3,112,213

DEPARTMENT OF ARTS, CULTURE, AND HISTORY

361 - Division of Culture and History

(W.V. Code Chapter 29)

Fund 8718 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$	927,795
Repairs and Alterations.....	06400		1,000
Equipment.....	07000		1,000
Current Expenses.....	13000		1,947,372
Buildings.....	25800		1,000
Other Assets.....	69000		1,000
Land.....	73000		360
Federal Coronavirus Pandemic.....	89101		<u>765,400</u>
Total.....		\$	3,644,927

362 - Library Commission

(W.V. Code Chapter 10)

Fund 8720 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$	387,033
Equipment.....	07000		543,406
Current Expenses.....	13000		1,076,162
Federal Coronavirus Pandemic.....	89101		<u>2,388,880</u>
Total.....		\$	4,395,481

363 - Commission for National and Community Service

(W.V. Code Chapter 5F)

Fund 8841 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$	471,153
Repairs and Alterations.....	06400		1,000
Current Expenses.....	13000		5,587,325
Federal Coronavirus Pandemic.....	89101		<u>1,960,558</u>

Total		\$	8,020,036
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364 - National Coal Heritage Area Authority

(W.V. Code Chapter 29)

Fund 8869 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$	201,942
Repairs and Alterations	06400		5,000
Equipment.....	07000		3,000
Current Expenses	13000		328,008
Other Assets	69000		<u>2,000</u>
Total		\$	539,950

DEPARTMENT OF ENVIRONMENTAL PROTECTION

365 - Division of Environmental Protection

(W.V. Code Chapter 22)

Fund 8708 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	37,148,357
Repairs and Alterations	06400		739,783
Equipment.....	07000		1,712,238
Unclassified	09900		1,923,580
Current Expenses	13000		347,447,019
West Virginia Drinking Water Treatment			
Revolving Fund – Transfer	68900		80,753,300
Other Assets	69000		2,177,261
Land.....	73000		<u>80,000</u>
Total		\$	471,981,538

DEPARTMENT OF HEALTH

366 - Department of Health –

Central Office

(W.V. Code Chapter 16)

Fund 8802 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$ 21,101,605
Equipment.....	07000	456,972
Unclassified	09900	856,614
Current Expenses	13000	139,553,476
Buildings	25800	155,000
Other Assets	69000	380,000
Federal Coronavirus Pandemic.....	89101	<u>40,061,935</u>
Total		\$ 202,565,602

367 - Human Rights Commission

(W.V. Code Chapter 5)

Fund 8725 FY 2025 Org 0510

Personal Services and Employee Benefits.....	00100	\$ 737,485
Unclassified	09900	5,050
Current Expenses	13000	<u>164,950</u>
Total		\$ 907,485

DEPARTMENT OF HUMAN SERVICES

368 - Department of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 8722 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$ 88,722,032
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	73,500
Unclassified	09900	22,855,833

Current Expenses	13000	180,311,984
Medical Services	18900	4,151,432,776
Medical Services Administrative Costs	78900	170,074,119
CHIP Administrative Costs	85601	6,753,105
CHIP Services	85602	59,012,014
Federal Coronavirus Pandemic	89101	<u>4,000,000</u>
Total		\$ 4,683,235,363

369 - Department of Health –

Consolidated Medical Service Fund

(W.V. Code Chapter 16)

Fund 8723 FY 2025 Org 0511

Personal Services and Employee Benefits	00100	\$ 1,485,132
Unclassified	09900	73,307
Current Expenses	13000	98,197,690
Federal Coronavirus Pandemic	89101	<u>564,772</u>
Total		\$ 100,320,901

DEPARTMENT OF HOMELAND SECURITY

370 - Division of Emergency Management

(W.V. Code Chapter 15)

Fund 8727 FY 2025 Org 0606

Personal Services and Employee Benefits	00100	\$ 2,035,385
Salary and Benefits of Cabinet Secretary and Agency Heads	00201	61,250
Repairs and Alterations	06400	5,000
Equipment	07000	100,000
Current Expenses	13000	<u>20,429,281</u>

Total \$ 22,630,916

371 - Division of Corrections and Rehabilitation

(W.V. Code Chapters 15A)

Fund 8836 FY 2025 Org 0608

Unclassified	09900	\$	1,100
Current Expenses	13000		<u>108,900</u>
Total		\$	110,000

372 - West Virginia State Police

(W.V. Code Chapter 15)

Fund 8741 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$	3,266,412
Repairs and Alterations	06400		42,000
Equipment.....	07000		13,356,035
Current Expenses	13000		2,250,971
Buildings	25800		1,740,500
Other Assets	69000		1,065,750
Land.....	73000		<u>500</u>
Total		\$	21,722,168

373 - Fire Commission

(W.V. Code Chapter 15A)

Fund 8819 FY 2025 Org 0619

Current Expenses	13000	\$	80,000
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374 - Division of Administrative Services

(W.V. Code Chapter 15)

Fund 8803 FY 2025 Org 0623

Personal Services and Employee Benefits.....	00100	\$	1,363,346
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Repairs and Alterations	06400	1,750
Unclassified	09900	25,185
Current Expenses	13000	<u>75,381,973</u>
Total		\$ 76,772,254

DEPARTMENT OF REVENUE*375 - Insurance Commissioner*

(W.V. Code Chapter 33)

Fund 8883 FY 2025 Org 0704

Personal Services and Employee Benefits.....	00100	\$ 145,000
Equipment.....	07000	30,000
Current Expenses	13000	<u>2,825,000</u>
Total		\$ 3,000,000

DEPARTMENT OF TRANSPORTATION*376 - Division of Motor Vehicles*

(W.V. Code Chapter 17B)

Fund 8787 FY 2025 Org 0802

Personal Services and Employee Benefits.....	00100	\$ 900,000
Repairs and Alterations	06400	500
Current Expenses	13000	<u>5,448,106</u>
Total		\$ 6,348,606

*377 - Division of Multimodal Transportation Facilities -**Public Transit*

(W.V. Code Chapter 17)

Fund 8745 FY 2025 Org 0810

Personal Services and Employee Benefits.....	00100	\$ 1,089,934
Repairs and Alterations	06400	2,500

Equipment.....	07000	3,501,714
Current Expenses	13000	20,863,149
Buildings	25800	2,450,000
Other Assets	69000	<u>250,000</u>
Total		\$ 28,157,297

378 - Division of Multimodal Transportation Facilities -

Aeronautics Commission

(W.V. Code Chapter 29)

Fund 8831 FY 2025 Org 0810

Current Expenses	13000	\$ 400,000
Other Assets	69000	<u>100</u>
Total		\$ 400,100

DEPARTMENT OF VETERANS' ASSISTANCE

379 - Department of Veterans' Assistance

(W.V. Code Chapter 9A)

Fund 8858 FY 2025 Org 0613

Personal Services and Employee Benefits.....	00100	\$ 3,257,327
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	57,120
Repairs and Alterations	06400	20,000
Equipment.....	07000	25,000
Current Expenses	13000	3,840,300
Buildings	25800	22,750,000
Land.....	73000	500
Veterans' Cemetery.....	80800	175,000
Federal Coronavirus Pandemic.....	89101	<u>1,900,000</u>

Total		\$	32,025,247
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380 - Department of Veterans' Assistance –

Veterans' Home

(W.V. Code Chapter 9A)

Fund 8728 FY 2025 Org 0618

Personal Services and Employee Benefits.....	00100	\$	1,050,031
Repairs and Alterations	06400		60,500
Equipment.....	07000		10,500
Current Expenses	13000		595,700
Buildings	25800		500
Other Assets	69000		6,500
Land.....	73000		100
Federal Coronavirus Pandemic.....	89101		<u>1,600,000</u>
Total		\$	3,323,831

BUREAU OF SENIOR SERVICES

381 - Bureau of Senior Services

(W.V. Code Chapter 29)

Fund 8724 FY 2025 Org 0508

Personal Services and Employee Benefits.....	00100	\$	842,593
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		12,000
Repairs and Alterations	06400		3,000
Current Expenses	13000		<u>13,811,853</u>
Total		\$	14,669,446

MISCELLANEOUS BOARDS AND COMMISSIONS

382 - Adjutant General –

State Militia

(W.V. Code Chapter 15)

Fund 8726 FY 2025 Org 0603

Unclassified	09900	\$	982,705
Mountaineer ChalleNGe Academy	70900		12,312,486
Martinsburg Starbase	74200		590,990
Charleston Starbase	74300		557,297
Military Authority	74800		<u>90,033,787</u>
Total		\$	104,477,265

The Adjutant General shall have the authority to transfer between appropriations.

383 - Adjutant General –

West Virginia National Guard Counterdrug Forfeiture Fund

(W.V. Code Chapter 15)

Fund 8785 FY 2025 Org 0603

Personal Services and Employee Benefits	00100	\$	1,350,000
Repairs and Alterations	06400		50,000
Equipment	07000		200,000
Current Expenses	13000		150,000
Buildings	25800		100,000
Other Assets	69000		100,000
Land	73000		<u>50,000</u>
Total		\$	2,000,000

384 - Public Service Commission –

Motor Carrier Division

(W.V. Code Chapter 24A)

Fund 8743 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$	1,600,289
Repairs and Alterations.....	06400		39,000
Equipment.....	07000		1,000
Current Expenses.....	13000		<u>368,953</u>
Total.....		\$	2,009,242

385 - Public Service Commission –

Gas Pipeline Division

(W.V. Code Chapter 24B)

Fund 8744 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$	725,664
Equipment.....	07000		3,000
Unclassified.....	09900		4,072
Current Expenses.....	13000		<u>124,628</u>
Total.....		\$	857,364

386 - Economic Development Authority

(W.V. Code Chapter 31)

Fund 8893 FY 2025 Org 0944

Current Expenses.....	13000		5,000,000
Total TITLE II, Section 6 - Federal Funds.....			<u>\$8,776,500,819s</u>

Sec. 7. Appropriations from federal block grants.—The following items are hereby appropriated from federal block grants to be available for expenditure during the fiscal year 2025.

387 - Department of Economic Development –

Office of the Secretary –

Community Development

Fund 8746 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$	10,662,609
Unclassified.....	09900		2,375,000

Current Expenses	13000	<u>224,476,883</u>
Total		\$ 237,514,492

388 - Department of Economic Development –

Office of the Secretary –

Office of Economic Opportunity –

Community Services

Fund 8902 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$ 771,289
Repairs and Alterations	06400	1,500
Equipment.....	07000	9,000
Unclassified	09900	125,000
Current Expenses	13000	<u>17,781,811</u>
Total		\$ 18,688,600

389 - WorkForce West Virginia –

Workforce Investment Act

Fund 8749 FY 2025 Org 0323

Personal Services and Employee Benefits.....	00100	\$ 3,036,190
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	124,018
Repairs and Alterations	06400	1,600
Equipment.....	07000	500
Unclassified	09900	23,023
Current Expenses	13000	63,381,511
Buildings	25800	<u>1,100</u>
Total		\$ 66,567,942

390 - Department of Health –

*Maternal and Child Health*Fund 8750 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	2,509,103
Unclassified	09900		81,439
Current Expenses	13000		<u>7,294,267</u>
Total		\$	9,884,809

*391 - Department of Health –**Preventive Health*Fund 8753 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	283,642
Equipment.....	07000		165,642
Unclassified	09900		22,457
Current Expenses	13000		<u>1,895,366</u>
Total		\$	2,367,107

*392 - Department of Human Services –**Energy Assistance*Fund 8755 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	2,733,782
Salary and Benefits of Cabinet Secretary And Agency Heads.....	00201		2,450
Unclassified	09900		350,000
Current Expenses	13000		<u>57,082,035</u>
Total		\$	60,168,267

*393 - Department of Human Services –**Social Services*Fund 8757 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	9,709,574
Unclassified	09900		171,982
Current Expenses	13000		<u>8,870,508</u>
Total		\$	18,752,064

394 - Department of Health –

Substance Abuse Prevention and Treatment

Fund 8793 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	736,598
Unclassified	09900		115,924
Current Expenses	13000		10,853,740
Federal Coronavirus Pandemic.....	89101		<u>4,225,212</u>
Total		\$	15,931,474

395 - Department of Health –

Community Mental Health Services

Fund 8794 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	607,341
Unclassified	09900		33,533
Current Expenses	13000		5,376,330
Federal Coronavirus Pandemic.....	89101		<u>6,570,960</u>
Total		\$	12,588,164

396 - Department of Human Services –

Temporary Assistance for Needy Families

Fund 8816 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	22,903,080
Salary and Benefits of Cabinet Secretary			
And Agency Head	00201		7,350

Unclassified	09900	1,250,000
Current Expenses	13000	<u>110,504,134</u>
Total		\$ 134,664,564

397 - Department of Human Services –

Child Care and Development

Fund 8817 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$ 3,753,484
Salary and Benefits of Cabinet Secretary		
And Agency Head	00201	2,450
Unclassified	09900	350,000
Current Expenses	13000	<u>107,150,000</u>
Total		\$ 111,255,934
Total TITLE II, Section 7 – Federal Block Grants.....		<u>\$ 688,383,417</u>

Sec. 8. Awards for claims against the state.—There are hereby appropriated for fiscal year 2025, from the fund as designated, in the amounts as specified, general revenue funds in the amount of \$1,700,000, special revenue funds in the amount of \$100,000, and state road funds in the amount of \$425,000 for payment of claims against the state.

Sec. 9. Appropriations from general revenue fund surplus accrued. —The following items are hereby appropriated from the state fund, general revenue, and are to be available for expenditure during the fiscal year 2025 out of surplus funds only, accrued from the fiscal year ending June 30, 2024, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriations be payable only from surplus as of July 31, 2024 from the fiscal year ending June 30, 2024, only after first meeting requirements of W.Va. Code §11B-2-20(b).

In the event that surplus revenues available on July 31, 2024, are not sufficient to meet the appropriations made pursuant to this section, then the appropriations shall be made to the extent that surplus funds are available as of the date mandated to meet the appropriations in this section and shall be allocated first to provide the necessary funds to meet the first appropriation of this section and each subsequent appropriation in the order listed in this section.

398 - Department of Human Services –

Division of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 0403 FY 2025 Org 0511

Medical Services - Surplus.....	63300	\$ 101,600,000
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399 - Governor's Office –

Civil Contingency Fund

(W.V. Code Chapters 5)

Fund 0105 FY 2025 Org 0100

Congressional Earmark Maintenance of Effort	63300	\$ 50,000,000
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Directed Transfer.....	70000	\$ 50,000,000
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Total TITLE II, Section 9 – General Revenue Surplus Accrued		<u>\$ 201,600,000</u>
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Sec. 10. Appropriations from lottery net profits surplus accrued.—The following items are hereby appropriated from the lottery net profits, and are to be available for expenditure during the fiscal year 2025 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2024, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriations be payable only from surplus accrued from the fiscal year ending June 30, 2024.

In the event that surplus revenues available from the fiscal year ending June 30, 2024, are not sufficient to meet the appropriations made pursuant to this section, then the appropriations shall be made to the extent that surplus funds are available.

400 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(W.V. Code Chapter 29)

Fund 5405 FY 2025 Org 0508

Senior Services Medicaid Transfer – Lottery Surplus	68199	\$ 14,750,000
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In-Home Services and Nutrition for Senior Citizens – Surplus.	76699	<u>2,000,000</u>
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Total		16,750,000
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Total TITLE II, Section 10 – Surplus Accrued		<u>\$ 16,750,000</u>
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Sec. 11. Appropriations from state excess lottery revenue surplus accrued.—The following items are hereby appropriated from the state excess lottery revenue fund, and are to be available for expenditure during the fiscal year 2025 out of surplus funds only, as determined by the Director of Lottery, accrued from the fiscal year ending June 30, 2024, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriations be payable only from surplus accrued from the fiscal year ending June 30, 2024.

In the event that surplus revenues available from the fiscal year ending June 30, 2024, are not sufficient to meet the appropriations made pursuant to this section, then the appropriations shall be made to the extent that surplus funds are available.

401 - Racing Commission –

General Administration

(W.V. Code Chapter 19)

Fund 7308 FY 2025 Org 0707

Directed Transfer	70000	\$	800,000
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The above appropriation for Directed Transfer (fund 7308, appropriation 70000), \$800,000 shall be transferred to the Racing Commission – General Administration (fund 7305).

402 - Department of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 5365 FY 2025 Org 0511

Medical Services – Lottery Surplus	68100	\$	17,000,000
Total TITLE II, Section 11 – Surplus Accrued.....		\$	<u>17,800,000</u>

Sec. 12. Special revenue appropriations.—There are hereby appropriated for expenditure during the fiscal year 2025 special revenues collected pursuant to general law enactment of the Legislature which are not paid into the state fund as general revenue under the provisions of W.V. Code §12-2-2 and are not expressly appropriated under this act: *Provided*, That none of the money so appropriated by this section shall be available for expenditure except in compliance with the provisions of W.V. Code §12-2-1 et seq., W.V. Code §12-3-1 et seq., and W.V. Code §11B-2-1 et seq., unless the spending unit has filed with the Director of the Budget and the Legislative Auditor prior to the beginning of each fiscal year:

(a) An estimate of the amount and sources of all revenues accruing to such fund; and

(b) A detailed expenditure schedule showing for what purposes the fund is to be expended: *Provided, however*, That federal funds received by the state may be expended only in accordance with Sections (6) or (7) of this Title and with W.V. Code §4-11-1, *et seq.* *Provided further*, That federal funds that become available to a spending unit for expenditure while the Legislature is not in session and the availability of such funds could not reasonably have been anticipated and included in this act may be only be expended in the limited circumstances provided by W.V. Code §4-11-5(d): *And provided further*, That no provision of this act may be construed to authorize the expenditure of federal funds except as provided in this section.

Sec. 13. State improvement fund appropriations.—Bequests or donations of nonpublic funds, received by the Governor on behalf of the state during the fiscal year 2025, for the purpose

of making studies and recommendations relative to improvements of the administration and management of spending units in the executive branch of state government, shall be deposited in the state treasury in a separate account therein designated state improvement fund.

There are hereby appropriated all moneys so deposited during the fiscal year 2025 to be expended as authorized by the Governor, for such studies and recommendations which may encompass any problems of organization, procedures, systems, functions, powers or duties of a state spending unit in the executive branch, or the betterment of the economic, social, educational, health and general welfare of the state or its citizens.

Sec. 14. Specific funds and collection accounts.—A fund or collection account which by law is dedicated to a specific use is hereby appropriated in sufficient amount to meet all lawful demands upon the fund or collection account and shall be expended according to the provisions of Article 3, Chapter 12 of the Code.

Sec. 15. Appropriations for refunding erroneous payment.—Money that has been erroneously paid into the state treasury is hereby appropriated out of the fund into which it was paid, for refund to the proper person.

When the officer authorized by law to collect money for the state finds that a sum has been erroneously paid, he or she shall issue his or her requisition upon the Auditor for the refunding of the proper amount. The Auditor shall issue his or her warrant to the Treasurer and the Treasurer shall pay the warrant out of the fund into which the amount was originally paid.

Sec. 16. Sinking fund deficiencies.—There is hereby appropriated to the Governor a sufficient amount to meet any deficiencies that may arise in the Mortgage Finance Bond Insurance fund of the West Virginia Housing Development Fund which is under the supervision and control of the Municipal Bond Commission as provided by W.V. Code §31-18-20b, or in the funds of the Municipal Bond Commission because of the failure of any state agency for either general obligation or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary for the payment of interest and sinking fund requirements. The Governor is authorized to transfer from time to time such amounts to the Municipal Bond Commission as may be necessary for these purposes.

The Municipal Bond Commission shall reimburse the State of West Virginia through the Governor from the first remittance collected from the West Virginia Housing Development Fund or from any state agency or local taxing district for which the Governor advanced funds, with interest at the rate carried by the bonds for security or payment of which the advance was made.

Sec. 17. Appropriations for local governments.—There are hereby appropriated for payment to counties, districts, and municipal corporations such amounts as will be necessary to pay taxes due counties, districts, and municipal corporations and which have been paid into the treasury:

- (a) For redemption of lands;
- (b) By public service corporations;
- (c) For tax forfeitures.

Sec. 18. Total appropriations.—Where only a total sum is appropriated to a spending unit, the total sum shall include personal services and employee benefits, annual increment, current expenses, repairs and alterations, buildings, equipment, other assets, land, and capital outlay, where not otherwise specifically provided and except as otherwise provided in TITLE I – GENERAL PROVISIONS, Sec. 3.

Sec. 19. General school fund.—The balance of the proceeds of the general school fund remaining after the payment of the appropriations made by this act is appropriated for expenditure in accordance with W.V. Code §18-9A-16.

TITLE III – ADMINISTRATION

Sec. 1. Appropriations conditional.—The expenditure of the appropriations made by this act, except those appropriations made to the legislative and judicial branches of the state government, are conditioned upon the compliance by the spending unit with the requirements of Article 2, Chapter 11B of the Code.

Where spending units or parts of spending units have been absorbed by or combined with other spending units, it is the intent of this act that appropriations and reappropriations shall be to the succeeding or later spending unit created, unless otherwise indicated.

Sec. 2. Constitutionality.—If any part of this act is declared unconstitutional by a court of competent jurisdiction, its decision shall not affect any portion of this act which remains, but the remaining portion shall be in full force and effect as if the portion declared unconstitutional had never been a part of the act.

On motion of Senator Tarr, the following amendment to the House of Delegates amendment to the bill (Eng. Com. Sub. for S. B. 200) was reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

TITLE I – GENERAL PROVISIONS.

Section 1. General policy. – The purpose of this bill is to appropriate money necessary for the economical and efficient discharge of the duties and responsibilities of the state and its agencies during the fiscal year 2025.

Sec. 2. Definitions. — For the purpose of this bill:

"Governor" shall mean the Governor of the State of West Virginia.

"Code" shall mean the Code of West Virginia, one thousand nine hundred thirty-one, as amended.

"Spending unit" shall mean the department, bureau, division, office, board, commission, agency, or institution to which an appropriation is made.

The "fiscal year 2025" shall mean the period from July 1, 2024, through June 30, 2025.

"General revenue fund" shall mean the general operating fund of the state and includes all moneys received or collected by the state except as provided in W.V. Code §12-2-2 or as otherwise provided.

"Special revenue funds" shall mean specific revenue sources which by legislative enactments are not required to be accounted for as general revenue, including federal funds.

"From collections" shall mean that part of the total appropriation which must be collected by the spending unit to be available for expenditure. If the authorized amount of collections is not collected, the total appropriation for the spending unit shall be reduced automatically by the amount of the deficiency in the collections. If the amount collected exceeds the amount designated "from collections," the excess shall be set aside in a special surplus fund and may be expended for the purpose of the spending unit as provided by Article 2, Chapter 11B of the Code.

Sec. 3. Classification of appropriations. — An appropriation for:

"Personal services" shall mean salaries, wages and other compensation paid to full-time, part-time and temporary employees of the spending unit but shall not include fees or contractual payments paid to consultants or to independent contractors engaged by the spending unit. "Personal services" shall include "annual increment" for "eligible employees" and shall be disbursed only in accordance with Article 5, Chapter 5 of the Code.

Unless otherwise specified, appropriations for "personal services" shall include salaries of heads of spending units.

"Employee benefits" shall mean social security matching, workers' compensation, unemployment compensation, pension and retirement contributions, public employees insurance matching, personnel fees or any other benefit normally paid by the employer as a direct cost of employment. Should the appropriation be insufficient to cover such costs, the remainder of such cost shall be paid by each spending unit from its "unclassified" appropriation, or its "current expenses" appropriation or other appropriate appropriation. Each spending unit is hereby authorized and required to make such payments in accordance with the provisions of Article 2, Chapter 11B of the Code.

Each spending unit shall be responsible for all contributions, payments or other costs related to coverage and claims of its employees for unemployment compensation and workers compensation. Such expenditures shall be considered an employee benefit.

"BRIM Premiums" shall mean the amount charged as consideration for insurance protection and includes the present value of projected losses and administrative expenses. Premiums are assessed for coverages, as defined in the applicable policies, for claims arising from, inter alia, general liability, wrongful acts, property, professional liability, and automobile exposures.

Should the appropriation for "BRIM Premium" be insufficient to cover such cost, the remainder of such costs shall be paid by each spending unit from its "unclassified" appropriation, its "current expenses" appropriation or any other appropriate appropriation to the Board of Risk and Insurance Management. Each spending unit is hereby authorized and required to make such payments. If there is no appropriation for "BRIM Premium" such costs shall be paid by each spending unit from its "current expenses" appropriation, "unclassified" appropriation or other appropriate appropriation.

West Virginia Council for Community and Technical College Education and Higher Education Policy Commission entities operating with special revenue funds and/or federal funds shall pay their proportionate share of the Board of Risk and Insurance Management total insurance premium cost for their respective institutions.

"Current expenses" shall mean operating costs other than personal services and shall not include equipment, repairs and alterations, buildings, or lands. Each spending unit shall be responsible for and charged monthly for all postage meter service and shall reimburse the appropriate revolving fund monthly for all such amounts. Such expenditures shall be considered a current expense.

"Equipment" shall mean equipment items which have an appreciable and calculable period of usefulness in excess of one year.

"Repairs and alterations" shall mean routine maintenance and repairs to structures and minor improvements to property which do not increase the capital assets.

"Buildings" shall include new construction and major alteration of existing structures and the improvement of lands and shall include shelter, support, storage, protection, or the improvement of a natural condition.

"Lands" shall mean the purchase of real property or interest in real property.

"Capital outlay" shall mean and include buildings, lands or buildings and lands, with such category or item of appropriation to remain in effect as provided by W.V. Code §12-3-12.

From appropriations made to the spending units of state government, upon approval of the Governor there may be transferred to a special account an amount sufficient to match federal funds under any federal act.

Appropriations classified in any of the above categories shall be expended only for the purposes as defined above and only for the spending units herein designated: *Provided*, That the secretary of each department shall have the authority to transfer within the department those general revenue funds appropriated to the various agencies of the department: *Provided, however*, That no more than five percent of the general revenue funds appropriated to any one agency or board may be transferred to other agencies or boards within the department: and no funds may be transferred to a "Personal Services and Employee Benefits" appropriation unless the source funds are also wholly from a "Personal Services and Employee Benefits" line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds are also permanently transferred to the receiving agency or board within the department: *Provided further*, Notwithstanding any previous provision no more than twenty-five percent of the general revenue funds appropriated to the following funds 0401, 0402, 0408, 0409, 0410, 0411, 0412, 0413, 0414 and 0415 within the Department of Health Facilities may be transferred between the aforementioned funds: and no funds may be transferred to a "Personal Services and Employee Benefits" appropriation unless the source funds are also wholly from a "Personal Services and Employee Benefits" line, or unless the source funds are from another appropriation that has exclusively funded employment expenses for at least twelve consecutive months prior to the time of transfer and the position(s) supported by the transferred funds are also permanently transferred to the receiving agency or board within the department: *Provided further*, That the secretary of each department and the director, commissioner, executive

secretary, superintendent, chairman or any other agency head not governed by a departmental secretary as established by Chapter 5F of the Code shall have the authority to transfer funds appropriated to "Personal Services and Employee Benefits," "Current Expenses," "Repairs and Alterations," "Equipment," "Other Assets," "Land," "Buildings," "Contract Nursing" and "Unclassified: to other appropriations within the same account and no funds from other appropriations shall be transferred to the "Personal Services and Employee Benefits" or the "Unclassified" appropriation except that during Fiscal Year 2025, and upon approval from the State Budget Office, agencies with the appropriation "Salary and Benefits of Cabinet Secretary and Agency Heads" and "Salary and Benefits of Elected Officials" may transfer between this appropriation and the appropriation "Personal Services and Employee Benefits" an amount to cover annualized salaries and employee benefits for the fiscal year ending June 30, 2025, as provided by W.V. Code §6-7-2a: *And provided further*, That no authority exists hereunder to transfer funds into appropriations to which no funds are legislatively appropriated: *And provided further*, That if the Legislature creates new, consolidates, reorganizes or terminates agencies, boards or functions, within any fiscal year the secretary or other appropriate agency head, or in the case of the termination of a spending unit of the state, the Director of the State Budget Office, in the absence of general law providing otherwise, may transfer the funds formerly appropriated to such agency, board or function, allocating items of appropriation as may be necessary if only part of the item may be allocated, in order to implement such consolidation, reorganization or termination. No funds may be transferred from a Special Revenue Account, dedicated account, capital expenditure account or any other account or fund specifically exempted by the Legislature from transfer, except that the use of the appropriations from the State Road Fund for the office of the Secretary of the Department of Transportation is not a use other than the purpose for which such funds were dedicated and is permitted.

Appropriations otherwise classified shall be expended only where the distribution of expenditures for different purposes cannot well be determined in advance or it is necessary or desirable to permit the spending unit the freedom to spend an appropriation for more than one of the above classifications.

Sec. 4. Method of expenditure. — Money appropriated by this bill, unless otherwise specifically directed, shall be appropriated, and expended according to the provisions of Article 3, Chapter 12 of the Code or according to any law detailing a procedure specifically limiting that article.

Sec. 5. Maximum expenditures. — No authority or requirement of law shall be interpreted as requiring or permitting an expenditure in excess of the appropriations set out in this bill.

TITLE II – APPROPRIATIONS.

ORDER OF SECTIONS

- SECTION 1. Appropriations from general revenue.
- SECTION 2. Appropriations from state road fund.
- SECTION 3. Appropriations from other funds.
- SECTION 4. Appropriations from lottery net profits.
- SECTION 5. Appropriations from state excess lottery revenue.

- SECTION 6. Appropriations of federal funds.
- SECTION 7. Appropriations from federal block grants.
- SECTION 8. Awards for claims against the state.
- SECTION 9. Appropriations from general revenue fund surplus accrued.
- SECTION 10. Appropriations from lottery net profits surplus accrued.
- SECTION 11. Appropriations from state excess lottery revenue surplus accrued.
- SECTION 12. Special revenue appropriations.
- SECTION 13. State improvement fund appropriations.
- SECTION 14. Specific funds and collection accounts.
- SECTION 15. Appropriations for refunding erroneous payment.
- SECTION 16. Sinking fund deficiencies.
- SECTION 17. Appropriations for local governments.
- SECTION 18. Total appropriations.
- SECTION 19. General school fund.

Section 1. Appropriations from general revenue. – From the State Fund, General Revenue, there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B the following amounts, as itemized, for expenditure during the fiscal year 2025.

LEGISLATIVE

1 - Senate

Fund 0165 FY 2025 Org 2100

	Appro-	General
	priation	Revenue
		Fund
Compensation of Members (R)	00300	\$ 1,010,000
Compensation and Per Diem of Officers		
and Employees (R)	00500	4,111,332
Current Expenses and Contingent Fund (R)	02100	321,392

Repairs and Alterations (R).....	06400	35,000
Technology Repair and Modernization (R).....	29800	80,000
Expenses of Members (R)	39900	550,000
BRIM Premium (R).....	91300	<u>44,482</u>
Total.....		\$ 6,152,206

The appropriations for the Senate for the fiscal year 2024 are to remain in full force and effect and are hereby reappropriated to June 30, 2025. Any balances so reappropriated may be transferred and credited to the fiscal year 2024 accounts.

Upon the written request of the Clerk of the Senate, the Auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

The Clerk of the Senate, with the approval of the President, is authorized to draw his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the Senate, for any bills for supplies and services that may have been incurred by the Senate and not included in the appropriation bill, for supplies and services incurred in preparation for the opening, the conduct of the business and after adjournment of any regular or extraordinary session, and for the necessary operation of the Senate offices, the requisitions for which are to be accompanied by bills to be filed with the Auditor.

The Clerk of the Senate, with the approval of the President, or the President of the Senate shall have authority to employ such staff personnel during any session of the Legislature as shall be needed in addition to staff personnel authorized by the Senate resolution adopted during any such session. The Clerk of the Senate, with the approval of the President, or the President of the Senate shall have authority to employ such staff personnel between sessions of the Legislature as shall be needed, the compensation of all staff personnel during and between sessions of the Legislature, notwithstanding any such Senate resolution, to be fixed by the President of the Senate. The Clerk is hereby authorized to draw his or her requisitions upon the Auditor for the payment of all such staff personnel for such services, payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

For duties imposed by law and by the Senate, the Clerk of the Senate shall be paid a monthly salary as provided by the Senate resolution, unless increased between sessions under the authority of the President, payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

Included in the above appropriation for Senate (fund 0165, appropriation 02100), an amount not less than \$5,000 is to be used for the West Virginia Academy of Family Physicians - Doc of the Day Program.

2 - House of Delegates

Fund 0170 FY 2025 Org 2200

Compensation of Members (R)	00300	\$ 3,500,000
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Compensation and Per Diem of Officers

and Employees (R)	00500	575,000
Current Expenses and Contingent Fund (R)	02100	6,000,000
Expenses of Members (R)	39900	1,350,000
Capital Outlay, Repairs and Equipment (R).....	58900	500,000
BRIM Premium (R).....	91300	<u>60,000</u>
Total.....		\$ 11,985,000

The appropriations for the House of Delegates for the fiscal year 2024 are to remain in full force and effect and are hereby reappropriated to June 30, 2025. Any balances so reappropriated may be transferred and credited to the fiscal year 2024 accounts.

Upon the written request of the Clerk of the House of Delegates, the Auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

The Clerk of the House of Delegates, with the approval of the Speaker, is authorized to draw his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the House of Delegates, for any bills for supplies and services that may have been incurred by the House of Delegates and not included in the appropriation bill, for bills for services and supplies incurred in preparation for the opening of the session and after adjournment, and for the necessary operation of the House of Delegates' offices, the requisitions for which are to be accompanied by bills to be filed with the Auditor.

The Speaker of the House of Delegates shall have authority to employ such staff personnel during and between sessions of the Legislature as shall be needed, in addition to personnel designated in the House resolution, and the compensation of all personnel shall be as fixed in such House resolution for the session or fixed by the Speaker during and between sessions of the Legislature, notwithstanding such House resolution. The Clerk of the House of Delegates is hereby authorized to draw requisitions upon the Auditor for such services, payable out of the appropriation for the Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the House of Delegates.

For duties imposed by law and by the House of Delegates, including salary allowed by law as keeper of the rolls, the Clerk of the House of Delegates shall be paid a monthly salary as provided in the House resolution, unless increased between sessions under the authority of the Speaker and payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the House of Delegates.

Included in the above appropriation for House of Delegates (fund 0170, appropriation 02100), an amount not less than \$5,000 is to be used for the West Virginia Academy of Family Physicians - Doc of the Day Program.

(W.V. Code Chapter 4)

Fund 0175 FY 2025 Org 2300

Joint Committee on Government and Finance (R)	10400	\$	8,725,138
Legislative Printing (R).....	10500		260,000
Legislative Rule-Making Review Committee (R).....	10600		147,250
Legislative Computer System (R).....	10700		1,447,500
Legislative Dues and Fees (R).....	10701		600,000
BRIM Premium (R).....	91300		<u>60,569</u>
Total.....		\$	11,240,457

The appropriations for the Joint Expenses for the fiscal year 2024 are to remain in full force and effect and are hereby reappropriated to June 30, 2025. Any balances reappropriated may be transferred and credited to the fiscal year 2024 accounts.

Upon the written request of the Clerk of the Senate, with the approval of the President of the Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the House of Delegates, and a copy to the Legislative Auditor, the Auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

JUDICIAL*4 - Supreme Court –**General Judicial*Fund 0180 FY 2025 Org 2400

Personal Services and Employee Benefits (R).....	00100	\$	140,730,477
Repairs and Alterations (R).....	06400		45,000
Equipment (R).....	07000		1,812,000
Military Services Members Court (R).....	09002		300,000
Judges' Retirement System (R).....	11000		1,220,000
Current Expenses (R)	13000		21,482,914
Buildings (R)	25800		10,000
Other Assets (R).....	69000		80,000
BRIM Premium (R).....	91300		<u>636,118</u>

Total..... \$ 166,316,509

The appropriations to the Supreme Court of Appeals for the fiscal years 2021, 2022, 2023 and 2024 are to remain in full force and effect and are hereby reappropriated to June 30, 2025. Any balances so reappropriated may be transferred and credited to the fiscal year 2024 accounts.

This fund shall be administered by the Administrative Director of the Supreme Court of Appeals, who shall draw requisitions for warrants in payment in the form of payrolls, making deductions therefrom as required by law for taxes and other items.

The appropriation for the Judges' Retirement System (fund 0180, appropriation 11000) is to be transferred to the Consolidated Public Retirement Board, in accordance with the law relating thereto, upon requisition of the Administrative Director of the Supreme Court of Appeals.

EXECUTIVE

5 - Governor's Office

(W.V. Code Chapter 5)

Fund 0101 FY 2025 Org 0100

Personal Services and Employee Benefits.....	00100	\$ 3,334,423
Salary and Benefits of Elected Officials.....	00200	201,802
Repairs and Alterations.....	06400	25,000
Equipment.....	07000	1,000
National Governors Association.....	12300	60,700
Current Expenses (R)	13000	799,000
Herbert Henderson Office of Minority Affairs	13400	396,726
Community Food Program	18500	1,000,000
Office of Resiliency (R)	18600	623,744
BRIM Premium.....	91300	<u>183,645</u>
Total.....		\$ 6,626,040

Any unexpended balances remaining in the appropriations for Unclassified (fund 0101, appropriation 09900), Current Expenses (fund 0101, appropriation 13000), Office of Resiliency (fund 0101, appropriation 18600) and Posey Perry Emergency Food Band Fund – Surplus (fund 0101, appropriation 42399) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Herbert Henderson Office of Minority Affairs (fund 0101, appropriation 13400) shall be transferred to the Minority Affairs Fund (fund 1058).

6 - Governor's Office –

Custodial Fund

(W.V. Code Chapter 5)

Fund 0102 FY 2025 Org 0100

Personal Services and Employee Benefits.....	00100	\$	427,269
Repairs and Alterations.....	06400		5,000
Equipment.....	07000		1,000
Current Expenses (R)	13000		<u>182,158</u>
Total.....		\$	615,427

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0102, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

Appropriations are to be used for current general expenses, including compensation of employees, household maintenance, cost of official functions, and additional household expenses occasioned by such official functions.

7 - Governor's Office –

Civil Contingent Fund

(W.V. Code Chapter 5)

Fund 0105 FY 2025 Org 0100

Congressional Earmark Maintenance of Effort	XXXXX	\$	0
Directed Transfer	70000		0
Milton Flood Wall (R).....	75701		3,500,000
Local Economic Development Assistance (R).....	81900		<u>5,000,000</u>
Total.....		\$	8,500,000

Any unexpended balances remaining in the appropriations for Business and Economic Development Stimulus – Surplus (fund 0105, appropriation 08400), Civil Contingent Fund – Total (fund 0105, appropriation 11400), 2012 Natural Disasters – Surplus (fund 0105, appropriation 13500), Congressional Earmark Maintenance of Effort – Surplus (fund 0105, appropriation 22599), Civil Contingent Fund – Total – Surplus (fund 0105, appropriation 23800), Civil Contingent Fund – Surplus (fund 0105, appropriation 26300), Local Economic Development Assistance – Surplus (fund 0105, appropriation 26600), Business and Economic Development Stimulus (fund 0105, appropriation 58600), Civil Contingent Fund (fund 0105, appropriation

61400), Milton Flood Wall (fund 0105, appropriation 75701), Milton Flood Wall – Surplus (fund 0105, appropriation 75799), Natural Disasters – Surplus (fund 0105, appropriation 76400), Local Economic Development Assistance (fund 0105, appropriation 81900), and Federal Funds/Grant Match – Surplus (fund 0105, appropriation 85700) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From this fund there may be expended, at the discretion of the Governor, an amount not to exceed \$1,000 as West Virginia's contribution to the Interstate Oil Compact Commission.

The above fund is intended to provide contingency funding for accidental, unanticipated, emergency, or unplanned events which may occur during the fiscal year and is not to be expended for the normal day-to-day operations of the Governor's Office.

8 - Auditor's Office –

General Administration

(W.V. Code Chapter 12)

Fund 0116 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	2,526,780
Salary and Benefits of Elected Officials.....	00200		172,237
Current Expenses (R)	13000		13,429
BRIM Premium.....	91300		<u>12,077</u>
Total.....		\$	2,724,523

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0116, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

9 - Treasurer's Office

(W.V. Code Chapter 12)

Fund 0126 FY 2025 Org 1300

Personal Services and Employee Benefits.....	00100	\$	2,673,991
Salary and Benefits of Elected Officials.....	00200		179,158
Unclassified	09900		31,463
Abandoned Property Program.....	11800		41,794
Current Expenses (R)	13000		572,684
Other Assets	69000		10,000

ABLE Program.....	69201	150,000
BRIM Premium.....	91300	<u>59,169</u>
Total.....		\$ 3,718,259

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0126, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

10 - Department of Agriculture

(W.V. Code Chapter 19)

Fund 0131 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$ 7,126,454
Salary and Benefits of Elected Officials.....	00200	158,702
Animal Identification Program	03900	140,226
State Farm Museum.....	05500	87,759
Gypsy Moth Program (R)	11900	1,156,460
WV Farmers Market.....	12801	150,467
Current Expenses (R)	13000	848,115
Black Fly Control.....	13700	462,894
HEMP Program.....	13701	393,442
Donated Foods Program.....	36300	45,000
Veterans to Agriculture Program (R)	36301	276,314
Predator Control (R).....	47000	176,400
Bee Research	69100	77,071
Microbiology Program	78500	109,024
Moorefield Agriculture Center.....	78600	1,106,427
Chesapeake Bay Watershed.....	83000	127,793
Livestock Care Standards Board.....	84300	8,820
BRIM Premium.....	91300	138,905

State FFA-FHA Camp and Conference Center	94101	809,507
Threat Preparedness	94200	80,708
WV Food Banks	96900	426,000
Senior's Farmers' Market Nutrition Coupon Program	97000	<u>55,835</u>
Total		\$ 13,962,323

Any unexpended balances remaining in the appropriations for Gypsy Moth Program (fund 0131, appropriation 11900), Current Expenses (fund 0131, appropriation 13000), Veterans to Agriculture Program (fund 0131, appropriation 36301), Predator Control (fund 0131, appropriation 47000), and Agricultural Disaster and Mitigation Needs – Surplus (fund 0131, appropriation 85000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Predator Control (fund 0131, appropriation 47000) is to be made available to the United States Department of Agriculture, Wildlife Services to administer the Predator Control Program.

A portion of the Current Expenses appropriation may be transferred to a special revenue fund for the purpose of matching federal funds for marketing and development activities.

From the above appropriation for WV Food Banks (fund 0131, appropriation 96900), \$20,000 is for House of Hope and the remainder of the appropriation shall be allocated to the Huntington Food Bank and the Mountaineer Food Bank in Braxton County.

11 - West Virginia Conservation Agency

(W.V. Code Chapter 19)

Fund 0132 FY 2025 Org 1400

Personal Services and Employee Benefits	00100	\$ 914,027
Unclassified	09900	77,059
Soil Conservation Projects (R)	12000	10,293,335
Current Expenses (R)	13000	317,848
BRIM Premium	91300	<u>34,428</u>
Total		\$ 11,636,697

Any unexpended balances remaining in the appropriations for Soil Conservation Projects (fund 0132, appropriation 12000), Current Expenses (fund 0132, appropriation 13000), and Soil Conservation Projects – Surplus (fund 0132, appropriation 26900) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

12 - Department of Agriculture –

Meat Inspection Fund

(W.V. Code Chapter 19)

Fund 0135 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	1,079,845
Unclassified	09900		7,090
Current Expenses	13000		<u>82,605</u>
Total.....		\$	1,169,540

Any part or all of this appropriation may be transferred to a special revenue fund for the purpose of matching federal funds for the above-named program.

13 - Department of Agriculture –

Agricultural Awards Fund

(W.V. Code Chapter 19)

Fund 0136 FY 2025 Org 1400

Programs and Awards for 4-H Clubs and FFA/FHA	57700	\$	15,000
Commissioner's Awards and Programs.....	73700		<u>39,250</u>
Total.....		\$	54,250

14 - Department of Agriculture –

West Virginia Agricultural Land Protection Authority

(W.V. Code Chapter 8A)

Fund 0607 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	108,743
Unclassified	09900		<u>950</u>
Total.....		\$	109,693

15 - Attorney General

(W.V. Code Chapters 5, 14, 46A and 47)

Fund 0150 FY 2025 Org 1500

Personal Services and Employee Benefits (R).....	00100	\$	3,599,891
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Salary and Benefits of Elected Officials.....	00200	156,799
Repairs and Alterations.....	06400	1,000
Equipment.....	07000	7,500
Unclassified (R).....	09900	24,428
Current Expenses (R)	13000	681,295
Criminal Convictions and Habeas Corpus Appeals (R)	26000	1,010,387
Better Government Bureau	74000	292,286
BRIM Premium.....	91300	<u>120,654</u>
Total.....		\$ 5,894,240

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0150, appropriation 00100), Unclassified (fund 0150, appropriation 09900), Current Expenses (fund 0150, appropriation 13000), Criminal Convictions and Habeas Corpus Appeals (fund 0150, appropriation 26000), and Agency Client Revolving Liquidity Pool (fund 0150, appropriation 36200) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

When legal counsel or secretarial help is appointed by the Attorney General for any state spending unit, this account shall be reimbursed from such spending units specifically appropriated account or from accounts appropriated by general language contained within this bill: *Provided*, That the spending unit shall reimburse at a rate and upon terms agreed to by the state spending unit and the Attorney General: *Provided, however*, That if the spending unit and the Attorney General are unable to agree on the amount and terms of the reimbursement, the spending unit and the Attorney General shall submit their proposed reimbursement rates and terms to the Governor for final determination.

16 - *Secretary of State*

(W.V. Code Chapters 3, 5, and 59)

Fund 0155 FY 2025 Org 1600

Salary and Benefits of Elected Officials.....	00200	\$ 158,702
Unclassified (R).....	09900	8,352
Current Expenses (R)	13000	781,584
BRIM Premium.....	91300	<u>34,500</u>
Total.....		\$ 983,138

Any unexpended balances remaining in the appropriations for Unclassified (fund 0155, appropriation 09900) and Current Expenses (fund 0155, appropriation 13000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

17 - State Election Commission

(W.V. Code Chapter 3)

Fund 0160 FY 2025 Org 1601

Personal Services and Employee Benefits.....	00100	\$	2,477
Unclassified	09900		75
Current Expenses	13000		<u>4,956</u>
Total.....		\$	7,508

DEPARTMENT OF ADMINISTRATION

18 - Department of Administration –

Office of the Secretary

(W.V. Code Chapter 5F)

Fund 0186 FY 2025 Org 0201

Personal Services and Employee Benefits.....	00100	\$	494,563
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		153,400
Repairs and Alterations.....	06400		100
Equipment.....	07000		1,000
Unclassified	09900		9,177
Current Expenses	13000		86,009
Financial Advisor (R).....	30400		27,546
Lease Rental Payments	51600		14,850,000
Design-Build Board	54000		4,000
Other Assets	69000		100
BRIM Premium.....	91300		<u>5,736</u>

Total..... \$ 15,631,631

Any unexpended balance remaining in the appropriation for Financial Advisor (fund 0186, appropriation 30400) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The appropriation for Lease Rental Payments (fund 0186, appropriation 51600) shall be disbursed as provided by W.V. Code §31-15-6b.

19 - Consolidated Public Retirement Board

(W.V. Code Chapter 5)

Fund 0195 FY 2025 Org 0205

The Division of Highways, Division of Motor Vehicles, Public Service Commission, and other departments, bureaus, divisions, or commissions operating from special revenue funds and/or federal funds shall pay their proportionate share of the retirement costs for their respective divisions. When specific appropriations are not made, such payments may be made from the balances in the various special revenue funds in excess of specific appropriations.

20 - Division of Finance

(W.V. Code Chapter 5A)

Fund 0203 FY 2025 Org 0209

Personal Services and Employee Benefits.....	00100	\$	67,855
Unclassified	09900		1,400
GAAP Project (R).....	12500		667,274
Current Expenses	13000		61,563
BRIM Premium.....	91300		<u>12,675</u>
Total.....		\$	810,767

Any unexpended balance remaining in the appropriation for GAAP Project (fund 0203, appropriation 12500) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

21 - Division of General Services

(W.V. Code Chapter 5A)

Fund 0230 FY 2025 Org 0211

Personal Services and Employee Benefits.....	00100	\$	3,147,415
Repairs and Alterations.....	06400		500

Equipment.....	07000	5,000
Unclassified	09900	20,000
Fire Service Fee.....	12600	14,000
Current Expenses	13000	1,148,349
Preservation and Maintenance of Statues and Monuments		
on Capitol Grounds	37100	68,000
Capital Outlay, Repairs and Equipment (R).....	58900	21,610,888
BRIM Premium.....	91300	<u>379,983</u>
Total.....		\$ 26,394,135

Any unexpended balance remaining in the appropriation for Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900), Capital Outlay, Repairs and Equipment – Surplus (fund 0230, appropriation 67700), and Consolidated State Laboratory – Surplus (fund 0230, appropriation 37799) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Preservation and Maintenance of Statues and Monuments on Capitol Grounds (fund 0230, appropriation 37100), the Division shall consult the Division of Culture and History and Capitol Building Commission in all aspects of planning, assessment, maintenance, and restoration.

The above appropriation for Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900) shall be expended for capital improvements, maintenance, repairs, and equipment for state-owned buildings.

22 - Division of Purchasing

(W.V. Code Chapter 5A)

Fund 0210 FY 2025 Org 0213

Personal Services and Employee Benefits.....	00100	\$ 1,138,111
Repairs and Alterations.....	06400	200
Unclassified	09900	144
Current Expenses	13000	1,285
BRIM Premium.....	91300	<u>6,922</u>
Total.....		\$ 1,146,662

The Division of Highways shall reimburse Fund 2031 within the Division of Purchasing for all actual expenses incurred pursuant to the provisions of W.V. Code §17-2A-13.

23 - Travel Management

(W.V. Code Chapter 5A)

Fund 0615 FY 2025 Org 0215

Personal Services and Employee Benefits.....	00100	\$	866,731
Repairs and Alterations.....	06400		1,000
Equipment.....	07000		5,000
Unclassified	09900		12,032
Current Expenses	13000		440,247
Buildings	25800		100
Other Assets	69000		<u>100</u>
Total.....		\$	1,325,210

24 - Commission on Uniform State Laws

(W.V. Code Chapter 29)

Fund 0214 FY 2025 Org 0217

Current Expenses	13000	\$	45,550
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To pay expenses for members of the Commission on Uniform State Laws.

25 - West Virginia Public Employees Grievance Board

(W.V. Code Chapter 6C)

Fund 0220 FY 2025 Org 0219

Personal Services and Employee Benefits.....	00100	\$	1,058,141
Equipment.....	07000		50
Unclassified	09900		1,000
Current Expenses	13000		146,035
BRIM Premium.....	91300		<u>8,000</u>
Total.....		\$	1,213,226

26 - Ethics Commission

(W.V. Code Chapter 6B)

Fund 0223 FY 2025 Org 0220

Personal Services and Employee Benefits.....	00100	\$	660,353
Repairs and Alterations.....	06400		500
Unclassified	09900		2,200
Current Expenses	13000		105,501
Other Assets	69000		100
BRIM Premium.....	91300		<u>4,574</u>
Total.....		\$	773,228

27 - Public Defender Services

(W.V. Code Chapter 29)

Fund 0226 FY 2025 Org 0221

Personal Services and Employee Benefits.....	00100	\$	2,007,935
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		119,000
Unclassified	09900		333,300
Current Expenses	13000		12,740
Public Defender Corporations	35200		23,021,081
Appointed Counsel Fees (R).....	78800		12,691,113
BRIM Premium.....	91300		<u>10,575</u>
Total.....		\$	38,195,744

Any unexpended balance remaining in the appropriation for Appointed Counsel Fees - Surplus (fund 0226, appropriation 43500) and Appointed Counsel Fees (fund 0226, appropriation 78800) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The Director shall have the authority to transfer funds from the appropriation to Public Defender Corporations (fund 0226, appropriation 35200) to Appointed Counsel Fees (fund 0226, appropriation 78800)

28 - Division of Personnel

(W.V. Code Chapter 29)

Fund 0206 FY 2025 Org 0222

Directed Transfer	70000	\$	1,800,000
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The above appropriation for Directed Transfer (fund 0206, appropriation 70000) shall be transferred to the Division of Personnel (fund 2440).

*29 - Committee for the Purchase of**Commodities and Services from the Handicapped*

(W.V. Code Chapter 5A)

Fund 0233 FY 2025 Org 0224

Personal Services and Employee Benefits.....	00100	\$	3,187
Current Expenses	13000		<u>868</u>
Total.....		\$	4,055

30 - West Virginia Prosecuting Attorneys Institute

(W.V. Code Chapter 7)

Fund 0557 FY 2025 Org 0228

Forensic Medical Examinations (R).....	68300	\$	571,016
Federal Funds/Grant Match (R)	74900		<u>117,028</u>
Total.....		\$	688,044

Any unexpended balances remaining in the appropriations for Forensic Medical Examinations (fund 0557, appropriation 68300) and Federal Funds/Grant Match (fund 0557, appropriation 74900) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

31 - Office of Technology

(W.V. Code Chapter 5A)

Fund 0204 FY 2025 Org 0231

Directed Transfer	70000	\$	5,000,000
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The above appropriation for Directed Transfer (fund 0204, appropriation 70000) shall be transferred to the Information Services and Communication Fund(fund 2440).

32 - Real Estate Division

(W.V. Code Chapter 5A)

Fund 0610 FY 2025 Org 0233

Personal Services and Employee Benefits.....	00100	\$	752,882
Repairs and Alterations.....	06400		100
Equipment.....	07000		2,500
Unclassified	09900		124
Current Expenses	13000		138,881
BRIM Premium.....	91300		<u>8,284</u>
Total.....		\$	902,771

DEPARTMENT OF COMMERCE

33 - Division of Forestry

(W.V. Code Chapter 19)

Fund 0250 FY 2025 Org 0305

Personal Services and Employee Benefits.....	00100	\$	5,235,593
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		111,674
Repairs and Alterations.....	06400		80,000
Unclassified	09900		21,435
Current Expenses	13000		558,024
BRIM Premium.....	91300		<u>98,754</u>
Total.....		\$	6,105,480

Out of the above appropriations a sum may be used to match federal funds for cooperative studies or other funds for similar purposes.

Any unexpended balances remaining in the appropriations for Current Expenses – Surplus (fund 0250, appropriation 13099) and Equipment – Surplus (fund 0250, appropriation 34100) at

the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

34 - Geological and Economic Survey

(W.V. Code Chapter 29)

Fund 0253 FY 2025 Org 0306

Personal Services and Employee Benefits.....	00100	\$	1,895,457
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		112,753
Repairs and Alterations.....	06400		968
Unclassified	09900		27,678
Current Expenses	13000		51,524
Mineral Mapping System (R).....	20700		1,215,510
BRIM Premium.....	91300		<u>24,486</u>
Total.....		\$	3,328,376

Any unexpended balance remaining in the appropriation for Mineral Mapping System (fund 0253, appropriation 20700) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The above Unclassified and Current Expenses appropriations include funding to secure federal and other contracts and may be transferred to a special revolving fund (fund 3105) for the purpose of providing advance funding for such contracts.

35 - Division of Labor

(W.V. Code Chapters 21 and 47)

Fund 0260 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	1,738,911
Repairs and Alterations.....	06400		28,000
Unclassified	09900		15,000
Current Expenses	13000		227,000
BRIM Premium.....	91300		<u>8,500</u>
Total.....		\$	2,017,411

36 - *Division of Natural Resources*

(W.V. Code Chapter 20)

Fund 0265 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$ 21,378,594
Salary and Benefits of Cabinet Secretary and		
Agency Heads.....	00201	113,188
Repairs and Alterations.....	06400	100
Equipment.....	07000	100
Unclassified	09900	184,711
Current Expenses	13000	529,654
Buildings (R)	25800	100
Capital Outlay – Parks (R)	28800	6,000,000
Litter Control Conservation Officers	56400	156,980
Upper Mud River Flood Control (R).....	65400	176,930
Other Assets	69000	100
Land (R).....	73000	100
Law Enforcement	80600	2,731,281
BRIM Premium.....	91300	<u>45,141</u>
Total.....		\$ 31,316,979

Any unexpended balances remaining in the appropriations for Equine Enrichment - Surplus (fund 0265, appropriation 22899), Buildings (fund 0265, appropriation 25800), Capital Outlay – Parks (fund 0265, appropriation 28800), Upper Mud River Flood Control (fund 0265, appropriation 65400), Current Expenses – Surplus (fund 0265, appropriation 13099), Capital Outlay, Repairs and Equipment – Surplus (fund 0265, appropriation 67700), Land (fund 0265, appropriation 73000), and State Park Improvements – Surplus (fund 0265, appropriation 76300) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

Any revenue derived from mineral extraction at any state park shall be deposited in a special revenue account of the Division of Natural Resources, first for bond debt payment purposes and with any remainder to be for park operation and improvement purposes.

37 - *Division of Miners' Health, Safety and Training*

(W.V. Code Chapter 22A)

Fund 0277 FY 2025 Org 0314

Personal Services and Employee Benefits.....	00100	\$	10,244,651
Unclassified	09900		111,016
Current Expenses	13000		1,396,141
Coal Dust and Rock Dust Sampling	27000		509,584
BRIM Premium.....	91300		<u>80,668</u>
Total.....		\$	12,342,060

Included in the above appropriation for Current Expenses (fund 0277, appropriation 13000) is \$500,000 to be used for coal mine training activities at an established mine training facility in southern West Virginia.

38 - Board of Coal Mine Health and Safety

(W.V. Code Chapter 22A)

Fund 0280 FY 2025 Org 0319

Personal Services and Employee Benefits.....	00100	\$	248,931
Unclassified	09900		3,480
Current Expenses	13000		<u>118,138</u>
Total.....		\$	370,549

Included in the above appropriation for Current Expenses (fund 0280, appropriation 13000) up to \$29,000 shall be used for the Coal Mine Safety and Technical Review Committee.

39 - WorkForce West Virginia

(W.V. Code Chapter 21A)

Fund 0572 FY 2025 Org 0323

Personal Services and Employee Benefits.....	00100	\$	51,433
Unclassified	09900		584
Current Expenses	13000		<u>23,683</u>
Total.....		\$	75,700

40 - Department of Commerce –

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 0606 FY 2025 Org 0327

Personal Services and Employee Benefits.....	00100	\$	1,469,368
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		153,750
Unclassified	09900		1,490
Current Expenses	13000		<u>353,147</u>
Total.....		\$	1,977,755

Any unexpended balance remaining in the appropriation for Jobs for WV Graduates - Surplus (fund 0606, appropriation 86399) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

41 - State Board of Rehabilitation –

Division of Rehabilitation Services

(W.V. Code Chapter 18)

Fund 0310 FY 2025 Org 0932

Personal Services and Employee Benefits.....	00100	\$	12,795,976
Independent Living Services	00900		429,418
Current Expenses	13000		558,815
Workshop Development.....	16300		1,817,427
Supported Employment Extended Services	20600		77,960
Ron Yost Personal Assistance Fund	40700		333,828
Employment Attendant Care Program.....	59800		131,575
BRIM Premium.....	91300		<u>77,464</u>
Total.....		\$	16,222,463

The above appropriation for Workshop Development (fund 0310, appropriation 16300) shall be used exclusively with the private nonprofit community rehabilitation program organizations known as work centers or sheltered workshops. The appropriation shall also be used to continue

the support of the program, services, and individuals with disabilities currently in place at those organizations.

DEPARTMENT OF TOURISM

42 - *Department of Tourism –*

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 0246 FY 2025 Org 0304

Tourism – Brand Promotion (R)	61803	\$	8,000,000
Tourism – Public Relations (R).....	61804		1,500,000
Tourism – Events and Sponsorships (R).....	61805		500,000
Tourism – Industry Development (R).....	61806		2,500,000
State Parks and Recreation Advertising (R).....	61900		<u>1,500,000</u>
Total.....		\$	14,000,000

Any unexpended balances remaining in the appropriations for Tourism – Development Opportunity Fund (fund 0246, appropriation 11601), Tourism – Brand Promotion (fund 0246, appropriation 61803), Tourism – Public Relations (fund 0246, appropriation 61804), Tourism – Events and Sponsorships (fund 0246, appropriation 61805), Tourism – Industry Development (fund 0246, appropriation 61806), State Parks and Recreation Advertising (fund 0246, appropriation 61900), Tourism – Brand Promotion – Surplus (fund 0246, appropriation 61893), and Tourism – Industry Development – Surplus (fund 0246, appropriation 61896 at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Tourism shall have the authority to transfer between the above items of appropriation.

DEPARTMENT OF ECONOMIC DEVELOPMENT

43 - *Department of Economic Development –*

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 0256 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$	4,403,988
Unclassified	09900		108,055
Current Expenses	13000		4,738,464

National Youth Science Camp	13200	241,570
Local Economic Development Partnerships (R)	13300	1,250,000
ARC Assessment.....	13600	152,585
Global Economic Development Partnerships (R)	20201	150,000
Guaranteed Work Force Grant (R).....	24200	994,970
Mainstreet Program	79400	176,663
Marshall University Research Corporation	80701	500,000
BRIM Premium.....	91300	3,157
Hatfield McCoy Recreational Trail.....	96000	<u>198,415</u>
Total.....		\$ 12,917,867

Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund 0256, appropriation 09700), Partnership Grants (fund 0256, appropriation 13100), Local Economic Development Partnerships (fund 0256, appropriation 13300), Global Economic Development Partnerships (fund 0256, appropriation 20201), Guaranteed Work Force Grant (fund 0256, appropriation 24200), and Current Expenses – Surplus (fund 0256, appropriation 13099) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Current Expenses (fund 0256, appropriation 13000), \$50,000 shall be used for the Western Potomac Economic Partnership, \$100,000 shall be used for Advantage Valley, \$750,000 shall be used for the Robert C. Byrd Institute, \$548,915 shall be used for West Virginia University, and \$298,915 shall be used for Southern West Virginia Community and Technical College for the Mine Training and Energy Technologies Academy.

The above appropriation to Local Economic Development Partnerships (fund 0256, appropriation 13300) shall be used by the Department of Economic Development for the award of funding assistance to county and regional economic development corporations or authorities participating in the Certified Development Community Program developed under the provisions of W.V. Code §5B-2-14. The Department of Economic Development shall award the funding assistance through a matching grant program, based upon a formula whereby funding assistance may not exceed \$30,000 per county served by an economic development or redevelopment corporation or authority.

The above appropriation for Directed Transfer (fund 0256, appropriation 70000) shall be transferred to the Economic Enhancement Grant Fund (fund 3382).

DEPARTMENT OF EDUCATION

44 - State Board of Education –

School Lunch Program

(W.V. Code Chapters 18 and 18A)

Fund 0303 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$	378,654
Current Expenses	13000		<u>2,118,865</u>
Total.....		\$	2,497,519

*45 - State Board of Education –**State Department of Education*

(W.V. Code Chapters 18 and 18A)

Fund 0313 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$	4,965,309
Teachers' Retirement Savings Realized.....	09500		38,166,000
Unclassified (R).....	09900		420,000
Center for Professional Development (R).....	11500		150,000
Current Expenses (R)	13000		4,580,000
Increased Enrollment	14000		10,440,000
Safe Schools.....	14300		4,432,241
Attendance Incentive Bonus (R).....	15001		2,262,389
National Teacher Certification (R)	16100		300,000
Jobs & Hope – Childhood Drug Prevention Education	21901		5,000,000
Technology Repair and Modernization	29800		951,003
Hope Scholarship Program	30401		18,222,183
HVAC Technicians	35500		555,872
Early Retirement Notification Incentive.....	36600		300,000
MATH Program	36800		886,532
Assessment Programs (R)	39600		4,002,567
Benedum Professional Development Collaborative (R).....	42700		429,775

Governor's Honors Academy (R)	47800	1,059,270
21st Century Fellows.....	50700	274,899
English as a Second Language.....	52800	96,000
Teacher Reimbursement.....	57300	297,188
Hospitality Training	60000	281,051
Youth in Government	61600	100,000
High Acuity Special Needs (R).....	63400	1,500,000
Foreign Student Education.....	63600	102,133
State Board of Education Administrative Costs	68400	289,328
IT Academy (R).....	72100	500,000
Early Literacy Program.....	75600	5,724,015
School Based Truancy Prevention (R)	78101	2,084,385
Communities in Schools (R).....	78103	4,912,637
Mastery Based Education	78104	125,000
Mountain State Digital Literacy Program	86401	415,500
21st Century Learners (R).....	88600	1,859,919
BRIM Premium.....	91300	342,859
21st Century Assessment and Professional Development	93100	2,015,254
21st Century Technology Infrastructure Network		
Tools and Support (R).....	93300	10,042,723
Special Olympic Games.....	96600	25,000
Educational Program Allowance	99600	<u>516,250</u>
Total.....		\$ 128,627,282

The above appropriations include funding for the State Board of Education and its executive office.

From the above appropriation for Current Expenses (fund 0313, appropriation 13000), \$2,000,000 shall be used for the Department of Education Child Nutrition Program – Non-traditional Child Hunger Solutions.

Any unexpended balances remaining in the appropriations for Unclassified (fund 0313, appropriation 09900), Current Expenses (fund 0313, appropriation 13000), Center for Professional Development (fund 0313, appropriation 11500), Attendance Incentive Bonus (fund 0313, appropriation 15001), National Teacher Certification (fund 0313, appropriation 16100), Hope Scholarship Program (fund 0313, appropriation 30401), Assessment Programs (fund 0313, appropriation 39600), Benedum Professional Development Collaborative (fund 0313, appropriation 42700), Governor's Honors Academy (fund 0313, appropriation 47800), High Acuity Special Needs (fund 0313, appropriation 63400), IT Academy (fund 0313, appropriation 72100), School Based Truancy Prevention (fund 0313, appropriation 78101), Communities in Schools (fund 0313, appropriation 78103), 21st Century Learners (fund 0313, appropriation 88600), 21st Century Technology Infrastructure Network Tools and Support (fund 0313, appropriation 93300), and Communities in Schools – Surplus (fund 0313, appropriation 78199) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Teachers' Retirement Savings Realized (fund 0313, appropriation 09500) shall be transferred to the Employee Pension and Health Care Benefit Fund (fund 2044).

From the above appropriation for Unclassified (fund 0313, appropriation 09900), \$120,000 shall be for assisting low income students with AP and CLEP exam fees.

From the above appropriation for MATH Program (fund 0313, appropriation 36800), \$50,000 shall be for Math Counts.

The above appropriation for Hospitality Training (fund 0313, appropriation 60000), shall be allocated only to entities that have a plan approved for funding by the Department of Education, at the funding level determined by the State Superintendent of Schools. Plans shall be submitted to the State Superintendent of Schools to be considered for funding.

From the above appropriation for Educational Program Allowance (fund 0313, appropriation 99600), \$100,000 shall be expended for the Morgan County Board of Education for Paw Paw Schools; \$150,000 shall be for the Randolph County Board of Education for Pickens School; \$100,000 shall be for the Preston County Board of Education for the Aurora School; \$100,000 shall be for the Fayette County Board of Education for Meadow Bridge; and \$66,250 is for Project Based Learning in STEM fields.

46 - State Board of Education –

Aid for Exceptional Children

(W.V. Code Chapters 18 and 18A)

Fund 0314 FY 2025 Org 0402

Special Education – Counties	15900	\$	7,425,757
Special Education – Institutions	16000		4,289,257
Education of Juveniles Held in Predispositional			
Juvenile Detention Centers	30200		731,666

Education of Institutionalized Juveniles and Adults (R)	47200	<u>22,666,536</u>
Total.....		\$ 35,113,216

Any unexpended balance remaining in the appropriation for Education of Institutionalized Juveniles and Adults (fund 0314, appropriation 47200) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriations, the Superintendent shall have authority to expend funds for the costs of special education for those children residing in out-of-state placements.

47 - State Board of Education –

State Aid to Schools

(W.V. Code Chapters 18 and 18A)

Fund 0317 FY 2025 Org 0402

Other Current Expenses	02200	\$ 200,472,511
Advanced Placement	05300	716,707
Professional Educators	15100	968,229,854
Service Personnel.....	15200	384,280,888
Fixed Charges.....	15300	116,946,777
Transportation.....	15400	99,231,183
Improved Instructional Programs	15600	64,052,249
Professional Student Support Services	65500	66,746,268
21st Century Strategic Technology Learning Growth	93600	50,599,261
Teacher and Leader Induction	93601	<u>29,634,380</u>
Basic Foundation Allowances		1,980,910,078
Less Local Share		(597,038,264)
Adjustments		<u>8,212,243</u>
Total Basic State Aid.....		1,392,084,057
Public Employees' Insurance Matching.....	01200	292,043,423
Teachers' Retirement System	01900	71,801,418
Retirement Systems – Unfunded Liability.....	77500	<u>283,652,958</u>

Total..... \$ 2,039,581,856

48 - State Board of Education –

Vocational Division

(W.V. Code Chapters 18 and 18A)

Fund 0390 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$ 1,447,535
Unclassified	09900	268,800
Current Expenses	13000	883,106
Wood Products – Forestry Vocational Program.....	14600	88,600
Albert Yanni Vocational Program	14700	132,123
Vocational Aid	14800	24,826,517
Adult Basic Education	14900	5,905,442
Jobs & Hope (R)	14902	6,256,170
Program Modernization.....	30500	884,313
High School Equivalency Diploma Testing (R).....	72600	820,630
FFA Grant Awards	83900	11,496
Pre-Engineering Academy Program.....	84000	<u>265,294</u>
Total.....		\$ 41,790,026

Any unexpended balances remaining in the appropriations for Jim's Dream (fund 0390, appropriation 14901), Jobs and Hope (fund 0390, appropriation 14902), High School Equivalency Diploma Testing (fund 0390, appropriation 72600), and Jobs & Hope – Surplus (fund 0390, appropriation 14099) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

49 - State Board of Education –

West Virginia Schools for the Deaf and the Blind

(W.V. Code Chapters 18 and 18A)

Fund 0320 FY 2025 Org 0403

Personal Services and Employee Benefits.....	00100	\$ 11,281,982
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Repairs and Alterations.....	06400	164,675
Equipment.....	07000	77,000
Unclassified (R).....	09900	110,000
Current Expenses (R)	13000	2,250,696
Buildings (R)	25800	45,000
Capital Outlay and Maintenance (R)	75500	1,670,000
BRIM Premium.....	91300	<u>130,842</u>
Total.....		\$ 15,730,195

Any unexpended balances remaining in the appropriations for Unclassified (fund 0320, appropriation 09900), Current Expenses (fund 0320, appropriation 13000), Buildings (fund 0320, appropriation 25800) and Capital Outlay and Maintenance (fund 0320, appropriation 75500) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

50 - State Board of Education –

School Building Authority

(W.V. Code Chapters 18 and 18A)

Fund 0318 FY 2025 Org 0404

School Building Authority	45300	\$ 24,000,000
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The above appropriation for School Building Authority (fund 0318, appropriation 45300) shall be transferred to the School Construction Fund (fund 3952).

DEPARTMENT OF ARTS, CULTURE, AND HISTORY

51 - Division of Culture and History

(W.V. Code Chapter 29)

Fund 0293 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$ 4,356,187
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	120,106
Repairs and Alterations.....	06400	1,000
Equipment.....	07000	1

Unclassified (R).....	09900	28,483
Current Expenses	13000	610,843
WV Humanities Council	16800	250,000
Buildings	25800	1
Other Assets	69000	1
Educational Enhancements.....	69500	73,500
Land.....	73000	1
Culture and History Programming	73200	231,573
Capital Outlay and Maintenance (R)	75500	19,600
Historical Highway Marker Program.....	84400	57,548
BRIM Premium.....	91300	<u>39,337</u>
Total.....		\$ 5,788,181

Any unexpended balances remaining in the appropriations for Unclassified (fund 0293, appropriation 09900), Capital Outlay, Repairs and Equipment (fund 0293, appropriation 58900), Capital Improvements – Surplus (fund 0293, appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0293, appropriation 67700), Capital Outlay and Maintenance (fund 0293, appropriation 75500), and Current Expenses – Surplus (fund 0293, appropriation 13099) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Educational Enhancements (fund 0293, appropriation 69500) \$73,500 shall be used for the Clay Center.

The Current Expenses appropriation includes funding for the arts funds, department programming funds, grants, fairs and festivals, and Camp Washington Carver; and shall be expended only upon authorization of the Division of Culture and History and in accordance with the provisions of Chapter 5A, Article 3, and Chapter 12 of the W.V. Code.

52 - Library Commission

(W.V. Code Chapter 10)

Fund 0296 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$ 1,206,111
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	112,000

Repairs and Alterations.....	06400		6,500
Current Expenses	13000		139,624
Services to Blind & Handicapped	18100		161,717
BRIM Premium.....	91300		<u>18,205</u>
Total.....		\$	1,644,157

53 - Educational Broadcasting Commission

(W.V. Code Chapter 10)

Fund 0300 FY 2025 Org 0439

Personal Services and Employee Benefits.....	00100	\$	3,542,948
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		120,106
Current Expenses	13000		113,844
Mountain Stage.....	24900		450,000
Capital Outlay and Maintenance (R)	75500		49,250
BRIM Premium.....	91300		<u>47,727</u>
Total.....		\$	4,323,875

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 0300, appropriation 75500) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

54 - Environmental Quality Board

(W.V. Code Chapter 20)

Fund 0270 FY 2025 Org 0311

Personal Services and Employee Benefits.....	00100	\$	100,930
Repairs and Alterations.....	06400		800
Equipment.....	07000		500
Current Expenses	13000		28,453

Other Assets	69000		400
BRIM Premium.....	91300		<u>791</u>
Total.....		\$	131,874

55 - Division of Environmental Protection

(W.V. Code Chapter 22)

Fund 0273 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	4,428,232
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		168,000
Water Resources Protection and Management.....	06800		596,832
Current Expenses	13000		85,816
Environmental Response and Cleanups	27101		91,888
Dam Safety	60700		258,751
West Virginia Stream Partners Program.....	63700		77,396
West Virginia Drinking Water Treatment Revolving Fund – Transfer	68900		647,500
W.V. Contributions to River Commissions.....	77600		148,485
Office of Water Resources Non-Enforcement Activity	85500		<u>1,119,545</u>
Total.....		\$	7,622,445

56 - Air Quality Board

(W.V. Code Chapter 16)

Fund 0550 FY 2025 Org 0325

Personal Services and Employee Benefits.....	00100	\$	60,737
Repairs and Alterations.....	06400		800
Equipment.....	07000		400
Current Expenses	13000		11,612

Other Assets	69000		200
BRIM Premium.....	91300		<u>2,304</u>
Total.....		\$	76,053

DEPARTMENT OF HEALTH

57 - Department of Health –

Central Office

(W.V. Code Chapter 16)

Fund 0407 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	3,362,243
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		358,400
Chief Medical Examiner (R)	04500		0
Unclassified	09900		6,459
Current Expenses	13000		225,201
State Aid for Local and Basic Public Health Services.....	18400		0
Safe Drinking Water Program (R).....	18700		0
Women, Infants and Children.....	21000		0
Early Intervention	22300		0
Cancer Registry	22500		0
Office of Drug Control Policy	35401		0
Statewide EMS Program Support (R).....	38300		0
Office of Medical Cannabis (R)	42001		0
Black Lung Clinics.....	46700		0
Vaccine for Children.....	55100		0
Tuberculosis Control	55300		0
Maternal and Child Health Clinics, Clinicians and			

Medical Contracts and Fees (R).....	57500	0
Epidemiology Support.....	62600	0
Primary Care Support	62800	0
Commission for the Deaf and Hard of Hearing.....	70400	0
Sexual Assault Intervention and Prevention	72300	0
Health Right Free Clinics	72700	0
Capital Outlay and Maintenance (R)	75500	70,000
Healthy Lifestyles.....	77800	0
Maternal Mortality Review	83400	0
Diabetes Education and Prevention	87300	0
BRIM Premium.....	91300	169,791
State Trauma and Emergency Care System	91800	0
WVU Charleston Poison Control Hotline	94400	<u>0</u>
Total.....		\$ 4,192,094

Any unexpended balances remaining in the appropriations for Capital Outlay and Maintenance (fund 0407, appropriation 75500), Emergency Response Entities – Special Projects (fund 0407, appropriation 82200), Tobacco Education Program (fund 0407, appropriation 90600), and Pregnancy Centers – Surplus (fund 0407, appropriation 49999) the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

Any unexpended balances remaining in the appropriation Chief Medical Examiner (fund 0407, appropriation 04500) at the close of fiscal year 2024 shall be transferred to Chief Medical Examiner appropriation (fund xxxx, appropriation 04500).

Any unexpended balances remaining in the appropriation Safe Drinking Water Program (fund 0407, appropriation 18700) at the close of fiscal year 2024 shall be transferred to Environmental Health Services appropriation (fund xxxx, appropriation xxxxx).

Any unexpected balances remaining in the appropriation Statewide EMS Program Support (fund 0407, appropriation 38300) at the close of fiscal year 2024 shall be transferred to Statewide EMS Program Support appropriation (fund xxxx appropriation 38300)

Any unexpended balances remaining in the appropriation Office of Medical Cannabis (fund 0407, appropriation 42001) at the close of fiscal year 2024 shall be transferred to Office of Medical Cannabis appropriation (fund xxxx, appropriation 42001).

Any unexpended balances remaining in the appropriation Office of Medical Cannabis - Surplus (fund 0407, appropriation 42009) at the close of fiscal year 2024 shall be transferred to Office of Medical Cannabis - Surplus appropriation (fund xxxx, appropriation 42099).

Any unexpended balances remaining in the appropriation Vaccine for Children (fund 0407, appropriation 55100) at the close of fiscal year 2024 shall be transferred to Vaccine for Children appropriation (fund xxxx, appropriation 55100).

Any unexpended balances remaining in the appropriation Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (fund 0407, appropriation 57500) at the close of fiscal year 2024 shall be transferred to the Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees appropriation (fund xxxx, appropriation 57500).

Any unexpended balances remaining in the appropriations Office of Drug Control Policy (fund 0407, appropriation 35401) at the close of fiscal year 2024 shall be transferred to Office of Drug Control Policy (fund 0403, appropriation 35401).

Any unexpended balances remaining in the appropriations Office of Drug Control Policy – Surplus (fund 0407, appropriation 35402) at the close of fiscal year 2024 shall be transferred to Office of Drug Control Policy – Surplus (fund 0403, appropriation 35402).

Notwithstanding the provisions of Title I, section three of this bill, the Secretary of the Department of Health shall have the authority to transfer funds within the above appropriations: *Provided*, That no more than five percent of the funds appropriated to one appropriation may be transferred to other appropriations: *Provided, however*, That no funds from other appropriations shall be transferred to the Personal Services and Employee Benefits appropriation: *Provided, further, notwithstanding the above*, that for Fiscal Year 2025 the Secretary of the Department of Health shall have additional authority to transfer appropriations between Personal Services and Employee Benefits and other dedicated appropriations within the respective departments to effectuate the 5% average salary increases granted during the 2024 regular legislative session.

58 - Department of Health–

Office of the Shared Administration

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	4,149,452
Unclassified	09900		62,815
Current Expenses	13000		<u>1,083,876</u>
Total.....		\$	5,296,143

59 - Bureau for Public Health –

Office of the Commissioner

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	2,456,006
Unclassified	09900		594,893
Maternal and Child Health Clinics, Clinicians and			
Medical Contracts and Fees (R).....	57500		<u>834,807</u>
Total.....		\$	3,885,706

Any unexpended balances remaining in the appropriations for Maternal and Child Health Clinics, Clinicians and Medical Contracts and Fees (fund xxxx, appropriation 57500), at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

*60 - Bureau for Public Health –**Health Statistics Center*

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	459,923
Current Expenses	13000		<u>76,026</u>
Total.....		\$	535,949

*61 - Bureau for Public Health –**Office of Community Health and Health Promotion*

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Black Lung Clinics.....	46700	\$	170,885
Primary Care Support	62800		2,001,696
Health Right Free Clinic	72700		4,250,000
Healthy Lifestyles.....	77800		907,229
Diabetes Education and Prevention	87300		<u>97,125</u>
Total.....		\$	7,426,935

From the above appropriation for Primary Care Support (fund xxxx, appropriation 62800), an amount not less than \$100,000 shall be used for the West Virginia Cancer Coalition

62 - Bureau for Public Health –

Office of Environmental Health Services -

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Environmental Health Services (R)	xxxxx	2,771,537
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Any unexpended balances remaining in the appropriations for Environmental Health Services (fund xxxx, appropriation 18700), at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

63 - Bureau for Public Health –

Office of Epidemiology and Prevention Services -

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Cancer Registry	22500	\$	221,211
Vaccine for Children (R).....	55100		341,261
Tuberculosis Control	55300		350,013
Epidemiology Support.....	62600		<u>1,967,979</u>
Total.....		\$	2,880,464

From the above appropriation for Epidemiology Support (fund xxxx, appropriation 62600), \$50,000 shall be used for the West Virginia AIDS Coalition; and \$100,000 shall be used for Adolescent Immunization Education

Any unexpended balances remaining in the appropriations for Vaccine for Children (fund xxxx, appropriation 55100), at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

64 - Bureau for Public Health –

Office of Laboratory Services -

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Laboratory Services	xxxxx	\$	3,275,870
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65 - Bureau for Public Health –

*Office of Maternal, Child, and Family Health -**Children's Specialty Care*

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Children's Specialty Care	xxxxx	\$	1,500,830
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*66 - Bureau for Public Health –**Office of Maternal, Child, and Family Health -**Infant, Child, Adolescent, and Young Adult Health*

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Sexual Assault Intervention and Prevention	72300	\$	2,000,000
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Infant, Child Adolescent and

Young Adult Health and Administration	xxxxx		<u>27,036</u>
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Total		\$	2,027,036
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*67 - Bureau for Public Health –**Office of Maternal, Child, and Family Health -**Maternal, Child, and Family Health Epidemiology*

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Maternal Mortality Review	83400	\$	51,660
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Maternal, Child and Family

Health Epidemiology	xxxxx		<u>360,076</u>
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Total		\$	411,736
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*68 - Bureau for Public Health –**Office of Maternal, Child and Family Health -**Community Health*

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Maternal and Child Health Community Health xxxxx \$ 382,989

From the above appropriation for Maternal and Child Health Community Health and Fees (fund xxxx, appropriation xxxxx) \$11,000 shall be used for the Marshall County Health Department for dental services.

69 - Bureau for Public Health –

Office of Maternal Child and Family Health -

Women's and Family Health

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Women's and Family Health xxxxx \$ 2,300,505

From the above appropriation for Women's and Family Health (fund xxxx, appropriation xxxxx) up to \$400,000 may be transferred to the Breast and Cervical Cancer Diagnostic Treatment Fund (fund 5197).

70 - Bureau for Public Health –

Office of Maternal Child and Family Health -

West Virginia Birth to Three

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

West Virginia Birth to Three xxxxx \$ 9,291,855

71 - Bureau for Public Health –

Office of Medical Cannabis -

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Office of Medical Cannabis (R) 42001 1,020,075

Any unexpended balances remaining in the appropriations for Office of Medical Cannabis fund xxxx, appropriation 42001), and Office of Drug Control Policy – Surplus (fund xxxx, appropriation 42099) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

*72 - Bureau for Public Health –**Office of Nutrition Services -*

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Women, Infants, and Children.....	21000	\$	38,621
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73 - Deaf and Hard of Hearing

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Commission for Deaf and Hard of Hearing.....	70400	\$	238,259
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74 - Center for Local Health–

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

State Aid for Local and Basic Public Health Services.....	18400		15,571,992
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75 - Office of Chief Medical Examiner

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Chief Medical Examiner (R)	04500		13,852,264
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Any unexpended balances remaining in the appropriations for Chief Medical Examiner (fund xxx, appropriation 04500), at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

76 - Office of Emergency Medical Services

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Statewide EMS Program Support (R).....	38300	\$	1,664,582
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State Trauma and Emergency Care System	91800		1,954,953
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WVU Charleston Poison Control Hotline	94400		712,942
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Telestroke	xxxxx		<u>1,000,000</u>
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Total..... \$ 5,332,477

Any unexpended balances remaining in the appropriations for Statewide EMS Program Support (fund xxxx, appropriation 38300), at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

77 - Office of Threat Preparedness

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0506

Threat Preparedness and Administration xxxxx \$ 5,036

78 - Office of the Inspector General

(W.V. Code Chapter 16B)

Fund xxxx FY 2025 Org xxxx

Personal Services and Employee Benefits..... 00100 \$ 5,583,690

Unclassified 09900 57,469

Current Expenses 13000 1,583,603

Total..... \$ 7,224,762

From the above appropriation for Current Expenses (fund xxxx, appropriation 13000), \$73,065 shall be used for informal dispute resolution relating to nursing home administrative appeals.

79 - Human Rights Commission

(W.V. Code Chapter 5)

Fund 0416 FY 2025 Org 0510

Personal Services and Employee Benefits..... 00100 \$ 1,107,869

Salary and Benefits of Cabinet Secretary and

Agency Heads..... 00201 114,091

Unclassified 09900 4,024

Current Expenses 13000 331,304

BRIM Premium..... 91300 10,764

Total..... \$ 1,568,052

DEPARTMENT OF HUMAN SERVICES

80 - *Division of Human Services*

(W.V. Code Chapters 9, 48, and 49)

Fund 0403 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$ 32,554,845
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	159,250
Unclassified	09900	5,120,050
Current Expenses	13000	5,557,409
Child Care Development.....	14400	3,138,536
Jobs & Hope	14902	2,357,000
Medical Services.....	18900	0
Social Services	19500	46,136
Family Preservation Program.....	19600	0
Behavioral Health Program (R)	21900	66,864,419
Family Resource Networks	27400	1,762,464
Substance Abuse Continuum of Care (R)	35400	1,656,000
Office of Drug Control Policy (R)	35401	567,875
Domestic Violence Legal Services Fund	38400	0
James "Tiger" Morton Catastrophic Illness Fund.....	45500	373,424
I/DD Waiver	46600	0
Child Protective Services Case Workers	46800	0
Title XIX Waiver for Seniors	53300	0
WV Teaching Hospitals Tertiary/Safety Net	54700	0
In-Home Family Education	68800	1,000,000
WV Works Separate State Program.....	69800	1,381,500
Child Support Enforcement	70500	6,227,186

Temporary Assistance for Needy Families/

Maintenance of Effort	70700	23,237,186
Child Care – Maintenance of Effort Match.....	70800	5,693,743
Grants for Licensed Domestic Violence		
Programs and Statewide Prevention	75000	0
Capital Outlay and Maintenance (R)	75500	11,875
Community Based Services and Pilot Programs for Youth.....	75900	0
Medical Services Administrative Costs.....	78900	58,017
Traumatic Brain Injury Waiver	83500	0
Indigent Burials (R)	85100	1,550,000
CHIP Administrative Costs	85601	633,107
CHIP Services.....	85602	12,122,368
BRIM Premium.....	91300	945,891
Rural Hospitals Under 150 Beds	94000	0
Children's Trust Fund – Transfer.....	95100	220,000
PATH	95400	<u>0</u>
Total.....		\$ 173,258,504

From the above appropriation of Current Expenses (fund 0403, appropriation 13000), \$300,000 shall be used for Green Acres Regional Center, Inc.

Any unexpended balances remaining in the appropriations for Behavioral Health Program (fund 0403, appropriation 21900), Substance Abuse Continuum of Care (fund 0403, appropriation 35400), Office of Drug Control Policy (fund 0403, appropriation 35401), Capital Outlay and Maintenance (fund 0403, appropriation 75500), Indigent Burials (fund 0403, appropriation 85100), and Office of Drug Control Policy – Surplus (fund 0403, appropriation 35402) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

Notwithstanding the provisions of Title I, section three of this bill, the Secretary of the Department of Human Services shall have the authority to transfer funds within the above appropriations: *Provided*, That no more than five percent of the funds appropriated to one appropriation may be transferred to other appropriations: *Provided, however*, That no funds from other appropriations shall be transferred to the Personal Services and Employee Benefits appropriation: *Provided, further, notwithstanding the above*, that for Fiscal Year 2025 the Secretary of the Department of Human Services shall have additional authority to transfer appropriations between Personal Services and Employee Benefits and other dedicated

appropriations within the respective departments to effectuate the 5% average salary increases granted during the 2024 regular legislative session.

The Secretary shall have authority to expend funds for the educational costs of those children residing in out-of-state placements, excluding the costs of special education programs.

The above appropriation for James "Tiger" Morton Catastrophic Illness Fund (fund 0403, appropriation 45500) shall be transferred to the James "Tiger" Morton Catastrophic Illness Fund (fund 5454) as provided by Article 5Q, Chapter 16 of the WV Code.

The above appropriation for WV Works Separate State Program (fund 0403, appropriation 69800) shall be transferred to the WV Works Separate State College Program Fund (fund 5467) and the WV Works Separate State Two-Parent Program Fund (fund 5468) as determined by the Secretary of the Department of Human Services.

From the above appropriation for Child Support Enforcement (fund 0403, appropriation 70500), an amount not to exceed \$300,000 may be transferred to a local banking depository to be utilized to offset funds determined to be uncollectible.

Included in the appropriation for Behavioral Health Program (fund 0403, appropriation 21900), is \$100,000 for Recovery Point of Huntington.

The above appropriation for Children's Trust Fund – Transfer (fund 0403, appropriation 95100) shall be transferred to the Children's Trust Fund (fund 5469).

From the above appropriation for Substance Abuse Continuum of Care (fund 0403, appropriation 35400), the funding will be consistent with the goal areas outlined in the Comprehensive Substance Abuse Strategic Action Plan.

81 - Department of Human Services–

Office of the Shared Administration

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	9,445,934
Unclassified	09900		252,842
Current Expenses	13000		6,417,369
PATH	95400		<u>7,282,925</u>
Total.....		\$	23,399,070

82 - Bureau for Medical Services –

Office of the Commissioner

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	389,895
Current Expenses	13000		<u>405,621</u>
Total.....		\$	795,516

83 - Bureau for Medical Services –

Medical Services Administration

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	7,939
Current Expenses	13000		1,057
Medical Services Administration Costs	78900		<u>42,290,777</u>
Total.....		\$	42,299,773

84 - Bureau for Medical Services –

Policy and Programming

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Medical Services.....	18900	\$	67,704,620
WV Teaching Hospitals Tertiary/Safety Net	54700		5,720,400
Rural Hospitals Under 150 Beds	94000		2,336,400
Case Management.....	xxxxx		110,938
Chiropractic Services	xxxxx		5,206
Clinic Services	xxxxx		144,471
Dental Services.....	xxxxx		166,390
Diagnostic, Screening, Preventive and Rehabilitative Services	xxxxx		3,176
Health Homes for Enrollees with Chronic Conditions	xxxxx		127,329
Hospice.....	xxxxx		1,398,793

Institution for Mental Disease Services	xxxxx	1,276,985
Intermediate Care Facility Services.....	xxxxx	3,233,567
Managed Care Organizations	xxxxx	113,493,869
Prescription Drugs	xxxxx	19,740,698
Physical and Occupational Therapy.....	xxxxx	68,792
Podiatry Services, Optometry Services and Prosthetics.....	xxxxx	31,078
Private Duty Nurses, Personal Care and Other Practitioner Services.....	xxxxx	11,847,294
Respiratory Care Services	xxxxx	10,083
Speech, Hearing, and Language Disorders.....	xxxxx	<u>12,813</u>
Total.....		\$ 227,432,902

The Commissioner of the Bureau for Medical Services shall have the authority to transfer between the above items of appropriation.

85 - Bureau for Medical Services –

Home and Community Based Waiver Programs

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

I/DD Waiver	46600	\$ 97,687,562
Title XIX for Seniors Citizens.....	53300	13,593,620
Traumatic Brain Injury Waiver	83500	720,000
Substance Use Disorder Waiver	xxxxx	<u>842,151</u>
Total.....		\$ 112,843,333

86 - Bureau for Social Services –

Office of the Commissioner

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$ 8,319,214
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Current Expenses	13000	1,869,474
Social Services	19500	6,308,727
Domestic Violence Legal Services Fund	38400	400,000
Child Protective Services Case Workers	46800	6,337,162
Grants for Licensed Domestic Violence		
Programs and Statewide Prevention	75000	<u>2,500,000</u>
Total		\$ 25,734,577

Included in the above appropriation for Social Services (fund xxxx, appropriation 19500) is funding for continuing education requirements relating to the practice of social work.

The above appropriation for Domestic Violence Legal Services Fund (fund xxxx, appropriation 38400) shall be transferred to the Domestic Violence Legal Services Fund (fund 5455).

From the above appropriation for the Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund xxxx, appropriation 75000), 50 percent of the total shall be divided equally and distributed among the 14 licensed programs and the West Virginia Coalition Against Domestic Violence (WVCADV). The balance remaining in the appropriation for Grants for Licensed Domestic Violence Programs and Statewide Prevention (fund xxxx, appropriation 75000), shall be distributed according to the formula established by the Family Protection Services Board

87 - Bureau for Social Services –

Children's Services

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Social Services	19500	\$ 36,472,739
Family Preservation Program	19600	1,408,500
Current Expenses	13000	1,800
Community Based Services and Pilot Program for Youth	75900	<u>0</u>
Total		\$ 37,883,039

88 - Bureau for Social Services –

Adoption

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Social Services	19500	\$	39,855,069
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89 - Bureau for Social Services –

Foster Care

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Social Services	19500	\$	110,230,811
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90 - Bureau for Social Services –

Adult Services

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Social Services	19500	\$	5,450,513
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91 - Bureau for Social Services –

Child Protective Services Case Workers

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Social Services	19500	\$	4,334,300
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Child Protective Services Case Workers	46800		<u>22,079,385</u>
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Total		\$	26,770,365
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92 - Bureau for Social Services –

Social Service Case Workers

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Personal Services and Employee Benefits	00100		1,860,603
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Current Expenses	13000		227,280
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Social Services	19500		6,370,702
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Child Protective Services Case Workers	46800	<u>2,000,000</u>
Total.....		\$ 10,458,585

*93 - Bureau for Social Services –
Adult Protective Services Case Workers
(W.V. Code Chapter 16)
Fund xxxx FY 2025 Org 0511*

Personal Services and Employee Benefits.....	00100	\$ 3,803,727
Current Expenses	13000	<u>181,267</u>
Total.....		\$ 3,984,994

*94 - Bureau for Social Services –
Youth Service Case Workers
(W.V. Code Chapter 16)
Fund xxxx FY 2025 Org 0511*

Personal Services and Employee Benefits.....	00100	693,745
Current Expenses	13000	123,159
Social Services	19500	<u>3,881,340</u>
Total.....		\$ 4,698,244

DEPARTMENT OF HEALTH FACILITIES

*95 - Health Facilities –
Central Office
(W.V. Code Chapter 16)
Fund 0401 FY 2025 Org 0512*

Personal Services and Employee Benefits.....	00100	\$ 1,710,519
Salary and Benefits of Cabinet Secretary and		
Agency Heads.....	00201	245,000
Shared Administration.....	xxxxx	1

Current Expenses	13000	1,257,327
BRIM Premium.....	91300	<u>442,849</u>
Total	\$	3,655,696

96 - Health Facilities –

Health Facilities Capital Projects Fund

(W.V. Code Chapter 16)

Fund 0402 FY 2025 Org 0512

Capital Outlay and Maintenance	75500	\$	550,000
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The Secretary shall have the ability to transfer between appropriations for Capital Outlay and Maintenance within the funds 0402, 0408, 0409, 0410, 0411, 0412, 0413, 0414 and 0415 as needed.

97 - Health Facilities –

Hopemont Hospital

(W.V. Code Chapter 16)

Fund 0408 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$	6,580,740
Repairs and Alterations (R).....	06400		90,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		2,173,082
Buildings (R)	25800		1
Other Assets (R).....	69000		1
Contract Nursing (R).....	72301		3,893,811
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R).....	91300		<u>40,000</u>
Total.....		\$	12,827,637

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0408, appropriation 00100), Repairs and Alterations (fund 0408, appropriation 06400), Equipment (0408, appropriation 07000), Current Expenses (fund 0408, appropriation 13000), Buildings (fund 0408, appropriation 25800), Other Assets (fund 0408, appropriation 69000), Contract Nursing

(fund 0408, appropriation 72301), Capital Outlay and Maintenance (fund 0408, appropriation 75500), and BRIM Premium (fund 0408, appropriation 91300) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

98 - Health Facilities –

Lakin Hospital

(W.V. Code Chapter 16)

Fund 0409 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$	8,368,450
Repairs and Alterations (R).....	06400		60,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		2,363,676
Buildings (R)	25800		1
Other Assets (R).....	69000		1
Contract Nursing (R).....	72301		3,539,262
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R).....	91300		<u>70,000</u>
Total.....		\$	14,451,392

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0409, appropriation 00100), Repairs and Alterations (fund 0409, appropriation 06400), Equipment (0409, appropriation 07000), Current Expenses (fund 0409, appropriation 13000), Buildings (fund 0409, appropriation 25800), Other Assets (fund 0409, appropriation 69000), Contract Nursing (fund 0409, appropriation 72301), Capital Outlay and Maintenance (fund 0409, appropriation 75500), and BRIM Premium (fund 0409, appropriation 91300) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

99 - Health Facilities –

John Manchin Senior Health Care Center

(W.V. Code Chapter 16)

Fund 0410 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$	4,199,228
Repairs and Alterations (R).....	06400		50,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		1,471,878
Buildings (R)	25800		1
Other Assets (R).....	69000		1
Contract Nursing (R).....	72301		2,907,556
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R).....	91300		<u>25,000</u>
Total.....		\$	8,703,666

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0410, appropriation 00100), Repairs and Alterations (fund 0410, appropriation 06400), Equipment (0410, appropriation 07000), Current Expenses (fund 0410, appropriation 13000), Buildings (fund 0410, appropriation 25800), Other Assets (fund 0410, appropriation 69000), Contract Nursing (fund 0410, appropriation 72301), Capital Outlay and Maintenance (fund 0410, appropriation 75500), and BRIM Premium (fund 0410, appropriation 91300) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

*100 - Health Facilities –**Jackie Withrow Hospital*

(W.V. Code Chapter 16)

Fund 0411 FY 2025 Org 0512

Personal Services and Employee Benefits (R)	00100	\$	7,380,957
Repairs and Alterations (R).....	06400		200,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		2,655,893

Buildings (R)	25800	1
Other Assets (R)	69000	1
Contract Nursing (R)	72301	2,000,311
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R).....	91300	<u>50,000</u>
Total.....		\$ 12,337,165

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0411, appropriation 00100), Repairs and Alterations (fund 0411, appropriation 06400), Equipment (0411, appropriation 07000), Current Expenses (fund 0411, appropriation 13000), Buildings (fund 0411, appropriation 25800), Other Assets (fund 0411, appropriation 69000), Contract Nursing (fund 0411, appropriation 72301), Capital Outlay and Maintenance (fund 0411, appropriation 75500), and BRIM Premium (fund 0411, appropriation 91300) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

101 - Health Facilities –

Welch Community Hospital

(W.V. Code Chapter 16)

Fund 0412 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$ 15,111,349
Repairs and Alterations (R)	06400	1
Equipment (R).....	07000	1
Current Expenses (R)	13000	13,199,285
Buildings (R)	25800	1
Other Assets (R)	69000	1
Contract Nursing (R)	72301	2,576,401
Capital Outlay and Maintenance (R)	75500	50,000
BRIM Premium (R).....	91300	<u>120,000</u>
Total.....		\$ 31,057,039

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0412, appropriation 00100), Repairs and Alterations (fund 0412, appropriation 06400), Equipment (0412, appropriation 07000), Current Expenses (fund 0412, appropriation 13000), Buildings (fund 0412, appropriation 25800), Other Assets (fund 0412, appropriation 69000), Contract Nursing (fund 0412, appropriation 72301), Capital Outlay and Maintenance (fund 0412, appropriation 75500), and BRIM Premium (fund 0412, appropriation 91300) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

102 - Health Facilities –

William R. Sharpe Jr. Hospital

(W.V. Code Chapter 16)

Fund 0413 FY 2025 Org 0512

Personal Services and Employee Benefits (R)	00100	\$	26,497,231
Repairs and Alterations (R).....	06400		350,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		10,280,300
Buildings (R)	25800		1
Other Assets (R).....	69000		1
Contract Nursing (R).....	72301		41,969,835
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R).....	91300		<u>260,000</u>
Total.....		\$	79,407,370

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0413, appropriation 00100), Repairs and Alterations (fund 0413, appropriation 06400), Equipment (0413, appropriation 07000), Current Expenses (fund 0413, appropriation 13000), Buildings (fund 0413, appropriation 25800), Other Assets (fund 0413, appropriation 69000), Contract Nursing (fund 0413, appropriation 72301), Capital Outlay and Maintenance (fund 0413, appropriation 75500), and BRIM Premium (fund 0413, appropriation 91300) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

The above appropriation for Personal Services and Employee Benefits (fund 0413, appropriation 00100) contains prior year salary increases due to the Hartley court order in the amount of \$2,202,013.

103 - Health Facilities –

Mildred Mitchell-Bateman Hospital

(W.V. Code Chapter 16)

Fund 0414 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$	25,016,184
Repairs and Alterations (R).....	06400		300,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		2,967,683
Buildings (R)	25800		1
Other Assets (R).....	69000		1
Contract Nursing (R).....	72301		24,957,520
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R).....	91300		<u>215,000</u>
Total.....		\$	53,506,391

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0414, appropriation 00100), Repairs and Alterations (fund 0414, appropriation 06400), Equipment (0414, appropriation 07000), Current Expenses (fund 0414, appropriation 13000), Buildings (fund 0414, appropriation 25800), Other Assets (fund 0414, appropriation 69000), Contract Nursing (fund 0414, appropriation 72301), Capital Outlay and Maintenance (fund 0414, appropriation 75500), and BRIM Premium (fund 0414, appropriation 91300) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

The above appropriation for Personal Services and Employee Benefits (fund 0414, appropriation 00100) contains prior year salary increases due to the Hartley court order in the amount of \$2,067,984.

104 - Health Facilities –

William R. Sharpe Jr. Hospital -

Transitional Living Facility

(W.V. Code Chapter 16)

Fund 0415 FY 2025 Org 0512

Personal Services and Employee Benefits (R).....	00100	\$	1,594,131
Repairs and Alterations (R).....	06400		2,001
Equipment (R).....	07000		1
Current Expenses (R)	13000		171,794
Buildings (R)	25800		1
Other Assets (R).....	69000		1
Contract Nursing (R).....	72301		10,000
Capital Outlay and Maintenance (R)	75500		50,000
BRIM Premium (R).....	91300		<u>20,000</u>
Total.....		\$	1,847,929

Any unexpended balances remaining in Personal Services and Employee Benefits (fund 0415, appropriation 00100), Repairs and Alterations (fund 0415, appropriation 06400), Equipment (0415, appropriation 07000), Current Expenses (fund 0415, appropriation 13000), Buildings (fund 0415, appropriation 25800), Other Assets (fund 0415, appropriation 69000), Contract Nursing (fund 0415, appropriation 72301), Capital Outlay and Maintenance (fund 0415, appropriation 75500), and BRIM Premium (fund 0415, appropriation 91300) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Secretary of the Department of Health Facilities shall have the authority to transfer between the items of appropriation in order to maintain staffing and other issues that arise in a timely manner.

DEPARTMENT OF HOMELAND SECURITY

105 - Department of Homeland Security –

Office of the Secretary

(W.V. Code Chapter 5F)

Fund 0430 FY 2025 Org 0601

Personal Services and Employee Benefits.....	00100	\$	695,143
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Salary and Benefits of Cabinet Secretary and

Agency Heads.....	00201	168,000
Repairs and Alterations.....	06400	500
Equipment.....	07000	500
Unclassified (R).....	09900	30,000
Current Expenses	13000	91,636
Fusion Center (R)	46900	3,052,318
Other Assets	69000	500
Directed Transfer	70000	32,000
BRIM Premium.....	91300	22,563
WV Fire and EMS Survivor Benefit (R)	93900	<u>200,000</u>
Total.....		\$ 4,293,160

Any unexpended balances remaining in the appropriations for Unclassified (fund 0430, appropriation 09900), Current Expenses – Surplus (fund 0430, appropriation 09900), Fusion Center (fund 0430, appropriation 46900), Justice Reinvestment Training – Surplus (fund 0430, appropriation 69900), WV Fire and EMS Survivor Benefit (fund 0430, appropriation 93900), and Homeland State Security Administrative Agency (fund 0430, appropriation 95300) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Directed Transfer (fund 0430, appropriation 70000) shall be transferred to the Law-Enforcement, Safety and Emergency Worker Funeral Expense Payment Fund (fund 6003).

106 - Division of Emergency Management

(W.V. Code Chapter 15)

Fund 0443 FY 2025 Org 0606

Personal Services and Employee Benefits.....	00100	\$ 2,294,279
Salary and Benefits of Cabinet Secretary and		
Agency Heads.....	00201	61,250
Repairs and Alterations.....	06400	600
Unclassified	09900	21,022
Current Expenses	13000	51,065
Radiological Emergency Preparedness	55400	17,052

SIRN.....	55401	600,000
Federal Funds/Grant Match (R)	74900	1,538,775
Mine and Industrial Accident Rapid Response Call Center	78100	530,392
Early Warning Flood System (R).....	87700	1,480,890
BRIM Premium.....	91300	<u>96,529</u>
Total.....		\$ 6,691,854

Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match (fund 0443, appropriation 74900), and Early Warning Flood System (fund 0443, appropriation 87700) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

107 - Division of Corrections and Rehabilitation –

West Virginia Parole Board

(W.V. Code Chapter 62)

Fund 0440 FY 2025 Org 0608

Personal Services and Employee Benefits.....	00100	\$ 317,039
Unclassified	09900	10,000
Current Expenses	13000	334,440
Salaries of Members of West Virginia Parole Board.....	22700	786,374
BRIM Premium.....	91300	<u>6,149</u>
Total.....		\$ 1,454,002

The above appropriation for Salaries of Members of West Virginia Parole Board (fund 0440, appropriation 22700) includes funding for salary, annual increment (as provided for in W.V. Code §5-5-1), and related employee benefits of board members.

108 - Division of Corrections and Rehabilitation –

Central Office

(W.V. Code Chapter 15A)

Fund 0446 FY 2025 Org 0608

Personal Services and Employee Benefits.....	00100	\$ 256,747
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Salary and Benefits of Cabinet Secretary and

Agency Heads.....	00201	126,000
Current Expenses	13000	<u>2,400</u>
Total.....		\$ 385,147

*109 - Division of Corrections and Rehabilitation –**Correctional Units*

(W.V. Code Chapter 15A)

Fund 0450 FY 2025 Org 0608

Employee Benefits	01000	\$ 1,258,136
Children's Protection Act (R)	09000	838,437
Unclassified	09900	1,578,800
Current Expenses (R)	13000	57,690,483
Facilities Planning and Administration (R)	38600	1,274,200
Charleston Correctional Center	45600	4,041,521
Beckley Correctional Center.....	49000	3,018,511
Anthony Correctional Center	50400	6,905,924
Huttonsville Correctional Center.....	51400	23,165,663
Northern Correctional Center	53400	9,593,719
Inmate Medical Expenses (R)	53500	62,226,064
Pruntytown Correctional Center	54300	10,310,325
Corrections Academy.....	56900	2,106,862
Information Technology Services	59901	2,759,052
Martinsburg Correctional Center	66300	5,358,718
Parole Services.....	68600	6,512,380
Special Services	68700	6,317,554
Directed Transfer	70000	7,432,686

Investigative Services	71600	3,743,303
Capital Outlay and Maintenance (R)	75500	2,000,000
Salem Correctional Center	77400	13,168,692
McDowell County Correctional Center	79000	2,542,590
Stevens Correctional Center	79100	7,863,195
Parkersburg Correctional Center.....	82800	7,511,290
St. Mary's Correctional Center	88100	17,061,358
Denmar Correctional Center	88200	6,018,233
Ohio County Correctional Center	88300	2,629,742
Mt. Olive Correctional Complex.....	88800	27,136,647
Lakin Correctional Center	89600	12,619,819
BRIM Premium.....	91300	<u>2,527,657</u>
Total.....		\$ 317,211,561

Any unexpended balances remaining in the appropriations for Children's Protection Act (fund 0450, appropriation 09000), Unclassified – Surplus (fund 0450, appropriation 09700), Current Expenses (fund 0450, appropriation 13000), Facilities Planning and Administration (fund 0450, appropriation 38600), Inmate Medical Expenses (fund 0450, appropriation 53500), Capital Improvements – Surplus (fund 0450, appropriation 66100), Capital Outlay and Maintenance (fund 0450, appropriation 75500), Security System Improvements – Surplus (fund 0450, appropriation 75501), and Roof Repairs and Mechanical System Upgrades (fund 0450, appropriation 75502) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Commissioner of Corrections and Rehabilitation shall have the authority to transfer between appropriations.

From the above appropriation to Current Expenses (fund 0450, appropriation 13000), payment shall be made to house Division of Corrections and Rehabilitation inmates in federal, county, and/or regional jails.

The above appropriation for Directed Transfer (fund 0450, appropriation 70000) shall be transferred to the Regional Jails Operating Cash Control Account (fund 6678).

Any realized savings from Energy Savings Contract may be transferred to Facilities Planning and Administration (fund 0450, appropriation 38600).

110 - Division of Corrections and Rehabilitation –

Bureau of Juvenile Services

(W.V. Code Chapter 15A)

Fund 0570 FY 2025 Org 0608

Statewide Reporting Centers	26200	\$	7,507,863
Robert L. Shell Juvenile Center.....	26700		3,081,514
Resident Medical Expenses (R).....	53501		3,604,999
Central Office.....	70100		1,898,385
Capital Outlay and Maintenance (R)	75500		250,000
Gene Spadaro Juvenile Center	79300		3,274,266
BRIM Premium.....	91300		115,967
Kenneth Honey Rubenstein Juvenile Center (R).....	98000		6,613,974
Vicki Douglas Juvenile Center.....	98100		3,142,823
Northern Regional Juvenile Center	98200		2,876,302
Lorrie Yeager Jr. Juvenile Center.....	98300		2,993,572
Sam Perdue Juvenile Center	98400		3,214,598
Tiger Morton Center.....	98500		3,195,339
Donald R. Kuhn Juvenile Center	98600		6,177,512
J.M. "Chick" Buckbee Juvenile Center	98700		<u>3,260,770</u>
Total.....		\$	51,207,884

Any unexpended balances remaining in the appropriations for Resident Medical Expenses (fund 0570, appropriation 53501), Capital Outlay and Maintenance (fund 0570, appropriation 75500), Roof Repairs and Mechanical System Upgrades (fund 0570, appropriation 75502), and Kenneth Honey Rubenstein Juvenile Center (fund 0570, appropriation 98000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The Director of Juvenile Services shall have the authority to transfer between appropriations to the individual juvenile centers above including Statewide Reporting Centers and Central Office and may transfer funds from the individual juvenile centers to Resident Medical Expenses (fund 0570, appropriation 53501).

111 - West Virginia State Police

(W.V. Code Chapter 15)

Fund 0453 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$	79,006,727
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		139,300
Repairs and Alterations.....	06400		450,523
Children's Protection Act.....	09000		1,109,123
Current Expenses.....	13000		10,384,394
Trooper Class.....	52100		3,207,832
Barracks Lease Payments.....	55600		237,898
Communications and Other Equipment (R).....	55800		1,070,968
Trooper Retirement Fund.....	60500		14,319,315
Handgun Administration Expense.....	74700		87,088
Capital Outlay and Maintenance (R).....	75500		250,000
Retirement Systems – Unfunded Liability.....	77500		8,633,000
Automated Fingerprint Identification System.....	89800		2,260,695
BRIM Premium.....	91300		<u>5,743,921</u>
Total.....		\$	126,900,784

Any unexpended balances remaining in the appropriations for Communications and Other Equipment (fund 0453, appropriation 55800) and Capital Outlay and Maintenance (fund 0453, appropriation 75500) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Personal Services and Employee Benefits (fund 0453, appropriation 00100), an amount not less than \$25,000 shall be expended to offset the costs associated with providing police services for the West Virginia State Fair.

112 - Fire Commission

(W.V. Code Chapter 15A)

Fund 0436 FY 2025 Org 0619

Current Expenses.....	13000	\$	63,061
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113 - Division of Protective Services

(W.V. Code Chapter 5F)

Fund 0585 FY 2025 Org 0622

Personal Services and Employee Benefits.....	00100	\$	3,473,329
Repairs and Alterations.....	06400		8,500
Equipment (R).....	07000		64,171
Unclassified (R).....	09900		21,991
Current Expenses	13000		422,981
BRIM Premium.....	91300		<u>32,602</u>
Total.....		\$	4,023,574

Any unexpended balances remaining in the appropriations for Equipment (fund 0585, appropriation 07000) and Unclassified (fund 0585, appropriation 09900) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

*114 - Division of Administrative Services -**Criminal Justice Fund*

(W.V. Code Chapter 15A)

Fund 0546 FY 2025 Org 0623

Personal Services and Employee Benefits.....	00100	\$	639,264
Repairs and Alterations.....	06400		1,804
Current Expenses	13000		233,360
Child Advocacy Centers (R).....	45800		2,214,361
Community Corrections (R).....	56100		4,614,368
Statistical Analysis Program.....	59700		50,739
Sexual Assault Forensic Examination Commission (R).....	71400		283,351
Qualitative Analysis and Training for Youth Services (R)	76200		90,373
Law Enforcement Professional Standards.....	83800		182,512
Justice Reinvestment Initiative (R).....	89501		2,344,040
BRIM Premium.....	91300		<u>2,123</u>
Total.....		\$	10,656,295

Any unexpended balances remaining in the appropriations for Victims of Crime Act (fund 0546, appropriation 21601), Child Advocacy Centers (fund 0546, appropriation 45800), Community Corrections (fund 0546, appropriation 56100), Sexual Assault Forensic Examination Commission (fund 0546 appropriation 71400), Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200), Justice Reinvestment Initiative (fund 0546, appropriation 89501) and Victims of Crime Act – Surplus (fund 0546, appropriation 21099) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Current Expenses (fund 0546, appropriation 13000), \$100,000 shall be used for Court Appointed Special Advocates.

From the above appropriation for Child Advocacy Centers (fund 0546, appropriation 45800), the Division may retain an amount not to exceed four percent of the appropriation for administrative purposes.

115 - Division of Administrative Services

(W.V. Code Chapter 15A)

Fund 0619 FY 2025 Org 0623

Personal Services and Employee Benefits.....	00100	\$	5,675,223
Unclassified	09900		50,000
Current Expenses	13000		<u>555,000</u>
Total.....		\$	6,280,223

DEPARTMENT OF REVENUE

116 - Office of the Secretary

(W.V. Code Chapter 11)

Fund 0465 FY 2025 Org 0701

Personal Services and Employee Benefits.....	00100	\$	388,713
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		168,000
Repairs and Alterations.....	06400		1,262
Equipment.....	07000		8,000
Unclassified	09900		437
Current Expenses	13000		81,594
Other Assets	69000		<u>500</u>

Total..... \$ 648,506

Any unexpended balance remaining in the appropriation for Unclassified – Total (fund 0465, appropriation 09600) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

117 - Tax Division

(W.V. Code Chapter 11)

Fund 0470 FY 2025 Org 0702

Personal Services and Employee Benefits (R).....	00100	\$ 20,505,046
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	147,000
Repairs and Alterations.....	06400	10,150
Equipment.....	07000	54,850
Tax Technology Upgrade.....	09400	3,700,000
Unclassified (R).....	09900	174,578
Current Expenses (R).....	13000	6,823,635
Multi State Tax Commission.....	65300	77,958
Other Assets.....	69000	10,000
BRIM Premium.....	91300	<u>15,579</u>
Total.....		\$ 31,518,796

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0470, appropriation 00100), Unclassified (fund 0470, appropriation 09900), Current Expenses (fund 0470, appropriation 13000), and Integrated Tax Assessment System (fund 0470, appropriation 29200) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

118 - State Budget Office

(W.V. Code Chapter 11B)

Fund 0595 FY 2025 Org 0703

Personal Services and Employee Benefits.....	00100	\$ 1,055,236
Unclassified (R).....	09900	9,200

Current Expenses (R)	13000	<u>119,449</u>
Total.....		\$ 1,183,885

Any unexpended balances remaining in the appropriations for Unclassified (fund 0595, appropriation 09900) and Current Expenses (fund 0595, appropriation 13000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

119 - West Virginia Office of Tax Appeals

(W.V. Code Chapter 11)

Fund 0593 FY 2025 Org 0709

Personal Services and Employee Benefits.....	00100	\$ 976,887
Unclassified	09900	5,255
Current Expenses (R)	13000	229,374
BRIM Premium.....	91300	<u>3,062</u>
Total.....		\$ 1,214,578

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0593, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

120 - State Athletic Commission

(W.V. Code Chapter 29)

Fund 0523 FY 2025 Org 0933

Personal Services and Employee Benefits.....	00100	\$ 7,200
Current Expenses	13000	<u>29,611</u>
Total.....		\$ 36,811

DEPARTMENT OF TRANSPORTATION

121 - Division of Multimodal Transportation Facilities –

State Rail Authority

(W.V. Code Chapter 17)

Fund 0506 FY 2025 Org 0810

Personal Services and Employee Benefits.....	00100	\$ 385,773
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Current Expenses	13000	287,707
Other Assets (R)	69000	1,270,019
BRIM Premium.....	91300	<u>201,541</u>
Total.....		\$ 2,145,040

Any unexpended balance remaining in the appropriation for Other Assets (fund 0506, appropriation 69000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

122 - Division of Multimodal Transportation Facilities –

Public Transit

(W.V. Code Chapter 17)

Fund 0510 FY 2025 Org 0810

Equipment (R).....	07000	\$ 100,000
Current Expenses (R)	13000	2,042,989
Buildings (R)	25800	100,000
Other Assets (R)	69000	<u>50,000</u>
Total.....		\$ 2,292,989

Any unexpended balances remaining in the appropriations for Equipment (fund 0510, appropriation 07000), Current Expenses (fund 0510, appropriation 13000), Buildings (fund 0510, appropriation 25800), and Other Assets (fund 0510, appropriation 69000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Current Expenses (fund 0510, appropriation 13000) \$30,000 will be used to support the Sistersville Ferry.

123 - Division of Multimodal Transportation Facilities –

(W.V. Code Chapter 17)

Fund 0580 FY 2025 Org 0810

Personal Services and Employee Benefits (R).....	00100	\$ 713,763
Current Expenses (R)	13000	750,000
BRIM Premium.....	91300	<u>7,500</u>
Total.....		\$ 1,471,263

Any unexpended balances remaining in the appropriations for Personal Services and Employee Benefits (fund 0580, appropriation 00100), and Current Expenses (fund 0580, appropriation 13000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

124 - Division of Multimodal Transportation Facilities –

Aeronautics Commission

(W.V. Code Chapter 17)

Fund 0582 FY 2025 Org 0810

Personal Services and Employee Benefits.....	00100	\$	235,249
Repairs and Alterations.....	06400		100
Current Expenses (R)	13000		791,839
BRIM Premium.....	91300		<u>4,438</u>
Total.....		\$	1,031,626

Any unexpended balance remaining in the appropriation for Current Expenses (fund 0582, appropriation 13000) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

DEPARTMENT OF VETERANS' ASSISTANCE

125 - Department of Veterans' Assistance

(W.V. Code Chapter 9A)

Fund 0456 FY 2025 Org 0613

Personal Services and Employee Benefits.....	00100	\$	2,560,846
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		110,880
Repairs and Alterations.....	06400		5,000
Unclassified	09900		20,000
Current Expenses	13000		161,450
Veterans' Field Offices (R)	22800		405,550
Veterans' Nursing Home (R)	28600		11,294,373
Veterans' Toll Free Assistance Line.....	32800		2,015

Veterans' Reeducation Assistance (R).....	32900	40,000
Veterans' Grant Program (R)	34200	560,000
Veterans' Grave Markers	47300	10,000
Veterans' Cemetery (R).....	80800	420,079
BRIM Premium.....	91300	<u>50,000</u>
Total.....		\$ 15,640,193

Any unexpended balances remaining in the appropriations for Veterans' Field Offices (fund 0456, appropriation 22800), Buildings – Surplus (fund 0456, appropriation 25899), Veterans' Nursing Home (fund 0456, appropriation 28600), Veterans' Reeducation Assistance (fund 0456, appropriation 32900), Veterans' Grant Program (fund 0456, appropriation 34200), Veterans' Bonus – Surplus (fund 0456, appropriation 34400), Veterans' Cemetery (fund 0456, appropriation 80800), and Educational Opportunities for Children of Deceased Veterans (fund 0456, appropriation 85400) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

126 - Department of Veterans' Assistance –

Veterans' Home

(W.V. Code Chapter 9A)

Fund 0460 FY 2025 Org 0618

Personal Services and Employee Benefits.....	00100	\$ 1,525,632
Current Expenses (R)	13000	46,759
Veterans Outreach Programs.....	61700	<u>213,377</u>
Total.....		\$ 1,785,768

Any unexpended balances remaining in the appropriations for Current Expenses (fund 0460, appropriation 13000) and Capital Outlay, Repairs and Equipment – Surplus (fund 0460, appropriation 67700) are hereby reappropriated for expenditure during the fiscal year 2025.

BUREAU OF SENIOR SERVICES

127 - Bureau of Senior Services

(W.V. Code Chapter 29)

Fund 0420 FY 2025 Org 0508

Transfer to Division of Human Services for Health Care

and Title XIX Waiver for Senior Citizens.....	53900	\$ 6,580,366
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The above appropriation for Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 0420, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

The above appropriation is in addition to funding provided in fund 5405 for this program.

**WEST VIRGINIA COUNCIL FOR COMMUNITY
AND TECHNICAL COLLEGE EDUCATION**

128 - West Virginia Council for

Community and Technical College Education –

Control Account

(W.V. Code Chapter 18B)

Fund 0596 FY 2025 Org 0420

West Virginia Council for Community

and Technical Education (R)	39200	\$	761,164
Transit Training Partnership	78300		34,293
Community College Workforce Development (R)	87800		2,791,367
College Transition Program.....	88700		278,222
West Virginia Advance Workforce Development (R)	89300		3,126,336
Technical Program Development (R)	89400		1,800,735
WV Invests Grant Program (R)	89401		<u>7,046,959</u>
Total.....		\$	15,839,076

Any unexpended balances remaining in the appropriations for West Virginia Council for Community and Technical Education (fund 0596, appropriation 39200), Capital Improvements – Surplus (fund 0596, appropriation 66100), Community College Workforce Development (fund 0596, appropriation 87800), West Virginia Advance Workforce Development (fund 0596, appropriation 89300), Technical Program Development (fund 0596, appropriation 89400), and WV Invests Grant Program (fund 0596, appropriation 89401) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

129 - Mountwest Community and Technical College

(W.V. Code Chapter 18B)

Fund 0599 FY 2025 Org 0444

Mountwest Community and Technical College.....	48700	\$	7,062,120
<i>130 - New River Community and Technical College</i>			
(W.V. Code Chapter 18B)			
Fund <u>0600</u> FY <u>2025</u> Org <u>0445</u>			
New River Community and Technical College.....	35800	\$	6,569,820
<i>131 - Pierpont Community and Technical College</i>			
(W.V. Code Chapter 18B)			
Fund <u>0597</u> FY <u>2025</u> Org <u>0446</u>			
Pierpont Community and Technical College.....	93000	\$	8,613,156
<i>132 - Blue Ridge Community and Technical College</i>			
(W.V. Code Chapter 18B)			
Fund <u>0601</u> FY <u>2025</u> Org <u>0447</u>			
Blue Ridge Community and Technical College.....	88500	\$	8,972,984
<i>133 - West Virginia University at Parkersburg</i>			
(W.V. Code Chapter 18B)			
Fund <u>0351</u> FY <u>2025</u> Org <u>0464</u>			
West Virginia University – Parkersburg.....	47100	\$	11,561,838
<i>134 - Southern West Virginia Community and Technical College</i>			
(W.V. Code Chapter 18B)			
Fund <u>0380</u> FY <u>2025</u> Org <u>0487</u>			
Southern West Virginia Community and Technical College.....	44600	\$	9,217,907
<i>135 - West Virginia Northern Community and Technical College</i>			
(W.V. Code Chapter 18B)			
Fund <u>0383</u> FY <u>2025</u> Org <u>0489</u>			
West Virginia Northern Community and Technical College	44700	\$	8,252,020
<i>136 - Eastern West Virginia Community and Technical College</i>			

(W.V. Code Chapter 18B)

Fund 0587 FY 2025 Org 0492

Eastern West Virginia Community and Technical College	41200	\$	2,412,016
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137 - BridgeValley Community and Technical College

(W.V. Code Chapter 18B)

Fund 0618 FY 2025 Org 0493

BridgeValley Community and Technical College	71700	\$	8,888,187
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HIGHER EDUCATION POLICY COMMISSION*138 - Higher Education Policy Commission –**Administration –**Control Account*

(W.V. Code Chapter 18B and 18C)

Fund 0589 FY 2025 Org 0441

Personal Services and Employee Benefits	00100	\$	2,914,927
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RHI Program and Site Support –

RHEP Program Administration (R)	03700		80,000
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Mental Health Provider Loan Repayment (R)	11301		330,000
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Current Expenses	13000		1,096,902
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Higher Education Grant Program	16400		40,619,864
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Tuition Contract Program (R)	16500		1,225,676
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Underwood-Smith Scholarship Program-Student Awards	16700		1,478,349
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Facilities Planning and Administration	38600		1,760,254
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Dual Enrollment Program	42201		5,810,625
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Higher Education System Initiatives	48801		1,651,889
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PROMISE Scholarship – Transfer	80000		18,500,000
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HEAPS Grant Program (R)	86700		5,025,376
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Health Professionals' Student Loan Program (R)	86701	547,470
BRIM Premium.....	91300	<u>17,817</u>
Total.....		\$ 81,059,149

Any unexpended balances remaining in the appropriations for RHI Program and Site Support – RHEP Program Administration (fund 0589, 03700), Mental Health Provider Loan Repayment (fund 0589, appropriation 11301), Tuition Contract Program (fund 0589, appropriation 16500), Dual Enrollment Program (fund 0589, appropriation 42201), HEAPS Grant Program (fund 0589, appropriation 86700), and Health Professionals' Student Loan Program (fund 0589, appropriation 86701) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for Facilities Planning and Administration (fund 0589, appropriation 38600) is for operational expenses of the West Virginia Regional Technology Park between construction and full occupancy.

The above appropriation for Higher Education Grant Program (fund 0589, appropriation 16400) shall be transferred to the Higher Education Grant Fund (fund 4933) established by W.V. Code §18C-5-3.

The above appropriation for Underwood-Smith Scholarship Program - Student Awards (fund 0589, appropriation 16700) shall be transferred to the Underwood-Smith Teaching Scholars Program Fund (4922) established by W.V. Code §18C-4-1.

The above appropriation for PROMISE Scholarship-Transfer (fund 0589, appropriation 80000) shall be transferred to the PROMISE Scholarship Fund (fund 4296) established by W.V. Code §18C-7-7.

The above appropriation for Dual Enrollment Program (fund 0589, appropriation 42201) shall be used for the Dual Enrollment Program established by House Bill 2005 during the 2023 Regular Session.

139 - West Virginia University –

School of Medicine

Medical School Fund

(W.V. Code Chapter 18B)

Fund 0343 FY 2025 Org 0463

WVU School of Health Science – Eastern Division	05600	\$ 2,426,012
WVU – School of Health Sciences	17400	16,155,605
WVU – School of Health Sciences – Charleston Division.....	17500	2,478,576
Rural Health Outreach Programs (R)	37700	170,278

West Virginia University School of Medicine

BRIM Subsidy	46000	<u>1,203,087</u>
Total.....		\$ 22,433,558

Any unexpended balances remaining in the appropriations for Rural Health Outreach Programs (fund 0343, appropriation 37700) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

140 - West Virginia University –

General Administrative Fund

(W.V. Code Chapter 18B)

Fund 0344 FY 2025 Org 0463

West Virginia University	45900	\$ 95,189,730
West Virginia University Land Grant Match	45101	8,549,644
Jackson's Mill (R).....	46100	513,760
West Virginia University Institute of Technology.....	47900	8,915,719
State Priorities – Brownfield Professional Development (R)....	53100	816,556
Energy Express (R).....	86100	382,935
West Virginia University – Potomac State	99400	<u>5,138,046</u>
Total.....		\$ 119,506,390

From the above appropriation for Jackson's Mill (fund 0344, appropriation 46100), \$250,000 shall be used for the West Virginia State Fire Training Academy.

Any unexpended balances remaining in the appropriations for Jackson's Mill (fund 0344, appropriation 46100), State Priorities – Brownfield Professional Development (fund 0344, appropriation 53100), National Cancer Institute - Surplus (fund 0344, appropriation 65399), and Energy Express (fund 0344, appropriation 86100) and at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

141 - Marshall University –

School of Medicine

(W.V. Code Chapter 18B)

Fund 0347 FY 2025 Org 0471

Marshall Medical School	17300	\$ 8,357,258
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Rural Health Outreach Programs (R)	37700	160,732
Forensic Lab (R)	37701	227,415
Center for Rural Health (R)	37702	169,390
Marshall University Medical School BRIM Subsidy	44900	<u>872,612</u>
Total		\$ 9,787,407

Any unexpended balances remaining in the appropriations for Rural Health Outreach Programs (fund 0347, appropriation 37700), Forensic Lab (fund 0347, appropriation 37701), and Center for Rural Health (fund 0347, appropriation 37702) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

142 - Marshall University –

General Administration Fund

(W.V. Code Chapter 18B)

Fund 0348 FY 2025 Org 0471

Marshall University.....	44800	\$ 53,411,505
Marshall University Minority Health Institute	42301	100,000
Luke Lee Listening Language and Learning Lab (R).....	44801	157,901
VISTA E-Learning (R)	51900	229,019
State Priorities – Brownfield Professional Development (R)	53100	809,606
Marshall University Graduate College Writing Project (R)	80700	25,412
WV Autism Training Center (R).....	93200	<u>1,992,337</u>
Total		\$ 56,725,780

Any unexpended balances remaining in the appropriations for Luke Lee Listening Language and Learning Lab (fund 0348, appropriation 44801), VISTA E-Learning (fund 0348, appropriation 51900), State Priorities – Brownfield Professional Development (fund 0348, appropriation 53100), Marshall University Graduate College Writing Project (fund 0348, appropriation 80700), WV Autism Training Center (fund 0348, appropriation 93200), Marshall University Minority Health Institute (fund 0348, appropriation 42301), and Marshall University Cybersecurity Program – Surplus (fund 0348, appropriation 42302) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

143 - West Virginia School of Osteopathic Medicine

(W.V. Code Chapter 18B)

Fund 0336 FY 2025 Org 0476

West Virginia School of Osteopathic Medicine	17200	\$	5,588,340
Rural Health Outreach Programs (R)	37700		174,997
West Virginia School of Osteopathic Medicine			
BRIM Subsidy	40300		153,405
Rural Health Initiative – Medical Schools Support	58100		<u>415,363</u>
Total		\$	6,332,105

Any unexpended balance remaining in the appropriation for Rural Health Outreach Programs (fund 0336, appropriation 37700), and West Virginia School of Osteopathic Medicine – Surplus (fund 0336, appropriation 17299) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

144 - Bluefield State University

(W.V. Code Chapter 18B)

Fund 0354 FY 2025 Org 0482

Bluefield State University	40800	\$	7,081,263
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145 - Concord University

(W.V. Code Chapter 18B)

Fund 0357 FY 2025 Org 0483

Concord University	41000	\$	11,491,763
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146 - Fairmont State University

(W.V. Code Chapter 18B)

Fund 0360 FY 2025 Org 0484

Fairmont State University	41400	\$	20,671,494
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147 - Glenville State University

(W.V. Code Chapter 18B)

Fund 0363 FY 2025 Org 0485

Glenville State University	42800	\$	7,420,879
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148 - Shepherd University

(W.V. Code Chapter 18B)

Fund 0366 FY 2025 Org 0486

Shepherd University.....	43200	\$	13,734,975
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149 - West Liberty University

(W.V. Code Chapter 18B)

Fund 0370 FY 2025 Org 0488

West Liberty University	43900	\$	10,380,743
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150 - West Virginia State University

(W.V. Code Chapter 18B)

Fund 0373 FY 2025 Org 0490

West Virginia State University	44100	\$	11,969,170
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Healthy Grandfamilies (R).....	62101		800,000
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West Virginia State University Land Grant Match.....	95600		<u>5,000,000</u>
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Total.....		\$	17,769,170
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Any unexpended balance remaining in the appropriation for Healthy Grandfamilies (fund 0373, appropriation 62101) at the close of fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

151 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(W.V. Code Chapter 18B)

Fund 0551 FY 2025 Org 0495

WVNET.....	16900	\$	1,946,515
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MISCELLANEOUS BOARDS AND COMMISSIONS

152 - Adjutant General –

State Militia

(W.V. Code Chapter 15)

Fund 0433 FY 2025 Org 0603

Salary and Benefits of Cabinet Secretary and

Agency Heads.....	00201	\$	189,000
Unclassified (R).....	09900		106,798
College Education Fund.....	23200		4,000,000
Civil Air Patrol	23400		249,664
Armory Board Transfer.....	70015		2,317,555
Mountaineer ChalleNGe Academy.....	70900		3,570,640
Military Authority (R).....	74800		6,621,038
Drug Enforcement and Support.....	74801		<u>1,592,221</u>
Total.....		\$	18,646,916

Any unexpended balances remaining in the appropriations for Unclassified (fund 0433, appropriation 09900), Military Authority (fund 0433, appropriation 74800), Armory Board Transfers – Surplus (fund 0433, appropriation 70299), Military Authority – Surplus (fund 0433, appropriation 74899), and Federal Funds/Grant Match (fund 0433, appropriation 85700) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriations an amount approved by the Adjutant General may be transferred to the State Armory Board for operation and maintenance of National Guard Armories.

The Adjutant General shall have the authority to transfer between appropriations.

From the above appropriation and other state and federal funding, the Adjutant General shall provide an amount not less than \$3,570,640 to the Mountaineer ChalleNGe Academy to meet anticipated program demand.

153 - Adjutant General –

Military Fund

(W.V. Code Chapter 15)

Fund 0605 FY 2025 Org 0603

Personal Services and Employee Benefits.....	00100	\$	100,000
Current Expenses	13000		<u>57,775</u>
Total.....		\$	157,775

Total TITLE II, Section 1 – General Revenue

(Including claims against the state) \$ 4,996,598,939

Sec. 2. Appropriations from state road fund. — From the state road fund there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following ,amounts, as itemized, for expenditure during the fiscal year 2025.

DEPARTMENT OF TRANSPORTATION

154 - Division of Motor Vehicles

(W.V. Code Chapters 17, 17A, 17B, 17C, 17D, 20, and 24A)

Fund 9007 FY 2025 Org 0802

	Appro-	State
	priation	Road
		Fund
Personal Services and Employee Benefits.....	00100	\$ 43,505,517
Salary and Benefits of Cabinet Secretary and		
Agency Heads.....	00201	129,500
Repairs and Alterations.....	06400	144,000
Equipment.....	07000	1,080,000
Current Expenses.....	13000	22,556,730
Buildings.....	25800	10,000
Other Assets.....	69000	2,480,000
BRIM Premium.....	91300	<u>110,000</u>
Total.....		\$ 70,015,747

155 - Division of Highways

(W.V. Code Chapters 17 and 17C)

Fund 9017 FY 2025 Org 0803

Salary and Benefits of Cabinet Secretary and		
Agency Heads.....	00201	\$ 200,000
Debt Service.....	04000	143,000,000

Maintenance	23700	565,235,315
Inventory Revolving	27500	4,000,000
Equipment Revolving	27600	52,950,166
General Operations.....	27700	186,166,680
Interstate Construction.....	27800	275,000,000
Other Federal Aid Programs.....	27900	450,000,000
Appalachian Programs.....	28000	250,000,000
Highway Litter Control.....	28200	<u>1,650,000</u>
Total		\$ 1,928,202,161

The above appropriations are to be expended in accordance with the provisions of Chapters 17 and 17C of the W.V. Code.

The Commissioner of Highways shall have the authority to operate revolving funds within the State Road Fund for the operation and purchase of various types of equipment used directly and indirectly in the construction and maintenance of roads and for the purchase of inventories and materials and supplies.

There is hereby appropriated in addition to the above appropriations, sufficient money for the payment of claims, accrued or arising during this budgetary period, to be paid in accordance with Sections 17 and 18, Article 2, Chapter 14 of the W.V. Code.

It is the intent of the Legislature to capture and match all federal funds available for expenditure on the Appalachian highway system at the earliest possible time. Therefore, should amounts in excess of those appropriated be required for the purposes of Appalachian Programs, funds in excess of the amount appropriated may be made available upon recommendation of the Commissioner and approval of the Governor. Further, for the purpose of Appalachian Programs, funds appropriated by appropriation may be transferred to other appropriations upon recommendation of the Commissioner and approval of the Governor.

Total TITLE II, Section 2 – State Road Fund

(Including claims against the state) \$ 1,998,604,764

Sec. 3. Appropriations from other funds. — From the funds designated there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2025.

LEGISLATIVE

156 - Crime Victims Compensation Fund

(W.V. Code Chapter 14)

Fund 1731 FY 2025 Org 2300

	Appro-		Other
	priation		Funds
Personal Services and Employee Benefits.....	00100	\$	498,020
Repairs and Alterations.....	06400		1,000
Current Expenses.....	13000		133,903
Economic Loss Claim Payment Fund.....	33400		2,000,000
Other Assets.....	69000		<u>3,700</u>
Total.....		\$	2,636,623

JUDICIAL

157 - Supreme Court –

Court Advanced Technology Subscription Fund

(W.V. Code Chapter 51)

Fund 1704 FY 2025 Org 2400

Current Expenses.....	13000	\$	100,000
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158 - Supreme Court –

Adult Drug Court Participation Fund

(W.V. Code Chapter 62)

Fund 1705 FY 2025 Org 2400

Current Expenses.....	13000	\$	200,000
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159 - Supreme Court –

Family Court Fund

(W.V. Code Chapter 51)

Fund 1763 FY 2025 Org 2400

Current Expenses.....	13000	\$	900,000
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160 - Supreme Court –

Court Facilities Maintenance Fund

(W.V. Code Chapter 51)

Fund 1766 FY 2025 Org 2400

Repairs and Alterations.....	06400	\$	150,000
Current Expenses	13000		<u>750,000</u>
Total		\$	900,000

EXECUTIVE

161 - Governor's Office –

Minority Affairs Fund

(W.V. Code Chapter 5)

Fund 1058 FY 2025 Org 0100

Personal Services and Employee Benefits.....	00100	\$	239,958
Martin Luther King, Jr. Holiday Celebration	03100		8,926
Current Expenses	13000		<u>453,200</u>
Total.....		\$	702,084

162 - Auditor's Office –

Grant Recovery Fund

(W.V. Code Chapter 12)

Fund 1205 FY 2025 Org 1200

Repairs and Alterations.....	06400	\$	2,000
Equipment.....	07000		7,000
Current Expenses	13000		<u>191,000</u>
Total.....		\$	200,000

163 - Auditor's Office –

Land Operating Fund

(W.V. Code Chapters 11A, 12, and 36)

Fund 1206 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	901,372
Repairs and Alterations.....	06400		2,600
Equipment.....	07000		426,741
Unclassified	09900		15,139
Current Expenses	13000		715,291
Cost of Delinquent Land Sale.....	76800		<u>1,841,168</u>
Total.....		\$	3,902,311

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the necessary amount for the expenditure of funds other than Personal Services and Employee Benefits to enable the division to pay the direct expenses relating to land sales as provided in Chapter 11A of the West Virginia Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

164 - Auditor's Office –

Local Government Purchasing Card Expenditure Fund

(W.V. Code Chapter 6)

Fund 1224 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	670,729
Repairs and Alterations.....	06400		6,000
Equipment.....	07000		10,805
Current Expenses	13000		282,030
Other Assets	69000		50,000
Statutory Revenue Distribution.....	74100		<u>3,500,000</u>
Total.....		\$	4,519,564

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer of revenue distribution requirements to provide a proportionate share of rebates back to the general fund of local governments based on utilization of the program in accordance with W.V. Code §6-9-2b.

165 - Auditor's Office –

Securities Regulation Fund

(W.V. Code Chapter 32)

Fund 1225 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	3,009,931
Repairs and Alterations.....	06400		12,400
Equipment.....	07000		594,700
Unclassified	09900		31,866
Current Expenses	13000		1,463,830
Other Assets	69000		<u>1,200,000</u>
Total.....		\$	6,312,727

166 - Auditor's Office –

Technology Support and Acquisition Fund

(W.V. Code Chapter 12)

Fund 1233 FY 2025 Org 1200

Current Expenses	13000	\$	10,000
Other Assets	69000		<u>5,000</u>
Total.....		\$	15,000

Fifty percent of the deposits made into this fund shall be transferred to the Treasurer's Office – Technology Support and Acquisition Fund (fund 1329) for expenditure for the purposes described in W.V. Code §12-3-10c.

167 - Auditor's Office –

Purchasing Card Administration Fund

(W.V. Code Chapter 12)

Fund 1234 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$	3,407,244
Repairs and Alterations.....	06400		5,500
Equipment.....	07000		850,000

Current Expenses	13000	2,303,622
Other Assets	69000	508,886
Statutory Revenue Distribution.....	74100	<u>8,000,000</u>
Total.....		\$ 15,075,252

There is hereby appropriated from this fund, in addition to the above appropriations if needed, the amount necessary to meet the transfer and revenue distribution requirements to the Purchasing Improvement Fund (fund 2264), the Entrepreneurship and Innovation Investment Fund (fund 3014), the Hatfield-McCoy Regional Recreation Authority, and the State Park Operating Fund (fund 3265) per W.V. Code §12-3-10d.

168 - Auditor's Office –

Chief Inspector's Fund

(W.V. Code Chapter 6)

Fund 1235 FY 2025 Org 1200

Personal Services and Employee Benefits.....	00100	\$ 3,910,235
Equipment.....	07000	50,000
Current Expenses	13000	<u>765,915</u>
Total.....		\$ 4,726,150

169 - Auditor's Office –

Volunteer Fire Department Workers'

Compensation Premium Subsidy Fund

(W.V. Code Chapters 12 and 33)

Fund 1239 FY 2025 Org 1200

Volunteer Fire Department

Workers' Compensation Subsidy.....	83200	\$ 2,500,000
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170 - Auditor's Office –

Private Trust Company Application Fund

(W.V. Code Chapters 31 and 46)

Fund 1241 FY 2025 Org 1200

Equipment.....	07000	\$	30,000
Current Expenses	13000		<u>60,000</u>
Total.....		\$	90,000

171 - Department of Agriculture –

Agriculture Fees Fund

(W.V. Code Chapters 19)

Fund 1401 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	3,102,402
Repairs and Alterations.....	06400		158,500
Equipment.....	07000		436,209
Unclassified	09900		37,425
Current Expenses	13000		1,856,184
Other Assets	69000		<u>10,000</u>
Total.....		\$	5,600,720

172 - Department of Agriculture –

West Virginia Rural Rehabilitation Program

(W.V. Code Chapter 19)

Fund 1408 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	85,293
Unclassified	09900		10,476
Current Expenses	13000		<u>2,200,000</u>
Total.....		\$	2,295,769

173 - Department of Agriculture –

General John McCausland Memorial Farm Fund

(W.V. Code Chapter 19)

Fund 1409 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	85,545
Repairs and Alterations.....	06400		36,400
Equipment.....	07000		15,000
Unclassified	09900		2,100
Current Expenses	13000		<u>89,500</u>
Total.....		\$	228,545

The above appropriations shall be expended in accordance with Article 26, Chapter 19 of the Code.

174 - Department of Agriculture –

Farm Operating Fund

(W.V. Code Chapter 19)

Fund 1412 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	932,035
Repairs and Alterations.....	06400		388,722
Equipment.....	07000		399,393
Unclassified	09900		15,173
Current Expenses	13000		1,367,464
Other Assets	69000		<u>20,000</u>
Total.....		\$	3,122,787

175 - Department of Agriculture –

Capital Improvements Fund

(W.V. Code Chapter 19)

Fund 1413 FY 2025 Org 1400

Repairs and Alterations.....	06400		250,000
Equipment.....	07000		350,000
Unclassified	09900		20,000
Current Expenses	13000		510,000

Buildings	25800	670,000
Other Assets	69000	<u>200,000</u>
Total.....		\$ 2,000,000

*176 - Department of Agriculture –
Agriculture Development Fund
(W.V. Code Chapter 19)
Fund 1423 FY 2025 Org 1400*

Current Expenses	13000	\$ 100,000
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*177 - Department of Agriculture –
Donated Food Fund
(W.V. Code Chapter 19)
Fund 1446 FY 2025 Org 1400*

Personal Services and Employee Benefits.....	00100	\$ 1,163,783
Repairs and Alterations.....	06400	128,500
Equipment.....	07000	10,000
Unclassified	09900	45,807
Current Expenses	13000	3,410,542
Other Assets	69000	27,000
Land.....	73000	<u>250,000</u>
Total.....		\$ 5,035,632

*178 - Department of Agriculture –
Integrated Predation Management Fund
(W.V. Code Chapter 7)
Fund 1465 FY 2025 Org 1400*

Current Expenses	13000	\$ 112,500
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179 - Department of Agriculture –

West Virginia Spay Neuter Assistance Fund

(W.V. Code Chapter 19)

Fund 1481 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	100,000
Current Expenses	13000		<u>1,000,000</u>
Total.....		\$	1,100,000

180 - Department of Agriculture –

Veterans and Warriors to Agriculture Fund

(W.V. Code Chapter 19)

Fund 1483 FY 2025 Org 1400

Current Expenses	13000	\$	7,500
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181 - Department of Agriculture –

State FFA-FHA Camp and Conference Center

(W.V. Code Chapters 18 and 18A)

Fund 1484 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	1,289,160
Repairs and Alterations.....	06400		82,500
Equipment.....	07000		76,000
Unclassified	09900		17,000
Current Expenses	13000		1,143,306
Buildings	25800		1,000
Other Assets	69000		10,000
Land.....	73000		<u>1,000</u>
Total.....		\$	2,619,966

182 - Attorney General –

Antitrust Enforcement Fund

(W.V. Code Chapter 47)

Fund 1507 FY 2025 Org 1500

Personal Services and Employee Benefits.....	00100	\$	371,036
Repairs and Alterations.....	06400		1,000
Equipment.....	07000		1,000
Current Expenses	13000		<u>148,803</u>
Total.....		\$	521,839

*183 - Attorney General –**Preneed Burial Contract Regulation Fund*

(W.V. Code Chapter 47)

Fund 1513 FY 2025 Org 1500

Personal Services and Employee Benefits.....	00100	\$	240,959
Repairs and Alterations.....	06400		1,000
Equipment.....	07000		1,000
Current Expenses	13000		<u>54,615</u>
Total.....		\$	297,574

*184 - Attorney General –**Preneed Funeral Guarantee Fund*

(W.V. Code Chapter 47)

Fund 1514 FY 2025 Org 1500

Current Expenses	13000	\$	901,135
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*185 - Secretary of State –**Service Fees and Collection Account*

(W.V. Code Chapters 3, 5, and 59)

Fund 1612 FY 2025 Org 1600

Personal Services and Employee Benefits.....	00100	\$	1,196,867
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Unclassified	09900		4,524
Current Expenses	13000		<u>8,036</u>
Total		\$	1,209,427

*186 - Secretary of State –
General Administrative Fees Account
(W.V. Code Chapters 3, 5, and 59)*

Fund 1617 FY 2025 Org 1600

Personal Services and Employee Benefits.....	00100	\$	3,248,467
Unclassified	09900		25,529
Current Expenses	13000		1,276,716
Technology Improvements.....	59900		<u>870,000</u>
Total		\$	5,420,712

DEPARTMENT OF ADMINISTRATION

187 - Department of Administration –

Office of the Secretary –

Tobacco Settlement Fund

(W.V. Code Chapter 4)

Fund 2041 FY 2025 Org 0201

Tobacco Settlement Securitization Trustee Passthru	65000	\$	80,000,000
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188 - Department of Administration –

Office of the Secretary –

Employee Pension and Health Care Benefit Fund

(W.V. Code Chapter 18)

Fund 2044 FY 2025 Org 0201

Current Expenses	13000	\$	38,166,000
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The above appropriation for Current Expenses (fund 2044, appropriation 13000) shall be transferred to the Consolidated Public Retirement Board – Teachers' Accumulation Fund (fund 2600).

189 - Department of Administration –

Division of Finance –

Shared Services Section Fund

(W.V. Code Chapter 5A)

Fund 2020 FY 2025 Org 0209

Personal Services and Employee Benefits.....	00100	\$	1,638,791
Current Expenses	13000		<u>500,000</u>
Total.....		\$	2,138,791

190 - Division of Information Services and Communications

(W.V. Code Chapter 5A)

Fund 2220 FY 2025 Org 0210

Personal Services and Employee Benefits.....	00100	\$	23,367,490
Equipment.....	07000		2,050,000
Unclassified	09900		344,119
Current Expenses	13000		34,418,001
Other Assets	69000		<u>1,045,000</u>
Total.....		\$	61,224,610

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Division of Information Services and Communications as provided by law.

Each spending unit operating from the General Revenue Fund, from special revenue funds or receiving reimbursement for postage from the federal government shall be charged monthly for all postage meter service and shall reimburse the revolving fund monthly for all such amounts.

191 - Division of Purchasing –

Vendor Fee Fund

(W.V. Code Chapter 5A)

Fund 2263 FY 2025 Org 0213

Personal Services and Employee Benefits.....	00100	\$	611,378
Current Expenses	13000		9,115
BRIM Premium.....	91300		<u>810</u>
Total.....		\$	621,303

192 - Division of Purchasing –
Purchasing Improvement Fund
(W.V. Code Chapter 5A)
Fund 2264 FY 2025 Org 0213

Personal Services and Employee Benefits.....	00100	\$	1,060,880
Repairs and Alterations.....	06400		500
Equipment.....	07000		500
Unclassified	09900		5,562
Current Expenses	13000		492,066
Other Assets	69000		500
BRIM Premium.....	91300		<u>850</u>
Total.....		\$	1,560,858

193 - Travel Management –
Aviation Fund
(W.V. Code Chapter 5A)
Fund 2302 FY 2025 Org 0215

Repairs and Alterations.....	06400	\$	1,275,237
Equipment.....	07000		1,000
Unclassified	09900		1,000
Current Expenses	13000		149,700
Buildings	25800		100
Other Assets	69000		100

Land.....	73000	<u>100</u>
Total.....		\$ 1,427,237

194 - Fleet Management Division Fund

(W.V. Code Chapter 5A)

Fund 2301 FY 2025 Org 0216

Personal Services and Employee Benefits.....	00100	\$ 839,903
Repairs and Alterations.....	06400	12,000
Equipment.....	07000	800,000
Unclassified	09900	4,000
Current Expenses	13000	11,630,614
Other Assets	69000	<u>2,000</u>
Total.....		\$ 13,288,517

195 - Division of Personnel

(W.V. Code Chapter 29)

Fund 2440 FY 2025 Org 0222

Personal Services and Employee Benefits.....	00100	\$ 5,034,147
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	122,500
Repairs and Alterations.....	06400	5,000
Equipment.....	07000	20,000
Unclassified	09900	51,418
Current Expenses	13000	1,262,813
Other Assets	69000	<u>60,000</u>
Total.....		\$ 6,555,878

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Personnel.

(W.V. Code Chapter 7)

Fund 2521 FY 2025 Org 0228

Personal Services and Employee Benefits.....	00100	\$	139,779
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		119,000
Repairs and Alterations.....	06400		600
Equipment.....	07000		500
Unclassified	09900		4,023
Current Expenses	13000		297,528
Other Assets	69000		<u>500</u>
Total.....		\$	561,930

*197 - Office of Technology –**Technology Infrastructure Reinvestment Fund*

(W.V. Code Chapter 31)

Fund 2209 FY 2025 Org 0231

Current Expenses	13000	\$	400,000
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*198 - Office of Technology –**Chief Technology Officer Administration Fund*

(W.V. Code Chapter 5A)

Fund 2531 FY 2025 Org 0231

Personal Services and Employee Benefits.....	00100	\$	469,481
Repairs and Alterations.....	06400		1,000
Equipment.....	07000		50,000
Unclassified	09900		6,949
Current Expenses	13000		2,196,504
Other Assets	69000		<u>10,000</u>

Total..... \$ 2,733,934

From the above fund, the provisions of W.V. Code §11B-2-18 shall not operate to permit expenditures in excess of the funds authorized for expenditure herein.

DEPARTMENT OF COMMERCE

199 - Division of Forestry

(W.V. Code Chapter 19)

Fund 3081 FY 2025 Org 0305

Personal Services and Employee Benefits.....	00100	\$	224,509
Repairs and Alterations.....	06400		53,000
Equipment.....	07000		300,000
Current Expenses	13000		<u>439,830</u>
Total.....		\$	1,017,339

200 - Division of Forestry –

Timbering Operations Enforcement Fund

(W.V. Code Chapter 19)

Fund 3082 FY 2025 Org 0305

Personal Services and Employee Benefits.....	00100	\$	260,661
Repairs and Alterations.....	06400		11,250
Current Expenses	13000		<u>54,873</u>
Total.....		\$	326,784

201 - Division of Forestry –

Severance Tax Operations

(W.V. Code Chapter 11)

Fund 3084 FY 2025 Org 0305

Current Expenses	13000	\$	282,614
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202 - Geological and Economic Survey –

Geological and Analytical Services Fund

(W.V. Code Chapter 29)

Fund 3100 FY 2025 Org 0306

Personal Services and Employee Benefits.....	00100	\$	37,966
Repairs and Alterations.....	06400		50,000
Equipment.....	07000		20,000
Unclassified	09900		2,182
Current Expenses	13000		141,631
Other Assets	69000		<u>10,000</u>
Total.....		\$	261,779

The above appropriations shall be used in accordance with W.V. Code §29-2-4.

203 - Division of Labor –

West Virginia Jobs Act Fund

(W.V. Code Chapter 21)

Fund 3176 FY 2025 Org 0308

Equipment.....	07000	\$	25,000
Current Expenses	13000		<u>75,000</u>
Total.....		\$	100,000

204 - Division of Labor –

HVAC Fund

(W.V. Code Chapter 21)

Fund 3186 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	482,855
Repairs and Alterations.....	06400		4,500
Unclassified	09900		4,000
Current Expenses	13000		82,000
Buildings	25800		1,000

BRIM Premium.....	91300	<u>8,500</u>
Total.....		\$ 582,855

205 - Division of Labor –

Elevator Safety Fund

(W.V. Code Chapter 21)

Fund 3188 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$ 305,995
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	123,221
Repairs and Alterations.....	06400	2,000
Unclassified	09900	2,261
Current Expenses	13000	94,712
Buildings	25800	1,000
BRIM Premium.....	91300	<u>8,500</u>
Total.....		\$ 537,689

206 - Division of Labor –

Steam Boiler Fund

(W.V. Code Chapter 21)

Fund 3189 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$ 83,471
Repairs and Alterations.....	06400	2,000
Unclassified	09900	1,000
Current Expenses	13000	20,000
Buildings	25800	1,000
BRIM Premium.....	91300	<u>1,000</u>
Total.....		\$ 108,471

207 - Division of Labor –

Crane Operator Certification Fund

(W.V. Code Chapter 21)

Fund 3191 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	203,573
Repairs and Alterations.....	06400		1,500
Unclassified	09900		1,380
Current Expenses	13000		51,265
Buildings	25800		1,000
BRIM Premium.....	91300		<u>7,000</u>
Total.....		\$	265,718

208 - Division of Labor –

Amusement Rides and Amusement Attraction Safety Fund

(W.V. Code Chapter 21)

Fund 3192 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	202,269
Repairs and Alterations.....	06400		2,000
Unclassified	09900		1,281
Current Expenses	13000		44,520
Buildings	25800		1,000
BRIM Premium.....	91300		<u>8,500</u>
Total.....		\$	259,570

209 - Division of Labor –

State Manufactured Housing Administration Fund

(W.V. Code Chapter 21)

Fund 3195 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	303,686
Repairs and Alterations.....	06400		1,000
Unclassified	09900		1,847
Current Expenses	13000		43,700
Buildings	25800		1,000
BRIM Premium.....	91300		<u>3,404</u>
Total.....		\$	354,637

210 - Division of Labor –

Weights and Measures Fund

(W.V. Code Chapter 47)

Fund 3196 FY 2025 Org 0308

Repairs and Alterations.....	06400	\$	10,000
Equipment.....	07000		10,000
Unclassified	09900		1,200
Current Expenses	13000		93,000
BRIM Premium.....	91300		<u>7,000</u>
Total.....		\$	121,200

211 - Division of Labor –

Bedding and Upholstery Fund

(W.V. Code Chapter 47)

Fund 3198 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$	156,381
Repairs and Alterations.....	06400		2,000
Unclassified	09900		2,000
Current Expenses	13000		145,400
Buildings	25800		1,000

BRIM Premium.....	91300	<u>8,700</u>
Total.....		\$ 315,481

212 - Division of Labor –

Psychophysiological Examiners Fund

(W.V. Code Chapter 21)

Fund 3199 FY 2025 Org 0308

Current Expenses	13000	\$ 4,000
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213 - Division of Natural Resources –

License Fund – Wildlife Resources

(W.V. Code Chapter 20)

Fund 3200 FY 2025 Org 0310

Wildlife Resources	02300	\$ 10,689,217
Administration	15500	2,417,057
Capital Improvements and Land Purchase (R).....	24800	5,140,907
Law Enforcement.....	80600	<u>9,989,958</u>
Total.....		\$ 28,237,139

The total amount of these appropriations shall be paid from a special revenue fund out of fees collected by the Division of Natural Resources.

Any unexpended balance remaining in the appropriation for Capital Improvements and Land Purchase (fund 3200, appropriation 24800) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

214 - Division of Natural Resources –

Natural Resources Game Fish and Aquatic Life Fund

(W.V. Code Chapter 22)

Fund 3202 FY 2025 Org 0310

Current Expenses	13000	\$ 125,000
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215 - Division of Natural Resources –

Nongame Fund

(W.V. Code Chapter 20)

Fund 3203 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$	727,138
Equipment.....	07000		106,615
Current Expenses	13000		<u>201,810</u>
Total.....		\$	1,035,563

*216 - Division of Natural Resources –**Planning and Development Division*

(W.V. Code Chapter 20)

Fund 3205 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$	482,802
Repairs and Alterations.....	06400		15,016
Equipment.....	07000		308,300
Current Expenses	13000		1,056,876
Buildings	25800		8,300
Other Assets	69000		1,900,000
Land.....	73000		<u>31,700</u>
Total.....		\$	3,802,994

*217 - Division of Natural Resources –**State Parks and Recreation Endowment Fund*

(W.V. Code Chapter 20)

Fund 3211 FY 2025 Org 0310

Repairs and Alterations.....	06400	\$	3,000
Equipment.....	07000		2,000
Current Expenses	13000		6,000
Buildings	25800		3,000

Other Assets	69000	3,504,000
Land.....	73000	<u>2,000</u>
Total.....		\$ 3,520,000

218 - Division of Natural Resources –

Whitewater Study and Improvement Fund

(W.V. Code Chapter 20)

Fund 3253 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$ 76,836
Equipment.....	07000	1,297
Current Expenses	13000	64,778
Buildings	25800	<u>6,969</u>
Total.....		\$ 149,880

219 - Division of Natural Resources –

Whitewater Advertising and Promotion Fund

(W.V. Code Chapter 20)

Fund 3256 FY 2025 Org 0310

Unclassified	09900	\$ 200
Current Expenses	13000	<u>19,800</u>
Total.....		\$ 20,000

220 - Division of Miners' Health, Safety and Training –

Special Health, Safety and Training Fund

(W.V. Code Chapter 22A)

Fund 3355 FY 2025 Org 0314

Personal Services and Employee Benefits.....	00100	\$ 538,305
W.V. Mining Extension Service	02600	150,000
Unclassified	09900	23,700

Current Expenses	13000	<u>1,671,842</u>
Total.....		\$ 2,383,847

*221 - Department of Commerce –
 Office of the Secretary –
 Marketing and Communications Operating Fund
 (W.V. Code Chapter 5B)
 Fund 3002 FY 2025 Org 0327*

Personal Services and Employee Benefits.....	00100	\$ 2,285,770
Equipment.....	07000	36,000
Unclassified	09900	30,000
Current Expenses	13000	<u>1,315,078</u>
Total.....		\$ 3,666,848

*222 - State Board of Rehabilitation –
 Division of Rehabilitation Services –
 West Virginia Rehabilitation Center Special Account
 (W.V. Code Chapter 18)
 Fund 8664 FY 2025 Org 0932*

Personal Services and Employee Benefits.....	00100	\$ 119,738
Repairs and Alterations.....	06400	85,500
Equipment.....	07000	220,000
Current Expenses	13000	1,180,122
Buildings	25800	150,000
Other Assets	69000	<u>150,000</u>
Total.....		\$ 1,905,360

DEPARTMENT OF ECONOMIC DEVELOPMENT

223 - Department of Economic Development –

Office of Energy –

Energy Assistance

(W.V. Code Chapter 5B)

Fund 3010 FY 2025 Org 0307

Energy Assistance - Total	64700	\$	7,211
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224 - Department of Economic Development –

Office of the Secretary –

Broadband Enhancement Fund

(W.V. Code Chapter 31G)

Fund 3013 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$	131,682
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Current Expenses	13000		<u>1,648,318</u>
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Total.....		\$	1,780,000
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225 - Department of Economic Development –

Office of the Secretary –

Entrepreneurship and Innovation Investment Fund

(W.V. Code Chapter 5B)

Fund 3014 FY 2025 Org 0307

Entrepreneurship and Innovation Investment Fund.....	70301	\$	1,500,000
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226 - Department of Economic Development –

Office of the Secretary –

Broadband Development Fund

(W.V. Code Chapter 31G)

Fund 3034 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$	682,669
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Unclassified	09900		2,000,000
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Current Expenses	13000	<u>235,302,925</u>
Total.....		\$ 237,985,594

227 - Department of Economic Development –

Office of the Secretary –

Office of Coalfield Community Development

(W.V. Code Chapter 5B)

Fund 3162 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$ 438,687
Unclassified	09900	8,300
Current Expenses	13000	<u>399,191</u>
Total.....		\$ 846,178

DEPARTMENT OF EDUCATION

228 - State Board of Education –

Strategic Staff Development

(W.V. Code Chapter 18)

Fund 3937 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$ 35,000
Unclassified	09900	26,000
Current Expenses	13000	<u>2,539,000</u>
Total.....		\$ 2,600,000

229 - School Building Authority –

School Construction Fund

(W.V. Code Chapters 18 and 18A)

Fund 3952 FY 2025 Org 0404

SBA Construction Grants	24000	\$ 102,345,818
Directed Transfer	70000	<u>1,516,472</u>

Total..... \$ 103,862,290

The above appropriation for Directed Transfer (fund 3952, appropriation 70000) shall be transferred to the School Building Authority Fund (fund 3959) for the administrative expenses of the School Building Authority.

230 - School Building Authority

(W.V. Code Chapter 18)

Fund 3959 FY 2025 Org 0404

Personal Services and Employee Benefits.....	00100	\$ 1,233,127
Repairs and Alterations.....	06400	13,150
Equipment.....	07000	26,000
Current Expenses	13000	<u>244,195</u>
Total.....		\$ 1,516,472

DEPARTMENT OF ARTS, CULTURE, AND HISTORY

231 - Division of Culture and History –

Public Records and Preservation Revenue Account

(W.V. Code Chapter 5A)

Fund 3542 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$ 254,946
Equipment.....	07000	75,000
Current Expenses	13000	862,241
Buildings	25800	1,000
Other Assets	69000	52,328
Land.....	73000	<u>1,000</u>
Total.....		\$ 1,246,515

DEPARTMENT OF ENVIRONMENTAL PROTECTION

232 - Solid Waste Management Board

(W.V. Code Chapter 22C)

Fund 3288 FY 2025 Org 0312

Personal Services and Employee Benefits.....	00100	\$	922,334
Repairs and Alterations.....	06400		1,000
Equipment.....	07000		5,000
Current Expenses	13000		2,059,457
Other Assets	69000		<u>4,403</u>
Total.....		\$	2,992,194

*233 - Division of Environmental Protection –**Hazardous Waste Management Fund*

(W.V. Code Chapter 22)

Fund 3023 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	831,098
Repairs and Alterations.....	06400		500
Equipment.....	07000		1,505
Unclassified	09900		8,072
Current Expenses	13000		155,969
Other Assets	69000		<u>2,000</u>
Total.....		\$	999,144

*234 - Division of Environmental Protection –**Air Pollution Education and Environment Fund*

(W.V. Code Chapter 22)

Fund 3024 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	590,995
Repairs and Alterations.....	06400		13,000
Equipment.....	07000		53,105
Unclassified	09900		12,919

Current Expenses	13000	612,291
Other Assets	69000	<u>20,000</u>
Total.....		\$ 1,302,310

235 - Division of Environmental Protection –

Special Reclamation Fund

(W.V. Code Chapter 22)

Fund 3321 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 1,778,866
Repairs and Alterations.....	06400	79,950
Equipment.....	07000	130,192
Current Expenses	13000	16,185,006
Other Assets	69000	<u>32,000</u>
Total.....		\$ 18,206,014

236 - Division of Environmental Protection –

Oil and Gas Reclamation Fund

(W.V. Code Chapter 22)

Fund 3322 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 562,296
Current Expenses	13000	<u>956,094</u>
Total.....		\$ 1,518,390

237 - Division of Environmental Protection –

Oil and Gas Operating Permit and Processing Fund

(W.V. Code Chapter 22)

Fund 3323 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 3,080,953
Repairs and Alterations.....	06400	9,500

Equipment.....	07000	230,500
Unclassified	09900	30,700
Current Expenses	13000	937,300
Other Assets	69000	<u>500</u>
Total.....		\$ 4,289,453

238 - Division of Environmental Protection –

Mining and Reclamation Operations Fund

(W.V. Code Chapter 22)

Fund 3324 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 2,774,699
Repairs and Alterations.....	06400	60,260
Equipment.....	07000	83,000
Unclassified	09900	920
Current Expenses	13000	1,479,231
Other Assets	69000	<u>57,500</u>
Total.....		\$ 4,455,610

239 - Division of Environmental Protection –

Underground Storage Tank

Administrative Fund

(W.V. Code Chapter 22)

Fund 3325 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 503,574
Repairs and Alterations.....	06400	5,350
Equipment.....	07000	3,610
Unclassified	09900	7,520
Current Expenses	13000	318,420

Other Assets	69000	<u>3,500</u>
Total.....		\$ 841,974

*240 - Division of Environmental Protection –
Hazardous Waste Emergency Response Fund
(W.V. Code Chapter 22)*

Fund 3331 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 354,585
Repairs and Alterations.....	06400	7,014
Equipment.....	07000	9,000
Unclassified	09900	10,616
Current Expenses	13000	767,905
Other Assets	69000	<u>3,500</u>
Total.....		\$ 1,152,620

*241 - Division of Environmental Protection –
Solid Waste Reclamation and
Environmental Response Fund
(W.V. Code Chapter 22)*

Fund 3332 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 904,165
Repairs and Alterations.....	06400	25,000
Equipment.....	07000	106,500
Unclassified	09900	22,900
Current Expenses	13000	3,929,737
Buildings.....	25800	500
Other Assets	69000	<u>1,000</u>
Total.....		\$ 4,989,802

242 - Division of Environmental Protection –

Solid Waste Enforcement Fund

(W.V. Code Chapter 22)

Fund 3333 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	3,572,719
Repairs and Alterations.....	06400		30,930
Equipment.....	07000		23,356
Unclassified	09900		28,460
Current Expenses	13000		932,229
Other Assets	69000		<u>20,554</u>
Total.....		\$	4,608,248

243 - Division of Environmental Protection –

Air Pollution Control Fund

(W.V. Code Chapter 22)

Fund 3336 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	6,452,446
Repairs and Alterations.....	06400		84,045
Equipment.....	07000		103,601
Unclassified	09900		70,572
Current Expenses	13000		1,469,467
Other Assets	69000		<u>52,951</u>
Total.....		\$	8,233,082

244 - Division of Environmental Protection –

*Environmental Laboratory**Certification Fund*

(W.V. Code Chapter 22)

Fund 3340 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	389,614
Repairs and Alterations.....	06400		1,000
Unclassified	09900		1,120
Current Expenses	13000		201,146
Other Assets	69000		<u>163,000</u>
Total.....		\$	755,880

245 - Division of Environmental Protection –

Stream Restoration Fund

(W.V. Code Chapter 22)

Fund 3349 FY 2025 Org 0313

Current Expenses	13000	\$	3,682,076
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246 - Division of Environmental Protection –

Litter Control Fund

(W.V. Code Chapter 22)

Fund 3486 FY 2025 Org 0313

Current Expenses	13000	\$	60,000
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247 - Division of Environmental Protection –

Recycling Assistance Fund

(W.V. Code Chapter 22)

Fund 3487 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$	717,788
Repairs and Alterations.....	06400		800
Equipment.....	07000		500
Unclassified	09900		400
Current Expenses	13000		2,754,258

Other Assets	69000	<u>2,500</u>
Total.....		\$ 3,476,246

248 - Division of Environmental Protection –

Mountaintop Removal Fund

(W.V. Code Chapter 22)

Fund 3490 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 858,694
Repairs and Alterations.....	06400	27,612
Equipment.....	07000	23,500
Unclassified	09900	1,180
Current Expenses	13000	390,907
Other Assets	69000	<u>11,520</u>
Total.....		\$ 1,313,413

249 - Oil and Gas Conservation Commission –

Special Oil and Gas Conservation Fund

(W.V. Code Chapter 22C)

Fund 3371 FY 2025 Org 0315

Personal Services and Employee Benefits.....	00100	\$ 171,356
Repairs and Alterations.....	06400	1,000
Equipment.....	07000	9,481
Current Expenses	13000	161,225
Other Assets	69000	<u>1,500</u>
Total.....		\$ 344,562

DEPARTMENT OF HEALTH

250 - Department of Health –

Emergency Medical Service Workers Salary Enhancement Fund

(W.V. Code Chapter 16A)

Fund 5049 FY 2025 Org 0506

Current Expenses	13000	\$	10,000,000
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251 - Department of Health –

The Vital Statistics Account

(W.V. Code Chapter 16)

Fund 5144 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	1,198,160
Unclassified	09900		15,500
Current Expenses	13000		<u>3,557,788</u>
Total.....		\$	4,771,448

The total amount of these appropriations shall be paid from the Hospital Services Revenue Account Special Fund created by W.V. Code §16-1-13, and shall be used for operating expenses and for improvements in connection with existing facilities.

Additional funds have been appropriated from General Revenue for the operation of the institutional facilities.

Necessary funds from the above appropriation for Institutional Facilities Operations may be used for medical facilities operations, either in connection with this fund or in connection with the appropriations designated for Hopemont Hospital, Lakin Hospital, John Manchin Senior Health Care Center, Jackie Withrow Hospital, Welch Community Hospital, William R. Sharpe Jr. Hospital, Mildred Mitchell-Bateman Hospital, and William R. Sharpe Jr. Hospital – Transitional Living Facility.

252 - Department of Health –

Laboratory Services Fund

(W.V. Code Chapter 16)

Fund 5163 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	1,083,838
Unclassified	09900		18,114
Current Expenses	13000		<u>2,209,105</u>
Total.....		\$	3,311,057

253 - Department of Health –

The Health Facility Licensing Account

(W.V. Code Chapter 16)

Fund 5172 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	712,839
Unclassified	09900		7,113
Current Expenses	13000		<u>98,247</u>
Total.....		\$	818,199

254 - Department of Health –

Hepatitis B Vaccine

(W.V. Code Chapter 16)

Fund 5183 FY 2025 Org 0506

Current Expenses	13000	\$	9,740
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255 - Department of Health –

Lead Abatement Account

(W.V. Code Chapter 16)

Fund 5204 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	19,100
Unclassified	09900		373
Current Expenses	13000		<u>17,875</u>
Total.....		\$	37,348

256 - Department of Health –

West Virginia Birth-to-Three Fund

(W.V. Code Chapter 16)

Fund 5214 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	769,278
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Unclassified	09900	223,999
Current Expenses	13000	<u>35,693,134</u>
Total.....		\$ 36,686,411

*257 - Department of Health –
Tobacco Control Special Fund
(W.V. Code Chapter 16)
Fund 5218 FY 2025 Org 0506*

Current Expenses	13000	\$ 7,579
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*258 - Department of Health –
Medical Cannabis Program Fund
(W.V. Code Chapter 16A)
Fund 5420 FY 2025 Org 0506*

Personal Services and Employee Benefits.....	00100	\$ 509,658
Current Expenses	13000	<u>2,046,040</u>
Total.....		\$ 2,555,698

*259 - West Virginia Health Care Authority –
Health Care Cost Review Fund
(W.V. Code Chapter 16)
Fund 5375 FY 2025 Org 0507*

Personal Services and Employee Benefits.....	00100	\$ 366,513
Unclassified	09900	13,500
Current Expenses	13000	<u>536,586</u>
Total.....		\$ 916,599

The above appropriation is to be expended in accordance with and pursuant to the provisions of W.V. Code §16-29B and from the special revolving fund designated Health Care Cost Review Fund.

260 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(W.V. Code Chapter 16)

Fund 5377 FY 2025 Org 0507

Personal Services and Employee Benefits.....	00100	\$	555,842
Current Expenses	13000		<u>392,267</u>
Total.....		\$	948,109

DEPARTMENT OF HUMAN SERVICES

261 - Department of Human Services –

Health Care Provider Tax –

Medicaid State Share Fund

(W.V. Code Chapter 11)

Fund 5090 FY 2025 Org 0511

Medical Services.....	18900	\$	393,594,315
Medical Services Administrative Costs.....	78900		<u>268,451</u>
Total.....		\$	393,862,766

The above appropriation for Medical Services Administrative Costs (fund 5090, appropriation 78900) shall be transferred to a special revenue account in the treasury for use by the Department of Human Services for administrative purposes. The remainder of all moneys deposited in the fund shall be transferred to the Medical Services Program Fund (fund 5084).

262 - Department of Human Services –

Child Support Enforcement Fund

(W.V. Code Chapter 48A)

Fund 5094 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	27,809,509
Unclassified	09900		380,000
Current Expenses	13000		<u>12,810,491</u>
Total.....		\$	41,000,000

263 - Department of Human Services –

Ryan Brown Addiction Prevention and Recovery Fund

(W.V. Code Chapter 19)

Fund 5111 FY 2025 Org 0511

Current Expenses	13000	\$	10,667,392
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264 - Department of Human Services –

Medical Services Trust Fund

(W.V. Code Chapter 9)

Fund 5185 FY 2025 Org 0511

Medical Services	18900	\$	55,000,000
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Medical Services Administrative Costs.....	78900		<u>738,149</u>
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Total.....		\$	55,738,149
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The above appropriation to Medical Services shall be used to provide state match of Medicaid expenditures as defined and authorized in subsection (c) of W.V. Code §9-4A-2a. Expenditures from the fund are limited to the following: payment of backlogged billings, funding for services to future federally mandated population groups and payment of the required state match for Medicaid disproportionate share payments. The remainder of all moneys deposited in the fund shall be transferred to the Department of Human Services accounts.

265 - Department of Human Services –

James "Tiger" Morton Catastrophic Illness Fund

(W.V. Code Chapter 16)

Fund 5454 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	136,984
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Unclassified	09900		4,000
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Current Expenses	13000		<u>396,000</u>
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Total.....		\$	536,984
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266 - Department of Human Services –

Domestic Violence Legal Services Fund

(W.V. Code Chapter 48)

Fund 5455 FY 2025 Org 0511

Current Expenses	13000	\$	900,000
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267 - Department of Human Services –
 West Virginia Works Separate State College Program Fund
 (W.V. Code Chapter 9)
 Fund 5467 FY 2025 Org 0511

Current Expenses	13000	\$	500,000
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268 - Department of Human Services –
 West Virginia Works Separate State Two-Parent Program Fund
 (W.V. Code Chapter 9)
 Fund 5468 FY 2025 Org 0511

Current Expenses	13000	\$	1,500,000
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269 - Department of Human Services –
 Marriage Education Fund
 (W.V. Code Chapter 9)
 Fund 5490 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	10,000
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Current Expenses	13000		<u>25,000</u>
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Total.....		\$	35,000
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DEPARTMENT OF HEALTH FACILITIES

270 - Department of Health Facilities –
 Hospital Services Revenue Account
 Special Fund
 Capital Improvement, Renovation and Operations
 (W.V. Code Chapter 16)
 Fund 5156 FY 2025 Org 0512

Institutional Facilities Operations.....	33500	\$	59,195,646
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Medical Services Trust Fund – Transfer.....	51200	<u>27,800,000</u>
Total.....		\$ 86,995,646

DEPARTMENT OF HOMELAND SECURITY

271 - Department of Homeland Security –

Office of the Secretary –

Law-Enforcement, Safety and Emergency Worker

Funeral Expense Payment Fund

(W.V. Code Chapter 15)

Fund 6003 FY 2025 Org 0601

Current Expenses	13000	\$ 32,000
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272 - Division of Emergency Management –

Statewide Interoperable Radio Network Account

(W.V. Code Chapter 15)

Fund 6208 FY 2025 Org 0606

Current Expenses	13000	\$ 80,000
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273 - Division of Emergency Management –

West Virginia Interoperable Radio Project

(W.V. Code Chapter 24)

Fund 6295 FY 2025 Org 0606

Repairs and Alterations.....	06400	\$ 950,000
Equipment.....	07000	550,000
Unclassified	09900	20,000
Current Expenses	13000	<u>3,980,000</u>
Total.....		\$ 5,500,000

274 - Division of Corrections and Rehabilitation –

Parolee Supervision Fees

(W.V. Code Chapter 15A)

Fund 6362 FY 2025 Org 0608

Personal Services and Employee Benefits.....	00100	\$	1,247,729
Equipment.....	07000		30,000
Unclassified	09900		9,804
Current Expenses	13000		758,480
Other Assets	69000		<u>40,129</u>
Total.....		\$	2,086,142

*275 - Division of Corrections and Rehabilitation –**Regional Jail and Correctional Facility Authority*

(W.V. Code Chapter 15A)

Fund 6675 FY 2025 Org 0608

Personal Services and Employee Benefits.....	00100	\$	2,027,746
Debt Service	04000		1,900,000
Repairs and Alterations.....	06400		5,000,000
Equipment.....	07000		2,000,000
Unclassified	09900		100,000
Current Expenses	13000		<u>245,472</u>
Total.....		\$	11,273,218

*276 - West Virginia State Police –**Motor Vehicle Inspection Fund*

(W.V. Code Chapter 17C)

Fund 6501 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$	2,092,049
Repairs and Alterations.....	06400		204,500
Equipment.....	07000		3,770,751

Current Expenses	13000	1,488,211
Buildings	25800	534,000
Other Assets	69000	5,000
BRIM Premium.....	91300	<u>302,432</u>
Total.....		\$ 8,396,943

The total amount of these appropriations shall be paid from the special revenue fund out of fees collected for inspection stickers as provided by law.

277 - West Virginia State Police –

Forensic Laboratory Fund

(W.V. Code Chapter 15)

Fund 6511 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$ 1,637,078
Repairs and Alterations.....	06400	5,000
Equipment.....	07000	545,000
Current Expenses	13000	<u>90,000</u>
Total.....		\$ 2,277,078

278 - West Virginia State Police –

Drunk Driving Prevention Fund

(W.V. Code Chapter 15)

Fund 6513 FY 2025 Org 0612

Equipment.....	07000	\$ 3,491,895
Current Expenses	13000	1,327,000
BRIM Premium.....	91300	<u>154,452</u>
Total.....		\$ 4,973,347

The total amount of these appropriations shall be paid from the special revenue fund out of receipts collected pursuant to W.V. Code §11-15-9a and 16 and paid into a revolving fund account in the State Treasury.

279 - West Virginia State Police –

Surplus Real Property Proceeds Fund

(W.V. Code Chapter 15)

Fund 6516 FY 2025 Org 0612

Buildings	25800	\$	1,022,778
Land.....	73000		1,000
BRIM Premium.....	91300		<u>77,222</u>
Total.....		\$	1,101,000

*280 - West Virginia State Police –**Surplus Transfer Account*

(W.V. Code Chapter 15)

Fund 6519 FY 2025 Org 0612

Repairs and Alterations.....	06400	\$	20,000
Equipment.....	07000		250,000
Current Expenses	13000		225,000
Buildings	25800		40,000
Other Assets	69000		45,000
BRIM Premium.....	91300		<u>5,000</u>
Total.....		\$	585,000

*281 - West Virginia State Police –**Central Abuse Registry Fund*

(W.V. Code Chapter 15)

Fund 6527 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$	289,971
Repairs and Alterations.....	06400		500
Equipment.....	07000		300,500
Current Expenses	13000		376,443

Other Assets	69000	300,500
BRIM Premium.....	91300	<u>18,524</u>
Total.....		\$ 1,286,438

*282 - West Virginia State Police –
Bail Bond Enforcer Account
(W.V. Code Chapter 15)
Fund 6532 FY 2025 Org 0612*

Current Expenses	13000	\$ 8,300
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*283 - West Virginia State Police –
State Police Academy Post Exchange
(W.V. Code Chapter 15)
Fund 6544 FY 2025 Org 0612*

Repairs and Alterations.....	06400	\$ 40,000
Current Expenses	13000	<u>160,000</u>
Total.....		\$ 200,000

*284 - Fire Commission –
Fire Marshal Fees
(W.V. Code Chapter 15A)
Fund 6152 FY 2025 Org 0619*

Personal Services and Employee Benefits.....	00100	\$ 3,893,612
Repairs and Alterations.....	06400	58,500
Equipment.....	07000	140,800
Unclassified	09900	3,800
Current Expenses	13000	1,646,550
BRIM Premium.....	91300	<u>65,000</u>
Total.....		\$ 5,808,262

285 - Division of Administrative Services –

W.V. Community Corrections Fund

(W.V. Code Chapter 62)

Fund 6386 FY 2025 Org 0623

Personal Services and Employee Benefits.....	00100	\$	176,985
Repairs and Alterations.....	06400		1,000
Unclassified	09900		750
Current Expenses	13000		<u>1,846,250</u>
Total.....		\$	2,024,985

286 - Division of Administrative Services –

Court Security Fund

(W.V. Code Chapter 51)

Fund 6804 FY 2025 Org 0623

Personal Services and Employee Benefits.....	00100	\$	26,462
Current Expenses	13000		<u>1,478,135</u>
Total.....		\$	1,504,597

287 - Division of Administrative Services –

Second Chance Driver's License Program Account

(W.V. Code Chapter 17B)

Fund 6810 FY 2025 Org 0623

Current Expenses	13000	\$	125,000
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DEPARTMENT OF REVENUE

288 - Division of Financial Institutions

(W.V. Code Chapter 31A)

Fund 3041 FY 2025 Org 0303

Personal Services and Employee Benefits.....	00100	\$	2,815,127
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Salary and Benefits of Cabinet Secretary and

Agency Heads.....	00201	119,000
Equipment.....	07000	8,500
Current Expenses	13000	<u>650,475</u>
Total.....		\$ 3,593,102

289 - Office of the Secretary –

State Debt Reduction Fund

(W.V. Code Chapter 29)

Fund 7007 FY 2025 Org 0701

Retirement Systems – Unfunded Liability.....	77500	\$ 20,000,000
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The above appropriation for Retirement Systems – Unfunded Liability (fund 7007, appropriation 77500) shall be transferred to the School Aid Formula Funds Holding Account Fund (fund 2606).

290 - Home Rule Board Operations

(W.V. Code Chapter 8)

Fund 7010 FY 2025 Org 0701

Personal Services and Employee Benefits.....	00100	\$ 25,000
Repairs and Alterations.....	06400	120
Equipment.....	07000	200
Unclassified	09900	680
Current Expenses	13000	<u>42,000</u>
Total.....		\$ 68,000

291 - Tax Division –

Reduced Cigarette Ignition Propensity

Standard and Fire Prevention Act Fund

(W.V. Code Chapter 47)

Fund 7092 FY 2025 Org 0702

Equipment.....	07000	\$	15,000
Current Expenses	13000		<u>35,000</u>
Total.....		\$	50,000

292 - State Budget Office –

Public Employees Insurance Reserve Fund

(W.V. Code Chapter 11B)

Fund 7400 FY 2025 Org 0703

Public Employees Insurance Reserve Fund – Transfer.....	90300	\$	6,800,000
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The above appropriation for Public Employees Insurance Reserve Fund – Transfer shall be transferred to the Medical Services Trust Fund (fund 5185).

293 - Insurance Commissioner –

Examination Revolving Fund

(W.V. Code Chapter 33)

Fund 7150 FY 2025 Org 0704

Personal Services and Employee Benefits.....	00100	\$	782,104
Repairs and Alterations.....	06400		3,000
Equipment.....	07000		81,374
Current Expenses	13000		1,357,201
Buildings	25800		8,289
Other Assets	69000		<u>11,426</u>
Total.....		\$	2,243,394

294 - Insurance Commissioner –

Consumer Advocate

(W.V. Code Chapter 33)

Fund 7151 FY 2025 Org 0704

Personal Services and Employee Benefits.....	00100	\$	602,587
Repairs and Alterations.....	06400		5,000

Equipment.....	07000		34,225
Current Expenses	13000		202,152
Buildings	25800		4,865
Other Assets	69000		<u>19,460</u>
Total.....		\$	868,289

295 - Insurance Commissioner –

Insurance Commission Fund

(W.V. Code Chapter 33)

Fund 7152 FY 2025 Org 0704

Personal Services and Employee Benefits.....	00100	\$	23,351,665
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		136,500
Repairs and Alterations.....	06400		68,614
Equipment.....	07000		302,688
Current Expenses	13000		8,797,758
Buildings	25800		25,000
Other Assets	69000		<u>50,000</u>
Total.....		\$	32,732,225

296 - Insurance Commissioner –

Insurance Fraud Prevention Fund

(W.V. Code Chapter 33)

Fund 7153 FY 2025 Org 0704

Current Expenses	13000	\$	15,000
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297 - Insurance Commissioner –

Workers' Compensation Old Fund

(W.V. Code Chapter 23)

Fund 7162 FY 2025 Org 0704

Employee Benefits	01000	\$	50,000
Current Expenses	13000		<u>250,500,000</u>
Total.....		\$	250,550,000

*298 - Insurance Commissioner –**Workers' Compensation Uninsured Employers' Fund*

(W.V. Code Chapter 23)

Fund 7163 FY 2025 Org 0704

Current Expenses	13000	\$	15,000,000
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*299 - Insurance Commissioner –**Self-Insured Employer Guaranty Risk Pool*

(W.V. Code Chapter 23)

Fund 7164 FY 2025 Org 0704

Current Expenses	13000	\$	9,000,000
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*300 - Insurance Commissioner –**Self-Insured Employer Security Risk Pool*

(W.V. Code Chapter 23)

Fund 7165 FY 2025 Org 0704

Current Expenses	13000	\$	14,000,000
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301 - Municipal Bond Commission

(W.V. Code Chapter 13)

Fund 7253 FY 2025 Org 0706

Personal Services and Employee Benefits.....	00100	\$	383,671
Equipment.....	07000		100
Current Expenses	13000		<u>154,344</u>
Total.....		\$	538,115

302 - *Racing Commission* –*Relief Fund*

(W.V. Code Chapter 19)

Fund 7300 FY 2025 Org 0707

Medical Expenses – Total	24500	\$	154,000
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The total amount of this appropriation shall be paid from the special revenue fund out of collections of license fees and fines as provided by law.

No expenditures shall be made from this fund except for hospitalization, medical care, and/or funeral expenses for persons contributing to this fund.

303 - *Racing Commission* –*Administration and Promotion Account*

(W.V. Code Chapter 19)

Fund 7304 FY 2025 Org 0707

Personal Services and Employee Benefits.....	00100	\$	288,127
Current Expenses	13000		85,433
Other Assets	69000		<u>5,000</u>
Total.....		\$	378,560

304 - *Racing Commission* –*General Administration*

(W.V. Code Chapter 19)

Fund 7305 FY 2025 Org 0707

Personal Services and Employee Benefits.....	00100	\$	2,523,239
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		59,533
Repairs and Alterations.....	06400		5,000
Current Expenses	13000		497,284
Other Assets	69000		<u>40,000</u>

Total..... \$ 3,125,056

305 - Racing Commission –

*Administration, Promotion, Education, Capital Improvement
and Greyhound Adoption Programs
to include Spaying and Neutering Account*

(W.V. Code Chapter 19)

Fund 7307 FY 2025 Org 0707

Personal Services and Employee Benefits.....	00100	\$	937,171
Current Expenses	13000		160,099
Other Assets	69000		<u>200,000</u>
Total.....		\$	1,297,270

306 - Racing Commission –

Advance Deposit Wagering Account

(W.V. Code Chapter 19)

Fund 7309 FY 2025 Org 0707

Current Expenses	13000	\$	1,116,000
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307 - Alcohol Beverage Control Administration –

Wine License Special Fund

(W.V. Code Chapter 60)

Fund 7351 FY 2025 Org 0708

Personal Services and Employee Benefits.....	00100	\$	156,111
Repairs and Alterations.....	06400		7,263
Equipment.....	07000		10,000
Current Expenses	13000		160,436
Buildings	25800		100,000
Transfer Liquor Profits and Taxes	42500		30,750

Other Assets	69000	<u>350,100</u>
Total.....		\$ 814,660

To the extent permitted by law, four classified exempt positions shall be provided from Personal Services and Employee Benefits appropriation for field auditors.

308 - Alcohol Beverage Control Administration

(W.V. Code Chapter 60)

Fund 7352 FY 2025 Org 0708

Personal Services and Employee Benefits.....	00100	\$ 6,239,729
Salary and Benefits of Cabinet Secretary and		
Agency Heads.....	00201	122,500
Repairs and Alterations.....	06400	91,000
Equipment.....	07000	108,000
Current Expenses	13000	2,890,577
Buildings	25800	375,100
Purchase of Supplies for Resale	41900	104,000,000
Transfer Liquor Profits and Taxes	42500	33,400,000
Other Assets	69000	125,100
Land.....	73000	<u>100</u>
Total.....		\$ 147,352,106

The total amount of these appropriations shall be paid from a special revenue fund out of liquor revenues and any other revenues available.

The above appropriations include the salary of the commissioner and the salaries, expenses, and equipment of administrative offices, warehouses, and inspectors.

The above appropriations include funding for the Tobacco/Alcohol Education Program.

There is hereby appropriated from liquor revenues, in addition to the above appropriations as needed, the necessary amount for the purchase of liquor as provided by law and the remittance of profits and taxes to the General Revenue Fund.

309 - State Athletic Commission Fund

(W.V. Code Chapter 29)

Fund 7009 FY 2025 Org 0933

Personal Services and Employee Benefits.....	00100	\$	17,500
Current Expenses	13000		<u>28,000</u>
Total.....		\$	45,500

DEPARTMENT OF TRANSPORTATION

310 - Division of Motor Vehicles –

Dealer Recovery Fund

(W.V. Code Chapter 17)

Fund 8220 FY 2025 Org 0802

Current Expenses	13000	\$	189,000
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311 - Division of Motor Vehicles –

Motor Vehicle Fees Fund

(W.V. Code Chapter 17B)

Fund 8223 FY 2025 Org 0802

Personal Services and Employee Benefits.....	00100	\$	4,478,448
Repairs and Alterations.....	06400		16,000
Equipment.....	07000		75,000
Current Expenses	13000		4,337,712
Other Assets	69000		10,000
BRIM Premium.....	91300		<u>110,000</u>
Total.....		\$	9,027,160

312 - Division of Highways –

A. James Manchin Fund

(W.V. Code Chapter 22)

Fund 8319 FY 2025 Org 0803

Current Expenses	13000	\$	2,900,000
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313 - WV Division of Multimodal Transportation Facilities -

State Rail Authority -

West Virginia Commuter Rail Access Fund

(W.V. Code Chapter 29)

Fund 8402 FY 2025 Org 0810

Current Expenses	13000	\$	600,000
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DEPARTMENT OF VETERANS' ASSISTANCE

314 - Veterans' Facilities Support Fund

(W.V. Code Chapter 9A)

Fund 6703 FY 2025 Org 0613

Personal Services and Employee Benefits.....	01000	\$	99,135
Current Expenses	13000		1,654,234
Other Assets	69000		<u>10,000</u>
Total.....		\$	1,763,369

315 - Department of Veterans' Assistance –

W.V. Veterans' Home –

Special Revenue Operating Fund

(W.V. Code Chapter 9A)

Fund 6754 FY 2025 Org 0618

Repairs and Alterations.....	06400	\$	10,600
Current Expenses	13000	\$	<u>289,400</u>
Total.....		\$	300,000

BUREAU OF SENIOR SERVICES

316 - Bureau of Senior Services –

Community Based Service Fund

(W.V. Code Chapter 29)

Fund 5409 FY 2025 Org 0508

Personal Services and Employee Benefits.....	00100	\$	160,628
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		30,000
Current Expenses	13000		<u>14,399,338</u>
Total.....		\$	14,589,966

The total amount of these appropriations are funded from annual table game license fees to enable the aged and disabled citizens of West Virginia to stay in their homes through the provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

317 - Higher Education Policy Commission –

System –

Tuition Fee Capital Improvement Fund

(Capital Improvement and Bond Retirement Fund)

Control Account

(W.V. Code Chapters 18 and 18B)

Fund 4903 FY 2025 Org 0442

Debt Service	04000	\$	27,411,984
General Capital Expenditures	30600		5,000,000
Facilities Planning and Administration.....	38600		<u>479,369</u>
Total.....		\$	32,891,353

The total amount of these appropriations shall be paid from the Special Capital Improvement Fund created in W.V. Code §18B-10-8. Projects are to be paid on a cash basis and made available on July 1.

The above appropriations, except for Debt Service, may be transferred to special revenue funds for capital improvement projects at the institutions.

318 - Tuition Fee Revenue Bond Construction Fund

(W.V. Code Chapters 18 and 18B)

Fund 4906 FY 2025 Org 0442

Any unexpended balance remaining in the appropriation for Capital Outlay (fund 4906, appropriation 51100) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The appropriation shall be paid from available unexpended cash balances and interest earnings accruing to the fund. The appropriation shall be expended at the discretion of the Higher Education Policy Commission and the funds may be allocated to any institution within the system.

The total amount of this appropriation shall be paid from the unexpended proceeds of revenue bonds previously issued pursuant to W.V. Code §18-12B-8, which have since been refunded.

319 - West Virginia University –

West Virginia University Health Sciences Center

(W.V. Code Chapters 18 and 18B)

Fund 4179 FY 2025 Org 0463

Personal Services and Employee Benefits.....	00100	\$	11,795,211
Repairs and Alterations.....	06400		425,000
Equipment.....	07000		512,000
Current Expenses	13000		4,524,300
Buildings	25800		150,000
Other Assets	69000		<u>50,000</u>
Total.....		\$	17,456,511

320 - Marshall University –

School of Medicine

(W.V. Code Chapter 18B)

Fund 4271 FY 2025 Org 0471

Marshall Medical School	17300	\$	5,500,000
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321 - West Virginia School of Osteopathic Medicine

(W.V. Code Chapter 18B)

Fund 4272 FY 2025 Org 0476

West Virginia School of Osteopathic Medicine	17200	\$	4,115,931
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MISCELLANEOUS BOARDS AND COMMISSIONS

322 - Board of Barbers and Cosmetologists –

Barbers and Beauticians Special Fund

(W.V. Code Chapters 16 and 30)

Fund 5425 FY 2025 Org 0505

Personal Services and Employee Benefits.....	00100	\$	607,945
Repairs and Alterations.....	06400		5,000
Current Expenses	13000		<u>234,969</u>
Total.....		\$	847,914

The total amount of these appropriations shall be paid from a special revenue fund out of collections made by the Board of Barbers and Cosmetologists as provided by law.

323 - Hospital Finance Authority –

Hospital Finance Authority Fund

(W.V. Code Chapter 16)

Fund 5475 FY 2025 Org 0509

Personal Services and Employee Benefits.....	00100	\$	10,000
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		93,339
Unclassified	09900		1,501
Current Expenses	13000		<u>55,268</u>
Total.....		\$	160,108

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by Article 29A, Chapter 16 of the W.V. Code.

324 - State Armory Board –

General Armory Fund

(W.V. Code Chapter 15)

Fund 6057 FY 2025 Org 0603

Personal Services and Employee Benefits.....	00100	\$	1,690,382
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Repairs and Alterations.....	06400	385,652
Equipment.....	07000	250,000
Current Expenses	13000	650,000
Buildings	25800	520,820
Other Assets	69000	350,000
Land.....	73000	<u>200,000</u>
Total.....		\$ 4,046,854

From the above appropriations, the Adjutant General may receive and expend funds to conduct operations and activities to include functions of the Military Authority. The Adjutant General may transfer funds between appropriations, except no funds may be transferred to Personal Services and Employee Benefits (fund 6057, appropriation 00100).

325 - W.V. State Board of Examiners for Licensed Practical Nurses –

Licensed Practical Nurses

(W.V. Code Chapter 30)

Fund 8517 FY 2025 Org 0906

Personal Services and Employee Benefits.....	00100	\$ 1,002,286
Current Expenses	13000	<u>253,007</u>
Total.....		\$ 1,255,293

326 - W.V. Board of Examiners for Registered Professional Nurses –

Registered Professional Nurses

(W.V. Code Chapter 30)

Fund 8520 FY 2025 Org 0907

Personal Services and Employee Benefits.....	00100	\$ 1,432,788
Repairs and Alterations.....	06400	3,000
Equipment.....	07000	25,000
Current Expenses	13000	312,655
Other Assets	69000	<u>4,500</u>
Total.....		\$ 1,777,943

327 - Public Service Commission

(W.V. Code Chapter 24)

Fund 8623 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$	14,410,245
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		318,640
Repairs and Alterations.....	06400		120,000
Equipment.....	07000		160,000
Unclassified	09900		147,643
Current Expenses	13000		2,157,202
Buildings	25800		10
PSC Weight Enforcement	34500		5,199,295
Debt Payment/Capital Outlay.....	52000		350,000
Land.....	73000		10
BRIM Premium.....	91300		<u>172,216</u>
Total.....		\$	23,035,261

The total amount of these appropriations shall be paid from a special revenue fund out of collections for special license fees from public service corporations as provided by law.

The Public Service Commission is authorized to transfer up to \$500,000 from this fund to meet the expected deficiencies in the Motor Carrier Division (fund 8625) due to the amendment and reenactment of W.V. Code §24A-3-1 by Enrolled House Bill Number 2715, Regular Session, 1997.

*328 - Public Service Commission –**Gas Pipeline Division –**Public Service Commission Pipeline Safety Fund*

(W.V. Code Chapter 24B)

Fund 8624 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$	394,133
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Salary and Benefits of Cabinet Secretary and

Agency Heads.....	00201	11,949
Repairs and Alterations.....	06400	4,000
Unclassified	09900	3,851
Current Expenses	13000	<u>93,115</u>
Total.....		\$ 507,048

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over pipeline companies as provided by law.

329 - Public Service Commission –

Motor Carrier Division

(W.V. Code Chapter 24A)

Fund 8625 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$ 2,536,213
Salary and Benefits of Cabinet Secretary and		
Agency Heads.....	00201	67,711
Repairs and Alterations.....	06400	23,000
Equipment.....	07000	50,000
Unclassified	09900	29,233
Current Expenses	13000	<u>577,557</u>
Total.....		\$ 3,283,714

The total amount of these appropriations shall be paid from a special revenue fund out of receipts collected for or by the Public Service Commission pursuant to and in the exercise of regulatory authority over motor carriers as provided by law.

330 - Public Service Commission –

Consumer Advocate Fund

(W.V. Code Chapter 24)

Fund 8627 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$	992,100
Equipment.....	07000		9,872
Current Expenses	13000		536,472
BRIM Premium.....	91300		<u>4,660</u>
Total.....		\$	1,543,104

The total amount of these appropriations shall be supported by cash from a special revenue fund out of collections made by the Public Service Commission.

331 - Real Estate Commission –

Real Estate License Fund

(W.V. Code Chapter 30)

Fund 8635 FY 2025 Org 0927

Personal Services and Employee Benefits.....	00100	\$	665,295
Repairs and Alterations.....	06400		2,500
Equipment.....	07000		5,000
Current Expenses	13000		<u>293,122</u>
Total.....		\$	965,917

The total amount of these appropriations shall be paid out of collections of license fees as provided by law.

332 - W.V. Board of Examiners for Speech-Language

Pathology and Audiology –

Speech-Language Pathology and Audiology Operating Fund

(W.V. Code Chapter 30)

Fund 8646 FY 2025 Org 0930

Personal Services and Employee Benefits.....	00100	\$	129,733
Current Expenses	13000		<u>63,499</u>
Total.....		\$	193,232

333 - W.V. Board of Respiratory Care –

Board of Respiratory Care Fund

(W.V. Code Chapter 30)

Fund 8676 FY 2025 Org 0935

Personal Services and Employee Benefits.....	00100	\$	125,073
Current Expenses	13000		<u>62,709</u>
Total.....		\$	187,782

334 - W.V. Board of Licensed Dietitians –

Dietitians Licensure Board Fund

(W.V. Code Chapter 30)

Fund 8680 FY 2025 Org 0936

Personal Services and Employee Benefits.....	00100	\$	20,219
Current Expenses	13000		<u>20,250</u>
Total.....		\$	40,469

335 - Massage Therapy Licensure Board –

Massage Therapist Board Fund

(W.V. Code Chapter 30)

Fund 8671 FY 2025 Org 0938

Personal Services and Employee Benefits.....	00100	\$	122,310
Current Expenses	13000		<u>47,388</u>
Total.....		\$	169,698

336 - Board of Medicine –

Medical Licensing Board Fund

(W.V. Code Chapter 30)

Fund 9070 FY 2025 Org 0945

Personal Services and Employee Benefits.....	00100	\$	1,669,378
Repairs and Alterations.....	06400		8,000

Current Expenses	13000	<u>1,268,064</u>
Total.....		\$ 2,945,442

337 - West Virginia Enterprise Resource Planning Board –

Enterprise Resource Planning System Fund

(W.V. Code Chapter 12)

Fund 9080 FY 2025 Org 0947

Personal Services and Employee Benefits.....	00100	\$ 5,690,654
Repairs and Alterations.....	06400	300
Equipment.....	07000	502,000
Unclassified	09900	132,000
Current Expenses	13000	19,214,993
Buildings	25800	2,000
Other Assets	69000	<u>2,004,500</u>
Total.....		\$ 27,546,447

338 - Board of Treasury Investments –

Board of Treasury Investments Fee Fund

(W.V. Code Chapter 12)

Fund 9152 FY 2025 Org 0950

Personal Services and Employee Benefits.....	00100	\$ 982,714
Unclassified	09900	14,850
Current Expenses	13000	580,889
BRIM Premium.....	91300	31,547
Fees of Custodians, Fund Advisors and Fund Managers	93800	<u>5,500,000</u>
Total.....		\$ 7,110,000

There is hereby appropriated from this fund, in addition to the above appropriation if needed, an amount of funds necessary for the Board of Treasury Investments to pay the fees and expenses of custodians, fund advisors and fund managers for the consolidated fund of the State as provided in Article 6C, Chapter 12 of the W.V. Code.

The total amount of these appropriations shall be paid from the special revenue fund out of fees and collections as provided by law.

339 - Contractor Licensing Board Fund

(W.V. Code Chapter 21)

Fund 3187 FY 2025 Org 0951

Personal Services and Employee Benefits.....	00100	\$	2,559,000
Repairs and Alterations.....	06400		10,000
Unclassified	09900		21,000
Current Expenses	13000		500,000
BRIM Premium.....	91300		<u>8,500</u>
Total.....		\$	3,098,500

Total TITLE II, Section 3 – Other Funds

(Including claims against the state) \$ 2,122,797,718

Sec. 4. Appropriations from lottery net profits. — Net profits of the lottery are to be deposited by the Director of the Lottery to the following accounts in the amounts indicated. The Director of the Lottery shall prorate each deposit of net profits in the proportion the appropriation for each account bears to the total of the appropriations for all accounts.

After first satisfying the requirements for Fund 2252, Fund 3963, and Fund 4908 pursuant to W.V. Code §29-22-18, the Director of the Lottery shall make available from the remaining net profits of the lottery any amounts needed to pay debt service for which an appropriation is made for Fund 9065, Fund 4297, Fund 3390, Fund 3514, Fund 9067, and Fund 9068 and is authorized to transfer any such amounts to Fund 9065, Fund 4297, Fund 3390, Fund 3514, Fund 9067, and Fund 9068 for that purpose. Upon receipt of reimbursement of amounts so transferred, the Director of the Lottery shall deposit the reimbursement amounts to the following accounts as required by this section.

340 - Education, Arts, Sciences and Tourism –

Debt Service Fund

(W.V. Code Chapter 5)

Fund 2252 FY 2025 Org 0211

		Appro-	Lottery
		priation	Funds
Debt Service – Total	31000	\$	10,000,000

*341 - Department of Tourism –**Office of the Secretary*

(W.V. Code Chapter 5B)

Fund 3067 FY 2025 Org 0304

Tourism – Telemarketing Center.....	46300	\$	82,080
Tourism – Advertising (R)	61800		2,422,407
Tourism – Operations (R).....	66200		<u>4,582,523</u>
Total.....		\$	7,087,010

Any unexpended balances remaining in the appropriations for Tourism – Advertising (fund 3067, appropriation 61800) and Tourism – Operations (fund 3067, appropriation 66200) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

342 - Division of Natural Resources

(W.V. Code Chapter 20)

Fund 3267 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$	2,791,307
Current Expenses	13000		26,900
Pricketts Fort State Park	32400		106,560
Non-Game Wildlife (R).....	52700		483,485
State Parks and Recreation Advertising (R).....	61900		<u>494,578</u>
Total.....		\$	3,902,830

Any unexpended balances remaining in the appropriations for Capital Outlay – Parks (fund 3267, appropriation 28800), Non-Game Wildlife (fund 3267, appropriation 52700), and State Parks and Recreation Advertising (fund 3267, appropriation 61900) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

343 - State Board of Education

(W.V. Code Chapters 18 and 18A)

Fund 3951 FY 2025 Org 0402

FBI Checks	37200	\$	125,744
Vocational Education Equipment Replacement.....	39300		800,000

Assessment Program (R).....	39600	490,439
Literacy Project.....	89900	700,000
21st Century Technology Infrastructure		
Network Tools and Support (R).....	93300	<u>12,638,280</u>
Total.....		\$ 14,754,463

Any unexpended balances remaining in the appropriations for Assessment Program (fund 3951, appropriation 39600) and 21st Century Technology Infrastructure Network Tools and Support (fund 3951, appropriation 93300) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

344 - State Department of Education –

School Building Authority –

Debt Service Fund

(W.V. Code Chapter 18)

Fund 3963 FY 2025 Org 0404

Debt Service – Total	31000	\$ 15,239,213
Directed Transfer	70000	<u>2,760,787</u>
Total.....		\$ 18,000,000

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.V. Code §29-22-18.

The above appropriation for Directed Transfer (fund 3963, appropriation 70000) may be transferred to the Department of Education, State Board of Education, School Building Authority, School Construction Fund, (fund 3952,) to be used for school construction and maintenance projects.

345 - Division of Culture and History –

Lottery Education Fund

(W.V. Code Chapter 29)

Fund 3534 FY 2025 Org 0432

Huntington Symphony.....	02700	\$ 59,058
Preservation West Virginia (R).....	09200	491,921
Fairs and Festivals (R).....	12200	1,346,814

Commission for National and Community Service (R).....	19300	395,744
Archeological Curation/Capital Improvements (R).....	24600	43,174
Historic Preservation Grants (R)	31100	417,933
West Virginia Public Theater	31200	120,019
Greenbrier Valley Theater	42300	115,000
Theater Arts of West Virginia	46400	90,000
Marshall Artists Series	51800	36,005
Grants for Competitive Arts Program (R).....	62400	811,500
West Virginia State Fair	65700	31,241
Save the Music	68000	40,000
Contemporary American Theater Festival	81100	57,281
Independence Hall	81200	27,277
Mountain State Forest Festival.....	86400	38,187
WV Symphony	90700	59,058
Wheeling Symphony	90800	59,058
Appalachian Childrens' Chorus	91600	<u>54,554</u>
Total.....		\$ 4,293,824

Any unexpended balances remaining in the appropriations for Preservation West Virginia (fund 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200), Commission for National and Community Service (fund 3534, appropriation 19300), Archeological Curation/Capital Improvements (fund 3534, appropriation 24600), Historic Preservation Grants (fund 3534, appropriation 31100), and Grants for Competitive Arts Program (fund 3534, appropriation 62400) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

From the above appropriation for Preservation West Virginia (fund 3534, appropriation 09200) funding shall be provided to the African-American Heritage Family Tree Museum (Fayette) \$2,673, Aracoma Story (Logan) \$20,000, Arts Monongahela (Monongalia) \$11,881, Barbour County Arts and Humanities Council (Barbour) \$891, Buffalo Creek Memorial (Logan) \$2,970, Carnegie Hall (Greenbrier) \$46,899, Ceredo Historical Society (Wayne) \$1,188, Ceredo Kenova Railroad Museum (Wayne) \$1,188, Ceredo Museum (Wayne) \$720, Children's Theatre of Charleston (Kanawha) \$3,500, Chuck Mathena Center (Mercer) \$62,532, Country Music Hall of Fame and Museum (Marion) \$4,159, First Stage Children's Theater Company (Cabell) \$1,188, Flannigan Murrell House (Summers) \$3,781, Fort Ashby Fort (Mineral) \$891, Fort New Salem (Harrison) \$2,198, Fort Randolph (Mason) \$2,970, General Adam Stephen Memorial Foundation

(Berkeley) \$11,006, Grafton Mother's Day Shrine Committee (Taylor) \$9,029, Hardy County Tour and Crafts Association (Hardy) \$11,881, Heartwood in the Hills (Calhoun) \$5,040, Henderson Hall (Wood) \$20,000, Heritage Farm Museum & Village (Cabell) \$29,703, Historic Fayette Theater (Fayette) \$3,267, Historic Middleway Conservancy (Jefferson) \$594, Jefferson County Black History Preservation Society (Jefferson) \$2,970, Jefferson County Historical Landmark Commission (Jefferson) \$4,753, Maddie Carroll House (Cabell) \$4,455, Marshall County Historical Society (Marshall) \$5,049, McCoy Theater (Hardy) \$11,881, Memorial Day Patriotic Exercise (Taylor) \$20,000, Morgantown Theater Company (Monongalia) \$11,881, Nicholas Old Main Foundation (Nicholas) \$1,188, Norman Dillon Farm Museum (Berkeley) \$5,941, Oil and Gas Museum (Wood) \$20,000, Old Opera House Theater Company (Jefferson) \$8,911, Parkersburg Arts Center (Wood) \$11,881, Pocahontas Historic Opera House (Pocahontas) \$3,564, Raleigh County All Wars Museum (Raleigh) \$5,941, Roane County 4-H and FFA Youth Livestock Program (Roane) \$2,970, Society for the Preservation of McGrew House (Preston) \$2,079, Southern West Virginia Veterans' Museum (Raleigh) \$3,393, Summers County Historic Landmark Commission (Summers) \$2,970, Those Who Served War Museum (Mercer) \$2,376, Three Rivers Avian Center (Summers) \$5,311, Veterans Committee for Civic Improvement of Huntington (Wayne) \$2,970, West Virginia Museum of Glass (Lewis) \$2,970, West Virginia Music Hall of Fame (Kanawha) \$20,792, YMCA Camp Horseshoe (Tucker) \$59,406, Youth Museum of Southern West Virginia (Raleigh) \$7,129, Z.D. Ramsdell House (Wayne) \$720

From the above appropriation for Fairs and Festivals (fund 3534, appropriation 12200) funding shall be provided to A Princeton 4th (Mercer) \$1,800, African-American Cultural Heritage Festival (Jefferson) \$4,456, Allegheny Echo (Pocahontas) \$6,683, Alpine Festival/Leaf Peepers Festival (Tucker) \$6,683, American Civil War (Grant) \$3,127, American Legion Post 8 Veterans Day Parade (McDowell) \$1,250, Angus Beef and Cattle Show (Lewis) \$891, Annual Don Redman Heritage Concert & Awards (Jefferson) \$938, Antique Market Fair (Lewis) \$1,188, Apple Butter Festival (Morgan) \$3,564, Armed Forces Day-South Charleston (Kanawha) \$2,000, Arthurdale Heritage New Deal Festival (Preston) \$2,970, Artists of the New (Fayette) \$2,000, Athens Town Fair (Mercer) \$1,188, Augusta Fair (Randolph) \$2,970, Autumn Harvest Fest (Monroe) \$2,448, Back Home Festival (Wetzel) \$5,000, Barbour County Fair (Barbour) \$14,851, Barboursville Octoberfest (Cabell) \$2,970, Battelle District Fair (Monongalia) \$3,340, Battle of Dry Creek (Greenbrier) \$891, Battle of Point Pleasant Memorial Committee (Mason) \$2,970, Beckley Honey Festival (Raleigh) \$1,710, Beckley Main Street (Raleigh) \$2,000, Belleville Homecoming (Wood) \$11,881, Berkeley County Youth Fair (Berkeley) \$10,990, BEX Arts Festival (Raleigh) \$2,000, Black Heritage Festival (Harrison) \$3,564, Black Walnut Festival (Roane) \$5,940, Blacksville VFD Memorial Day Celebration (Monongalia) \$1,000, Blast from the Past (Upshur) \$1,440, Blue-Gray Reunion (Barbour) \$2,079, Boone County Labor Day Celebration (Boone) \$2,376, Boone Day (Kanawha) \$1,000, Bradshaw Fall Festival (McDowell) \$1,188, Bramwell Labor Day (Mercer) \$5,000, Brandonville Heritage Day (Preston) \$1,048, Braxton County Fair (Braxton) \$6,832, Braxton County Monster Fest / West Virginia Autumn Festival (Braxton) \$1,000, Brooke County Fair (Brooke) \$2,079, Buckwheat Festival (Preston) \$5,050, Buffalo October Fest (Putnam) \$3,240, Burlington Apple Harvest Auxiliary (Mineral) \$13,821, Burlington Pumpkin Harvest Festival (Raleigh) \$2,970, Burlington Volunteer Fire and Rescue Carnival (Mineral) \$4,000, Burnsville Freedom Festival (Braxton) \$1,407, Calhoun County Wood Festival (Calhoun) \$1,188, Cameron 4th of July (Marshall) \$500, Cameron VFD Fireman's Festival (Marshall) \$2,500, Campbell's Creek Community Fair (Kanawha) \$2,000, Cape Coalwood Festival Association (McDowell) \$1,485, Capon Bridge Founders Day Festival (Hampshire) \$500, Capon Springs Ruritan 4th of July (Hampshire) \$2,500, Cass Homecoming (Pocahontas) \$1,188, Cedar Grove - Annual Fallfest (Kanawha) \$2,000, Celebration of America (Monongalia) \$3,564, Chapmanville Apple Butter Festival (Logan) \$684, Chapmanville Fire Department 4th of July (Logan) \$1,782, Charles Town Christmas Festival (Jefferson) \$2,970, Charles Town Heritage Festival (Jefferson)

\$2,970, Cherry River Festival (Nicholas) \$3,861, Chester 4th of July Festivities (Hancock) \$2,970, Chester Fireworks (Hancock) \$891, Chilifest West Virginia State Chili Championship (Cabell) \$1,563, Chillin' on the Elk (Kanawha) \$1,000, Christmas In Our Town (Marion) \$3,127, Christmas In Our Town (Wetzel) \$2,000, Christmas in Shepherdstown (Jefferson) \$2,376, Christmas in the Park (Brooke) \$2,970, Christmas in the Park (Logan) \$14,851, Christmas on Main Street (Hancock) \$11,881, City of Dunbar Critter Dinner (Kanawha) \$6,000, Clay County Golden Delicious Apple Festival (Clay) \$4,158, Clay District Fair (Monongalia) \$3,341, Coal Field Jamboree (Logan) \$20,792, Coalton Days Fair (Randolph) \$4,158, Country Roads Festival (Wetzel) \$2,000, Covered Bridge Festival (Marion) \$3,000, Craigsville Fall Festival (Nicholas) \$2,079, Cruise into Princeton (Mercer) \$2,160, Culturefest World Music & Arts Festival (Mercer) \$3,200, Day in the Valley - McCutcheon Car Show (Marion) \$3,000, Delbarton Homecoming (Mingo) \$2,079, Dirt Days (Mingo) \$2,000, Doddridge County Fair (Doddridge) \$4,158, Durbin Days (Pocahontas) \$2,970, East Bank End of Summer Celebration (Kanawha) \$2,000, Elbert/Filbert Reunion Festival (McDowell) \$891, Fairview 4th of July Celebration (Marion) \$684, Farmer's Day Festival (Monroe) \$2,330, Fenwick Mountain Old Time Community Festival (Nicholas) \$2,880, FestivALL Charleston (Kanawha) \$12,000, Fly in Festival (Cabell) \$5,000, Follansbee Community Days (Brooke) \$4,900, Fort Gay Mountain Heritage Days (Wayne) \$2,970, Fort Henry Days (Ohio) \$3,148, Fort Henry Living History (Ohio) \$1,563, Fort New Salem Spirit of Christmas Festival (Harrison) \$2,432, Frankford Autumnfest (Greenbrier) \$2,970, Franklin Fishing Derby (Pendleton) \$10,709, Freedom Festival (Wood) \$8,000, Freshwater Folk Festival (Greenbrier) \$2,970, Friends Auxiliary of W.R. Sharpe Hospital (Lewis) \$2,970, Fund for the Arts-Wine & All that Jazz Festival (Kanawha) \$8,000, Gassaway Days Celebration (Braxton) \$2,970, Gilmer County Farm Show (Gilmer) \$2,376, Grant County Arts Council (Grant) \$1,188, Great Greenbrier River Race (Pocahontas) \$5,940, Guyandotte Civil War Days (Cabell) \$5,941, Hamlin 4th of July Celebration (Lincoln) \$2,970, Hampshire Civil War Celebration Days (Hampshire) \$684, Hampshire County 4th of July Celebration (Hampshire) \$11,881, Hampshire County Fair (Hampshire) \$5,002, Hampshire County Festival (Hampshire) \$2,752, Hancock County Oldtime Fair (Hancock) \$2,970, Hardy County Commission - 4th of July (Hardy) \$5,940, Harvest Moon Festival (Wood) \$2,000, Hatfield McCoy Matewan Reunion Festival (Mingo) \$12,330, Hatfield McCoy Reunion Festival (Logan) \$2,000, Hatfield McCoy Trail National ATV and Dirt Bike Weekend (Wyoming) \$2,970, Head For the Hills Festival (Ritchie) \$3,000, Head of the Dragon (McDowell) \$1,500, Heritage Craft Festival (Monroe) \$3,000, Hilltop Festival (Cabell) \$1,500, Hinton Railroad Days (Summers) \$4,347, Holly River Festival (Webster) \$891, Hometown Mountain Heritage Festival (Fayette) \$2,432, Hometown Trail Days (McDowell) \$1,188, Hundred 4th of July (Wetzel) \$4,307, Huntersville Traditions Day (Pocahontas) \$1,188, Jaeger Town Fair (McDowell) \$891, Irish Heritage Festival of West Virginia (Raleigh) \$2,970, Irish Spring Festival (Lewis) \$684, Italian Heritage Festival-Clarksburg (Harrison) \$17,821, Jackson County Fair (Jackson) \$2,970, Jefferson County Fair Association (Jefferson) \$14,851, Jersey Mountain Ruritan Pioneer Days (Hampshire) \$684, John Henry Days Festival (Monroe) \$4,698, Johnnie Johnson Blues and Jazz Festival (Marion) \$2,970, Johnstown Community Fair (Harrison) \$1,485, Junior Heifer Preview Show (Lewis) \$1,188, Keg and Barrel Fest (Mineral) \$2,000, Kenova Autumn Festival (Wayne) \$4,377, Kermit Fall Festival (Mingo) \$1,782, King Coal Festival (Mingo) \$2,970, Kingwood Downtown Street Fair and Heritage Days (Preston) \$1,188, Knights of Columbus Irish Road Bowling (Marshall) \$3,000, L.Z. Rainelle West Virginia Veterans Reunion (Greenbrier) \$2,970, Larry Joe Harless Center Octoberfest Hatfield McCoy Trail (Mingo) \$5,940, Larry Joe Harless Community Center Spring Middle School Event (Mingo) \$3,000, Last Blast of Summer (McDowell) \$2,970, Lewis County Fair (Lewis) \$3,000, Lewisburg Shanghai (Greenbrier) \$1,188, Lincoln County Fall Festival (Lincoln) \$4,752, Lincoln County Winterfest (Lincoln) \$3,000, Lindsie 4th of July Parade (Monroe) \$1,000, Lindsie Veterans' Day Parade (Monroe) \$720, Little Levels Heritage Festival (Pocahontas) \$1,188, Lost Creek Community Festival (Harrison) \$4,158, Main Street Arts Festival (Upshur) \$3,127, Main Street Martinsburg Chocolate Fest and

Book Fair (Berkeley) \$2,813, Main Street Martinsburg Food Truck Fest (Berkeley) \$4,700, Malden Salt Fest (Kanawha) \$3,000, Mannington District Fair (Marion) \$3,564, Marmet Labor Day Celebration (Kanawha) \$3,500, Marshall County Antique Power Show (Marshall) \$1,485, Marshall County Fair (Marshall) \$3,564, Martinsburg Roundhouse Railfest (Berkeley) \$2,000, Mason County Fair (Mason) \$2,970, Matewan Massacre Reenactment (Mingo) \$5,004, Matewan-Magnolia Fair (Mingo) \$15,932, McARTS-McDowell County (McDowell) \$11,881, McGrew House History Day (Preston) \$1,188, Meadow Bridge Hometown Festival (Fayette) \$743, Meadow River Days Festival (Greenbrier) \$1,782, Mercer County Fair (Mercer) \$1,188, Mercer County Heritage Festival (Mercer) \$3,474, Milton Christmas in the Park (Cabell) \$1,485, Milton Old Timey Days (Cabell) \$1,485, Mineral County Veterans Day Parade (Mineral) \$891, Molasses Festival (Calhoun) \$1,188, Monongahfest (Marion) \$3,752, Monongalia County Fair (Monongalia) \$7,250, Moon Over Mountwood Fishing Festival (Wood) \$1,782, Morgan County Fair-History Wagon (Morgan) \$891, Moundsville Bass Festival (Marshall) \$2,376, Moundsville July 4th Celebration (Marshall) \$2,970, Mount Liberty Fall Festival (Barbour) \$1,485, Mountain Festival (Mercer) \$2,747, Mountain Heritage Arts and Crafts Festival (Jefferson) \$2,970, Mountain Music Festival (McDowell) \$1,485, Mountain Roots Community Theater (Kanawha) \$5,000, Mountain State Apple Harvest Festival (Berkeley) \$4,456, Mountain State Arts & Crafts Fair Cedar Lakes (Jackson) \$26,732, Mountaineer Boys' State (Lewis) (Lewis) \$5,000, Mullens Dogwood Festival (Wyoming) \$4,158, Multi-Cultural Festival of West Virginia (Kanawha) \$12,000, Nettlefest \$2,970, New Cumberland 4th of July (Hancock) \$2,970, New Cumberland Christmas Parade (Hancock) \$1,782, New Martinsville Regatta (Wetzel) \$9,000, New Martinsville Vintage Regatta (Wetzel) \$5,000, New River Bridge Day Festival (Fayette) \$23,762, Nicholas County Potato Festival (Nicholas) \$5,000, Oak Leaf Festival (Fayette) \$6,253, Oceana Heritage Festival (Wyoming) \$4,000, Oglebay City Park - Festival of Lights (Ohio) \$47,524, Oglebay Festival (Ohio) \$5,940, Ohio County Country Fair (Ohio) \$5,346, Ohio River Fest (Jackson) \$4,320, Old Brick Playhouse (Randolph) \$7,000, Old Central City Fair (Cabell) \$2,970, Old Tyme Christmas (Jefferson) \$1,425, Osage Street Fair (Monongalia) \$2,188, Paden City Labor Day Festival (Wetzel) \$3,861, Parkersburg Homecoming (Wood) \$8,754, Paw Paw District Fair (Marion) \$2,079, Pax Reunion Committee (Fayette) \$2,970, Pendleton County 4-H Weekend (Pendleton) \$1,188, Petersburg 4th of July Celebration (Grant) \$11,881, Piedmont-Annual Back Street Festival (Mineral) \$2,376, Pinch Reunion (Kanawha) \$3,500, Pine Bluff Fall Festival (Harrison) \$2,376, Pine Grove 4th of July Festival (Wetzel) \$4,158, Pineville Festival (Wyoming) \$3,564, Pleasants County Agriculture Youth Fair (Pleasants) \$2,970, Pocahontas County Pioneer Days (Pocahontas) \$4,159, Pratt Fall Festival (Kanawha) \$2,500, Princeton Autumnfest (Mercer) \$1,563, Princeton Street Fair (Mercer) \$2,970, Putnam County Fair (Putnam) \$2,970, Quartets on Parade (Hardy) \$2,376, Rainelle Fall Festival (Greenbrier) \$3,127, Rand Community Center Festival (Kanawha) \$2,500, Randolph County Community Arts Council (Randolph) \$1,782, Randolph County Fair (Randolph) \$4,158, Randolph County Ramps and Rails (Randolph) \$2,188, Ranson Christmas Festival (Jefferson) \$2,970, Ranson Festival (Jefferson) \$2,970, Renick Liberty Festival (Greenbrier) \$684, Rhododendron Girl's State (Ohio) (Ohio) \$5,941, Ripley 4th of July (Jackson) \$8,910, Ritchie County Fair and Exposition \$2,970, Ritchie County Pioneer Days (Ritchie) \$684, River City Festival (Preston) \$684, Rivesville Christmas Festival (Marion) \$2,000, Rivesville Riverfront Festival (Marion) \$2,000, Roane County Agriculture Field Day (Roane) \$1,782, Rock the Park (Kanawha) \$1,500, Rockin New Years Eve (Grant) \$2,000, Rowlesburg Labor Day Festival (Preston) \$684, Ruby Summer Concert Series (Monongalia) \$2,000, Ruddle Park Jamboree (Pendleton) \$2,000, Rupert Country Fling (Greenbrier) \$1,876, Saint Spyridon Greek Festival (Harrison) \$1,485, Salem Apple Butter Festival (Harrison) \$2,376, Sissonville Christmas Festival (Kanawha) \$2,000, Sistersville 4th of July (Tyler) \$3,267, Skirmish on the River (Mingo) \$1,250, Smoke on the Water (Wetzel) \$1,782, South Charleston Summerfest (Kanawha) \$7,500, Southern Wayne County Fall Festival (Wayne) \$684, Spirit of Grafton Celebration (Taylor) \$6,240, Spring Mountain Festival (Grant) \$2,500, St. Albans City of Lights - December (Kanawha) \$3,000,

St. Albans Train Fest (Kanawha) \$6,000, Sternwheel Festival (Wood) \$1,782, STOCO Festival (Raleigh) \$1,485, Stonewall Jackson Heritage Arts & Crafts Jubilee (Lewis) \$6,534, Stonewall Jackson's Roundhouse Raid (Berkeley) \$7,200, Strawberry Festival (Upshur) \$17,821, Sylvester Big Coal River Festival (Boone) \$1,944, Tacy Fair (Barbour) \$684, Taste of Parkersburg (Wood) \$2,970, Taylor County Fair (Taylor) \$3,567, Three Rivers Coal Festival (Marion) \$4,604, Thunder on the Tygart - Mothers' Day Celebration (Taylor) \$7,300, Town of Delbarton 4th of July Celebration (Mingo) \$1,782, Town of Fayetteville Heritage Festival (Fayette) \$4,456, Town of Rivesville 4th of July Festival (Marion) \$3,127, Town of Winfield - Putnam County Homecoming (Putnam) \$3,240, Treasure Mountain Festival (Pendleton) \$18,000, Tri-County Fair (Grant) \$22,548, Tucker County Arts Festival and Celebration (Tucker) \$10,692, Tucker County Fair (Tucker) \$2,821, Tucker County Health Fair (Tucker) \$1,188, Turkey Festival (Hardy) \$1,782, Tyler County Fireworks Celebration (Tyler) \$2,000, Upper Kanawha Valley Oktoberfest (Kanawha) \$2,000, Upper Ohio Valley Italian Festival (Ohio) \$7,128, Valley District Fair (Preston) \$2,079, Veterans Welcome Home Celebration (Cabell) \$938, Vietnam Veterans of America # 949 Christmas Party (Cabell) \$684, Volcano Days at Mountwood Park (Wood) \$2,970, War Homecoming Fall Festival (McDowell) \$891, Wardensville Fall Festival (Hardy) \$2,970, Wayne County Fair (Wayne) \$2,970, Wayne County Fall Festival (Wayne) \$2,970, Webster County Fair (Webster) \$3,600, Webster County Wood Chopping Festival (Webster) \$8,910, Webster Wild Water Weekend (Webster) \$1,188, Welcome Home Family Day (Wayne) \$1,900, Wellsburg 4th of July Celebration (Brooke) \$4,456, Wellsburg Apple Festival of Brooke County (Brooke) \$2,970, West Virginia Chestnut Festival (Preston) \$684, West Virginia Coal Festival (Boone) \$5,940, West Virginia Coal Show (Mercer) \$1,563, West Virginia Dairy Cattle Show (Lewis) \$5,940, West Virginia Dandelion Festival (Greenbrier) \$2,970, West Virginia Day at the Railroad Museum (Mercer) \$1,800, West Virginia Fair and Exposition (Wood) \$4,812, West Virginia Freedom Festival (Logan) \$4,456, West Virginia Oil and Gas Festival (Tyler) \$6,534, West Virginia Peach Festival (Hampshire) \$5,166, West Virginia Pumpkin Festival (Cabell) \$5,940, West Virginia Rivers and Rails Festival (Pleasants) \$1,099, West Virginia State Folk Festival (Gilmer) \$2,970, Wetzel County Autumnfest (Wetzel) \$3,267, Wetzel County Town and Country Days (Wetzel) \$10,098, Wheeling City of Lights (Ohio) \$4,752, Wheeling Vintage Raceboat Regatta (Ohio) \$11,881, Whipple Community Action (Fayette) \$1,485, Whitehall Community Event (Marion) \$2,000, Winfield Watersports Weekend (Putnam) \$3,240, Wirt County Fair (Wirt) \$1,485, Wirt County Pioneer Days (Wirt) \$1,188, Youth Stockman Beef Expo (Lewis) \$1,188

Any Fairs and Festivals awards shall be funded in addition to, and not in lieu of, individual grant allocations derived from the Arts Council and Cultural Grant Program allocations.

346 - Division of Culture and History –

Library Commission -

Lottery Education Fund

(W.V. Code Chapter 10)

Fund 3559 FY 2025 Org 0432

Books and Films	17900	\$	360,784
Services to Libraries.....	18000		550,000
Grants to Public Libraries	18200		9,439,571

Digital Resources.....	30900	219,992
Infomine Network.....	88400	<u>943,353</u>
Total.....		\$ 11,513,700

347 - Educational Broadcasting Commission

(W.V. Code Chapter 10)

Fund 3587 FY 2025 Org 0439

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 3587, appropriation 75500) at the close of fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

348 - Higher Education Policy Commission –

Lottery Education –

Higher Education Policy Commission –

Control Account

(W.V. Code Chapters 18B and 18C)

Fund 4925 FY 2025 Org 0441

RHI Program and Site Support (R).....	03600	\$ 1,922,710
RHI Program and Site Support –		
RHEP Program Administration.....	03700	146,653
RHI Program and Site Support – Grad Med		
Ed and Fiscal Oversight (R).....	03800	90,192
State Doctoral Fellowship (R).....	16600	129,604
Health Sciences Scholarship (R).....	17600	226,251
Vice Chancellor for Health Sciences –		
Rural Health Residency Program (R).....	60100	62,725
WV Engineering, Science, and		
Technology Scholarship Program.....	86800	<u>452,831</u>
Total.....		\$ 3,030,966

Any unexpended balances remaining in the appropriations for RHI Program and Site Support (fund 4925, appropriation 03600), RHI Program and Site Support – Grad Med Ed and Fiscal Oversight (fund 4925, appropriation 03800), State Doctoral Fellowship (fund 4925, appropriation 16600), Health Sciences Scholarship (fund 4925, appropriation 17600), and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4925, appropriation 60100) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

The above appropriation for WV Engineering, Science, and Technology Scholarship Program (fund 4925, appropriation 86800) shall be transferred to the West Virginia Engineering, Science and Technology Scholarship Fund (fund 4928,) established by W.V. Code §18C-6-1.

349 - Community and Technical College –

Capital Improvement Fund

(W.V. Code Chapter 18B)

Fund 4908 FY 2025 Org 0442

Debt Service – Total	31000	\$	5,000,000
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Any unexpended balance remaining in the appropriation for Capital Outlay and Improvements – Total (fund 4908, appropriation 84700) and Capital Improvements - Total (fund 4908, appropriation 95800) at the close of fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

The total amount of this appropriation shall be paid from the sale of the Series 2017 Community and Technical Colleges Capital Improvement Refunding Revenue Bonds and anticipated interest earnings.

350 - Higher Education Policy Commission –

Lottery Education –

West Virginia University – School of Medicine

(W.V. Code Chapter 18B)

Fund 4185 FY 2025 Org 0463

WVU Health Sciences –

RHI Program and Site Support (R).....	03500	\$	1,246,059
MA Public Health Program and			
Health Science Technology (R).....	62300		52,445
Health Sciences Career Opportunities Program (R).....	86900		336,987
HSTA Program (R).....	87000		1,903,647

Center for Excellence in Disabilities (R)	96700	<u>328,292</u>
Total.....		\$ 3,867,430

Any unexpended balances remaining in the appropriations for WVU Health Sciences – RHI Program and Site Support (fund 4185, appropriation 03500), MA Public Health Program and Health Science Technology (fund 4185, appropriation 62300), Health Sciences Career Opportunities Program (fund 4185, appropriation 86900), HSTA Program (fund 4185, appropriation 87000), and Center for Excellence in Disabilities (fund 4185, appropriation 96700) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

351 - Higher Education Policy Commission –

Lottery Education –

Marshall University – School of Medicine

(W.V. Code Chapter 18B)

Fund 4896 FY 2025 Org 0471

Marshall Medical School –

RHI Program and Site Support (R).....	03300	\$ 453,525
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Vice Chancellor for Health Sciences –

Rural Health Residency Program (R)	60100	<u>179,773</u>
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Total.....		\$ 633,298
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Any unexpended balances remaining in the appropriations for Marshall Medical School – RHI Program and Site Support (fund 4896, appropriation 03300) and Vice Chancellor for Health Sciences – Rural Health Residency Program (fund 4896, appropriation 60100) at the close of fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

352 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(W.V. Code Chapter 29)

Fund 5405 FY 2025 Org 0508

Personal Services and Employee Benefits.....	00100	\$ 160,387
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Salary and Benefits of Cabinet Secretary and

Agency Heads.....	00201	86,000
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Repairs and Alterations.....	06400	1,000
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Current Expenses	13000	332,284
Local Programs Service Delivery Costs	20000	2,435,250
Silver Haired Legislature	20200	18,500
Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens.....	53900	27,986,092
Roger Tompkins Alzheimers Respite Care.....	64300	2,308,914
WV Alzheimers Hotline	72400	45,000
Regional Aged and Disabled Resource Center	76700	425,000
Senior Services Medicaid Transfer.....	87100	16,400,070
Legislative Initiatives for the Elderly	90400	9,671,239
Long Term Care Ombudsmen.....	90500	297,226
BRIM Premium.....	91300	7,718
In-Home Services and Nutrition for Senior Citizens (R).....	91700	<u>6,845,941</u>
Total.....		\$ 67,020,621

Any unexpended balances remaining in the appropriation for Senior Citizen Centers and Programs (fund 5405, appropriation 46200) and In-Home Services and Nutrition for Senior Citizens (fund 5405, appropriation 91700) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

Included in the above appropriation for Current Expenses (fund 5405, appropriation 13000), is funding to support an in-home direct care workforce registry.

The above appropriation for Transfer to the Department of Human Services for Health Care and Title XIX Waiver for Senior Citizens (fund 5405, appropriation 53900) along with the federal moneys generated thereby shall be used for reimbursement for services provided under the program.

Total TITLE II, Section 4 – Lottery Revenue..... \$ 149,104,142

Sec. 5. Appropriations from state excess lottery revenue fund. — In accordance with W.V. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the following appropriations shall be deposited and disbursed by the Director of the Lottery to the following accounts in this section in the amounts indicated.

After first funding the appropriations required by W.V. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the Director of the Lottery shall provide funding from the State Excess Lottery Revenue Fund for the remaining appropriations in this section to the extent that funds are available. In the event that revenues to the State Excess Lottery Revenue Fund

are sufficient to meet all the appropriations required made pursuant to this section, then the Director of the Lottery shall then provide the funds available for fund 5365, appropriation 18900.

353 - Governor's Office

(W.V. Code Chapter 5)

Fund 1046 FY 2025 Org 0100

Any unexpended balance remaining in the appropriation for Publication of Papers and Transition Expenses – Lottery Surplus (fund 1046, appropriation 06600) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

354 - Office of Technology

(W.V. Code Chapter 5A)

Fund 2532 FY 2025 Org 0231

Any unexpended balances remaining in the appropriations for Cyber Security (fund 2532, appropriation 99001), Enterprise Data Center (fund 2532, appropriation 99002), and Enterprise Telephony Modernization (fund 2532, appropriation 99003) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

355 - Department of Economic Development –

Office of the Secretary –

West Virginia Development Office

(W.V. Code Chapter 5B)

Fund 3170 FY 2025 Org 0307

Any unexpended balance remaining in the appropriation for Recreational Grants or Economic Development Loans (fund 3170, appropriation 25300) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

356 - Division of Natural Resources –

State Park Improvement Fund

Fund 3277 FY 2025 Org 0310

	Appro-		Excess
	priation		Lottery
	Funds		Funds
Repairs and Alterations (R).....	06400	\$	161,200

Equipment (R).....	07000	200,000
Current Expenses (R)	13000	23,300
Buildings (R)	25800	100,000
Other Assets (R).....	69000	<u>1,020,500</u>
Total.....		\$ 1,505,000

Any unexpended balances remaining in the appropriations for Repairs and Alterations (fund 3277, appropriation 06400), Equipment (fund 3277, appropriation 07000), Unclassified – Total (fund 3277, appropriation 09600), Current Expenses (fund 3277, appropriation 13000), Buildings (fund 3277, appropriation 25800), and Other Assets (fund 3277, appropriation 69000) at the close of the fiscal year 2024 are hereby reappropriated for expenditure during the fiscal year 2025.

357 - West Virginia Infrastructure Council –

West Virginia Infrastructure Transfer Fund

Fund 3390 FY 2025 Org 0316

Directed Transfer	70000	\$ 46,000,000
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The above appropriation shall be allocated pursuant to W.V. Code §29-22-18d and §31-15-9.

358 - Department of Education –

School Building Authority

Fund 3514 FY 2025 Org 0404

Debt Service - Total	31000	\$ 18,948,000
Directed Transfer	70000	<u>52,000</u>
Total.....		\$ 19,000,000

The School Building Authority shall have the authority to transfer between the above appropriations in accordance with W.V. Code §29-22-18a.

The above appropriation for Directed Transfer (fund 3514, appropriation 70000) may be transferred to the Department of Education, State Board of Education, School Building Authority, School Construction Fund (fund 3952,) to be used for school construction and maintenance projects.

359 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2025 Org 0441

PROMISE Scholarship – Transfer..... 80000 \$ 29,000,000

The above appropriation shall be transferred to the PROMISE Scholarship Fund (fund 4296,) established by W.V. Code §18C-7-7.

The Legislature has explicitly set a finite amount of available appropriations and directed the administrators of the Program to provide for the award of scholarships within the limits of available appropriations.

360 - Higher Education Policy Commission –

Higher Education Improvement Fund

Fund 4297 FY 2025 Org 0441

Directed Transfer 70000 \$ 15,000,000

The above appropriation for Directed Transfer shall be transferred to Higher Education Policy Commission – System – Tuition Fee Capital Improvement Fund (fund 4903) as authorized by Senate Concurrent Resolution No. 41.

361 - Higher Education Policy Commission –

Administration –

Control Account

Fund 4932 FY 2025 Org 0441

Any unexpended balance remaining in the appropriation for Advanced Technology Centers (fund 4932, appropriation 02800) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

362 - Department of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 5365 FY 2025 Org 0511

Medical Services..... 18900 \$ 63,232,578

363 - Division of Corrections and Rehabilitation –

Correctional Units

(W.V. Code Chapter 15A)

Fund 6283 FY 2025 Org 0608

Any unexpended balance remaining in the appropriation for Capital Outlay and Maintenance (fund 6283, appropriation 75500) at the close of the fiscal year 2024 is hereby reappropriated for expenditure during the fiscal year 2025.

*364 - Lottery Commission –**General Purpose Account*Fund 7206 FY 2025 Org 0705

General Revenue Fund – Transfer.....	70011	\$	65,000,000
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The above appropriation shall be transferred to the General Revenue Fund as determined by the Director of the Lottery in accordance with W.V. Code §29-22-18a.

*365 - Lottery Commission –**Refundable Credit*Fund 7207 FY 2025 Org 0705

Directed Transfer	70000	\$	10,000,000
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The above appropriation shall be transferred to the General Revenue Fund to provide reimbursement for the refundable credit allowable under W.V. Code §11-21-21. The amount of the required transfer shall be determined solely by the State Tax Commissioner and shall be completed by the Director of the Lottery upon the Commissioner's request.

*366 - Lottery Commission –**Distributions to Statutory Funds and Purposes*Fund 7213 FY 2025 Org 0705

Parking Garage Fund – Transfer.....	70001	\$	500,000
2004 Capitol Complex Parking Garage Fund – Transfer.....	70002		216,478
Capitol Dome and Improvements Fund – Transfer.....	70003		1,796,256
Capitol Renovation and Improvement Fund – Transfer.....	70004		2,381,252
Economic Development Promotion and			
Closing Fund - Transfer.....	70005		1,298,864
Research Challenge Fund – Transfer	70006		1,731,820
Tourism Promotion Fund – Transfer.....	70007		4,808,142
Cultural Facilities and Capital Resources Matching			
Grant Program Fund – Transfer	70008		1,500,000
State Debt Reduction Fund – Transfer.....	70010		20,000,000

General Revenue Fund – Transfer.....	70011	1,167,799
West Virginia Racing Commission Racetrack		
Video Lottery Account	70012	3,463,637
Historic Resort Hotel Fund	70013	24,010
Licensed Racetrack Regular Purse Fund.....	70014	<u>22,383,247</u>
Total.....		\$ 61,271,505

367 - Racing Commission

Fund 7308 FY 2025 Org 0707

Special Breeders Compensation

(W.V. Code §29-22-18a, subsection (I))	21800	\$ 2,000,000
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368 - Economic Development Authority –

Economic Development Project Fund

Fund 9065 FY 2025 Org 0944

Debt Service – Total	31000	\$ 19,000,000
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Pursuant to W.V. Code §29-22-18a, subsection (f), excess lottery revenues are authorized to be transferred to the lottery fund as reimbursement of amounts transferred to the Economic Development Project fund pursuant to section four of this title and W.V. Code §29-22-18, subsection (f).

369 - Economic Development Authority –

Cacapon and Beech Fork State Parks –

Lottery Revenue Debt Service

Fund 9067 FY 2025 Org 0944

Debt Service	04000	\$ 2,032,000
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370 - Economic Development Authority –

State Parks Lottery Revenue Debt Service Fund

Fund 9068 FY 2025 Org 0944

Debt Service	04000	\$ 4,395,000
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Total TITLE II, Section 5 – Excess Lottery Funds.....		<u>\$ 337,436,083</u>
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Sec. 6. Appropriations of federal funds. — In accordance with Article 11, Chapter 4 of the Code from federal funds there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal year 2025.

LEGISLATIVE

371 - Crime Victims Compensation Fund

(W.V. Code Chapter 14)

Fund 8738 FY 2025 Org 2300

	Appro-		Federal
	priation		Funds
Economic Loss Claim Payment Fund.....	33400	\$	442,000

JUDICIAL

372 - Supreme Court

Fund 8867 FY 2025 Org 2400

Personal Services and Employee Benefits.....	00100	\$	1,813,000
Repairs and Alterations.....	06400		100,000
Equipment.....	07000		250,000
Current Expenses	13000		1,557,000
Other Assets	69000		<u>280,000</u>
Total.....		\$	4,000,000

EXECUTIVE

373 - Governor's Office –

Coronavirus State Fiscal Recovery Fund

(W.V. Code Chapter 4)

Fund 8823 FY 2025 Org 0100

Repairs and Alterations.....	06400	\$	1,000
Equipment.....	07000		1,000
Unclassified	09900		500,000

Current Expenses	13000	25,497,000
Other Assets	69000	<u>1,000</u>
Total.....		\$ 26,000,000

374 - Department of Agriculture

(W.V. Code Chapter 19)

Fund 8736 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$ 2,722,216
Repairs and Alterations.....	06400	650,000
Equipment.....	07000	910,500
Unclassified	09900	50,534
Current Expenses	13000	6,841,987
Buildings	25800	1,000,000
Other Assets	69000	550,000
Land.....	73000	500,000
Federal Coronavirus Pandemic.....	89101	<u>4,721,430</u>
Total.....		\$ 17,946,667

375 - Department of Agriculture –

Meat Inspection Fund

(W.V. Code Chapter 19)

Fund 8737 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$ 739,966
Repairs and Alterations.....	06400	5,500
Equipment.....	07000	114,478
Unclassified	09900	8,755
Current Expenses	13000	<u>136,012</u>
Total.....		\$ 1,004,711

376 - Department of Agriculture –

State Conservation Committee

(W.V. Code Chapter 19)

Fund 8783 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	99,978
Current Expenses	13000		<u>15,599,974</u>
Total.....		\$	15,699,952

377 - Department of Agriculture –

Land Protection Authority

(W.V. Code Chapter 19)

Fund 8896 FY 2025 Org 1400

Personal Services and Employee Benefits.....	00100	\$	46,526
Unclassified	09900		5,004
Current Expenses	13000		<u>448,920</u>
Total.....		\$	500,450

378 - Attorney General –

Medicaid Fraud Unit

(W.V. Code Chapter 5)

Fund 8882 FY 2025 Org 1500

Personal Services and Employee Benefits.....	00100	\$	1,850,458
Repairs and Alterations.....	06400		4,313
Equipment.....	07000		7,500
Unclassified	09900		15,336
Current Expenses	13000		611,287
Other Assets	69000		<u>11,336</u>
Total.....		\$	2,500,230

379 - Secretary of State –

State Election Fund

(W.V. Code Chapter 3)

Fund 8854 FY 2025 Org 1600

Personal Services and Employee Benefits.....	00100	\$	210,240
Repairs and Alterations.....	06400		15,000
Unclassified	09900		7,484
Current Expenses	13000		415,727
Other Assets	69000		<u>100,000</u>
Total.....		\$	748,451

DEPARTMENT OF COMMERCE

380 - Division of Forestry

(W.V. Code Chapter 19)

Fund 8703 FY 2025 Org 0305

Personal Services and Employee Benefits.....	00100	\$	637,000
Repairs and Alterations.....	06400		155,795
Equipment.....	07000		1,000,000
Unclassified	09900		51,050
Current Expenses	13000		3,062,013
Other Assets	69000		<u>3,078,847</u>
Total.....		\$	7,984,705

381 - Geological and Economic Survey

(W.V. Code Chapter 29)

Fund 8704 FY 2025 Org 0306

Personal Services and Employee Benefits.....	00100	\$	204,432
Repairs and Alterations.....	06400		305,000

Equipment.....	07000	187,500
Unclassified	09900	2,803
Current Expenses	13000	195,639
Buildings	25800	1,500,000
Other Assets	69000	<u>15,000</u>
Total.....		\$ 2,410,374

382 - Division of Labor

(W.V. Code Chapters 21 and 47)

Fund 8706 FY 2025 Org 0308

Personal Services and Employee Benefits.....	00100	\$ 460,197
Repairs and Alterations.....	06400	500
Unclassified	09900	5,572
Current Expenses	13000	<u>167,098</u>
Total.....		\$ 633,367

383 - Division of Natural Resources

(W.V. Code Chapter 20)

Fund 8707 FY 2025 Org 0310

Personal Services and Employee Benefits.....	00100	\$ 11,474,295
Repairs and Alterations.....	06400	566,250
Equipment.....	07000	2,126,141
Unclassified	09900	107,693
Current Expenses	13000	7,887,660
Administration	15500	50,325
Buildings	25800	951,000
Other Assets	69000	4,768,670
Land.....	73000	<u>2,893,920</u>

Total..... \$ 30,825,954

384 - Division of Miners' Health,

Safety and Training

(W.V. Code Chapter 22)

Fund 8709 FY 2025 Org 0314

Personal Services and Employee Benefits.....	00100	\$	705,030
Current Expenses	13000		<u>150,000</u>
Total.....		\$	855,030

385 - WorkForce West Virginia

(W.V. Code Chapter 23)

Fund 8835 FY 2025 Org 0323

Unclassified	09900	\$	5,127
Current Expenses	13000		667,530
Reed Act 2002 – Unemployment Compensation.....	62200		4,446,737
Reed Act 2002 – Employment Services	63000		<u>3,246,737</u>
Total.....		\$	8,366,131

Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of the Social Security Act, as amended, and the provisions of W.V. Code §21A-9-9, the above appropriation to Unclassified and Current Expenses shall be used by WorkForce West Virginia for the specific purpose of administration of the state's unemployment insurance program or job service activities, subject to each and every restriction, limitation or obligation imposed on the use of the funds by those federal and state statutes.

386 - State Board of Rehabilitation –

Division of Rehabilitation Services

(W.V. Code Chapter 18)

Fund 8734 FY 2025 Org 0932

Personal Services and Employee Benefits.....	00100	\$	12,642,892
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		153,000

Repairs and Alterations.....	06400	350,400
Equipment.....	07000	1,275,870
Current Expenses	13000	<u>68,440,940</u>
Total.....		\$ 82,863,102

387 - State Board of Rehabilitation –

Division of Rehabilitation Services –

Disability Determination Services

(W.V. Code Chapter 18)

Fund 8890 FY 2025 Org 0932

Personal Services and Employee Benefits.....	00100	\$ 14,889,790
Repairs and Alterations.....	06400	1,100
Equipment.....	07000	83,350
Current Expenses	13000	<u>13,383,206</u>
Total.....		\$ 28,357,446

DEPARTMENT OF TOURISM

388 - Department of Tourism –

Tourism Workforce Development Fund

(W.V. Code Chapter 5B)

Fund 8903 FY 2025 Org 0304

Federal Coronavirus Pandemic.....	89101	\$ 2,765,115
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DEPARTMENT OF ECONOMIC DEVELOPMENT

389 - Department of Economic Development –

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 8705 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$ 5,346,497
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Unclassified	09900	50,000
Current Expenses	13000	<u>809,776,339</u>
Total.....		\$ 815,172,836

390 - Department of Economic Development –

Office of Energy

(W.V. Code Chapter 5B)

Fund 8892 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$ 1,007,411
Unclassified	09900	7,350
Current Expenses	13000	<u>8,266,076</u>
Total.....		\$ 9,280,837

391 - Department of Economic Development –

Office of the Secretary –

Office of Economic Opportunity

(W.V. Code Chapter 5)

Fund 8901 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$ 854,189
Repairs and Alterations.....	06400	250
Equipment.....	07000	6,000
Unclassified	09900	106,795
Current Expenses	13000	<u>20,303,081</u>
Total.....		\$ 21,270,315

DEPARTMENT OF EDUCATION

392 - State Board of Education –

State Department of Education

(W.V. Code Chapters 18 and 18A)

Fund 8712 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$	6,146,942
Repairs and Alterations.....	06400		10,000
Equipment.....	07000		10,000
Unclassified	09900		2,000,000
Current Expenses	13000		1,434,146,008
Other Assets	69000		10,000
Federal Coronavirus Pandemic.....	89101		<u>4,990,123</u>
Total.....		\$	1,447,313,073

393 - State Board of Education –

School Lunch Program

(W.V. Code Chapters 18 and 18A)

Fund 8713 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$	2,010,501
Repairs and Alterations.....	06400		20,000
Equipment.....	07000		100,000
Unclassified	09900		1,150,500
Current Expenses	13000		258,781,265
Other Assets	69000		25,000
Federal Coronavirus Pandemic.....	89101		<u>743,436</u>
Total.....		\$	262,830,702

394 - State Board of Education –

Vocational Division

(W.V. Code Chapters 18 and 18A)

Fund 8714 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$	2,032,898
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Repairs and Alterations.....	06400	10,000
Equipment.....	07000	10,000
Unclassified	09900	155,000
Current Expenses	13000	20,820,081
Other Assets	69000	<u>10,000</u>
Total.....		\$ 23,037,979

395 - State Board of Education –

Aid for Exceptional Children

(W.V. Code Chapters 18 and 18A)

Fund 8715 FY 2025 Org 0402

Personal Services and Employee Benefits.....	00100	\$ 3,671,135
Repairs and Alterations.....	06400	10,000
Equipment.....	07000	10,000
Unclassified	09900	1,000,000
Current Expenses	13000	139,346,390
Other Assets	69000	10,000
Federal Coronavirus Pandemic.....	89101	<u>17,336,635</u>
Total.....		\$ 161,384,160

396 - WV Professional Charter School Board

(W.V. Code Chapter 18)

Fund 8828 FY 2025 Org 0405

Personal Services and Employee Benefits.....	00100	\$ 98,605
Repairs and Alterations.....	06400	500
Equipment.....	07000	500
Current Expenses	13000	3,012,108
Other Assets	69000	<u>500</u>

Total.....		\$	3,112,213
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DEPARTMENT OF ARTS, CULTURE, AND HISTORY

397 - Division of Culture and History

(W.V. Code Chapter 29)

Fund 8718 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$	927,795
Repairs and Alterations.....	06400		1,000
Equipment.....	07000		1,000
Current Expenses	13000		1,947,372
Buildings	25800		1,000
Other Assets	69000		1,000
Land.....	73000		360
Federal Coronavirus Pandemic.....	89101		<u>765,400</u>
Total.....		\$	3,644,927

398 - Library Commission

(W.V. Code Chapter 10)

Fund 8720 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$	387,033
Equipment.....	07000		543,406
Current Expenses	13000		1,076,162
Federal Coronavirus Pandemic.....	89101		<u>2,388,880</u>
Total.....		\$	4,395,481

399 - Commission for National and Community Service

(W.V. Code Chapter 5F)

Fund 8841 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$	471,153
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Repairs and Alterations.....	06400	1,000
Current Expenses	13000	5,587,325
Federal Coronavirus Pandemic.....	89101	<u>1,960,558</u>
Total.....		\$ 8,020,036

400 - National Coal Heritage Area Authority

(W.V. Code Chapter 29)

Fund 8869 FY 2025 Org 0432

Personal Services and Employee Benefits.....	00100	\$ 201,942
Repairs and Alterations.....	06400	5,000
Equipment.....	07000	3,000
Current Expenses	13000	328,008
Other Assets	69000	<u>2,000</u>
Total.....		\$ 539,950

DEPARTMENT OF ENVIRONMENTAL PROTECTION

401 - Division of Environmental Protection

(W.V. Code Chapter 22)

Fund 8708 FY 2025 Org 0313

Personal Services and Employee Benefits.....	00100	\$ 37,148,357
Repairs and Alterations.....	06400	739,783
Equipment.....	07000	1,712,238
Unclassified	09900	1,923,580
Current Expenses	13000	347,447,019
West Virginia Drinking Water Treatment		
Revolving Fund – Transfer	68900	80,753,300
Other Assets	69000	2,177,261
Land.....	73000	<u>80,000</u>

Total.....		\$ 471,981,538
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DEPARTMENT OF HEALTH*402 - Department of Health –**Central Office*

(W.V. Code Chapter 16)

Fund 8802 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$ 21,101,605
Equipment.....	07000	456,972
Unclassified	09900	856,614
Current Expenses	13000	139,553,476
Buildings	25800	155,000
Other Assets	69000	380,000
Federal Coronavirus Pandemic.....	89101	<u>40,061,935</u>
Total.....		\$ 202,565,602

403 - Human Rights Commission

(W.V. Code Chapter 5)

Fund 8725 FY 2025 Org 0510

Personal Services and Employee Benefits.....	00100	\$ 737,485
Unclassified	09900	5,050
Current Expenses	13000	<u>164,950</u>
Total.....		\$ 907,485

404 - Office of the Inspector General

(W.V. Code Chapter 16B)

Fund xxxx FY 2025 Org xxxx

Personal Services and Employee Benefits.....	00100	\$ 1,486,738
Unclassified	09900	8,335

Current Expenses	13000	<u>825,230</u>
Total.....		\$ 2,320,303

DEPARTMENT OF HUMAN SERVICES

405 - Department of Human Services

(W.V. Code Chapters 9, 48, and 49)

Fund 8722 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$ 88,722,032
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201	73,500
Unclassified	09900	22,855,833
Current Expenses	13000	180,311,984
Medical Services.....	18900	4,151,432,776
Medical Services Administrative Costs.....	78900	170,074,119
CHIP Administrative Costs.....	85601	6,753,105
CHIP Services.....	85602	59,012,014
Federal Coronavirus Pandemic.....	89101	<u>4,000,000</u>
Total.....		\$ 4,683,235,363

406 - Department of Human Services –

Consolidated Medical Service Fund

(W.V. Code Chapter 16)

Fund 8723 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$ 1,485,132
Unclassified	09900	73,307
Current Expenses	13000	98,197,690
Federal Coronavirus Pandemic.....	89101	<u>564,772</u>
Total.....		\$ 100,320,901

DEPARTMENT OF HOMELAND SECURITY*407 - Division of Emergency Management*

(W.V. Code Chapter 15)

Fund 8727 FY 2025 Org 0606

Personal Services and Employee Benefits.....	00100	\$	2,035,385
Salary and Benefits of Cabinet Secretary and			
Agency Heads.....	00201		61,250
Repairs and Alterations.....	06400		5,000
Equipment.....	07000		100,000
Current Expenses.....	13000		<u>20,429,281</u>
Total.....		\$	22,630,916

408 - Division of Corrections and Rehabilitation

(W.V. Code Chapters 15A)

Fund 8836 FY 2025 Org 0608

Unclassified.....	09900	\$	1,100
Current Expenses.....	13000		<u>108,900</u>
Total.....		\$	110,000

409 - West Virginia State Police

(W.V. Code Chapter 15)

Fund 8741 FY 2025 Org 0612

Personal Services and Employee Benefits.....	00100	\$	3,266,412
Repairs and Alterations.....	06400		42,000
Equipment.....	07000		13,356,035
Current Expenses.....	13000		2,250,971
Buildings.....	25800		1,740,500
Other Assets.....	69000		1,065,750

Land.....	73000	<u>500</u>
Total.....		\$ 21,722,168

410 - Fire Commission

(W.V. Code Chapter 15A)

Fund 8819 FY 2025 Org 0619

Current Expenses	13000	\$ 80,000
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411 - Division of Administrative Services

(W.V. Code Chapter 15)

Fund 8803 FY 2025 Org 0623

Personal Services and Employee Benefits.....	00100	\$ 1,363,346
Repairs and Alterations.....	06400	1,750
Unclassified	09900	25,185
Current Expenses	13000	<u>75,381,973</u>
Total.....		\$ 76,772,254

DEPARTMENT OF REVENUE

412 - Insurance Commissioner

(W.V. Code Chapter 33)

Fund 8883 FY 2025 Org 0704

Personal Services and Employee Benefits.....	00100	\$ 145,000
Equipment.....	07000	30,000
Current Expenses	13000	<u>2,825,000</u>
Total.....		\$ 3,000,000

DEPARTMENT OF TRANSPORTATION

413 - Division of Motor Vehicles

(W.V. Code Chapter 17B)

Fund 8787 FY 2025 Org 0802

Personal Services and Employee Benefits.....	00100	\$	900,000
Repairs and Alterations.....	06400		500
Current Expenses	13000		<u>5,448,106</u>
Total.....		\$	6,348,606

414 - Division of Multimodal Transportation Facilities -

Public Transit

(W.V. Code Chapter 17)

Fund 8745 FY 2025 Org 0810

Personal Services and Employee Benefits.....	00100	\$	1,089,934
Repairs and Alterations.....	06400		2,500
Equipment.....	07000		3,501,714
Current Expenses	13000		20,863,149
Buildings	25800		2,450,000
Other Assets	69000		<u>250,000</u>
Total.....		\$	28,157,297

415 - Division of Multimodal Transportation Facilities -

Aeronautics Commission

(W.V. Code Chapter 29)

Fund 8831 FY 2025 Org 0810

Current Expenses	13000	\$	400,000
Other Assets	69000		<u>100</u>
Total.....		\$	400,100

DEPARTMENT OF VETERANS' ASSISTANCE

416 - Department of Veterans' Assistance

(W.V. Code Chapter 9A)

Fund 8858 FY 2025 Org 0613

Personal Services and Employee Benefits.....	00100	\$	3,257,327
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		57,120
Repairs and Alterations.....	06400		20,000
Equipment.....	07000		25,000
Current Expenses	13000		3,840,300
Buildings	25800		22,750,000
Land.....	73000		500
Veterans' Cemetery	80800		175,000
Federal Coronavirus Pandemic.....	89101		<u>1,900,000</u>
Total.....		\$	32,025,247

417 - Department of Veterans' Assistance –

Veterans' Home

(W.V. Code Chapter 9A)

Fund 8728 FY 2025 Org 0618

Personal Services and Employee Benefits.....	00100	\$	1,050,031
Repairs and Alterations.....	06400		60,500
Equipment.....	07000		10,500
Current Expenses	13000		595,700
Buildings	25800		500
Other Assets	69000		6,500
Land.....	73000		100
Federal Coronavirus Pandemic.....	89101		<u>1,600,000</u>
Total.....		\$	3,323,831

BUREAU OF SENIOR SERVICES

418 - Bureau of Senior Services

(W.V. Code Chapter 29)

Fund 8724 FY 2025 Org 0508

Personal Services and Employee Benefits.....	00100	\$	842,593
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		12,000
Repairs and Alterations.....	06400		3,000
Current Expenses	13000		<u>13,811,853</u>
Total.....		\$	14,669,446

MISCELLANEOUS BOARDS AND COMMISSIONS*419 - Adjutant General –**State Militia*

(W.V. Code Chapter 15)

Fund 8726 FY 2025 Org 0603

Unclassified	09900	\$	982,705
Mountaineer ChalleNGe Academy.....	70900		12,312,486
Martinsburg Starbase.....	74200		590,990
Charleston Starbase	74300		557,297
Military Authority	74800		<u>90,033,787</u>
Total.....		\$	104,477,265

The Adjutant General shall have the authority to transfer between appropriations.

*420 - Adjutant General –**West Virginia National Guard Counterdrug Forfeiture Fund*

(W.V. Code Chapter 15)

Fund 8785 FY 2025 Org 0603

Personal Services and Employee Benefits.....	00100	\$	1,350,000
Repairs and Alterations.....	06400		50,000

Equipment.....	07000	200,000
Current Expenses	13000	150,000
Buildings	25800	100,000
Other Assets	69000	100,000
Land.....	73000	<u>50,000</u>
Total.....		\$ 2,000,000

421 - Public Service Commission –

Motor Carrier Division

(W.V. Code Chapter 24A)

Fund 8743 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$ 1,600,289
Repairs and Alterations.....	06400	39,000
Equipment.....	07000	1,000
Current Expenses	13000	<u>368,953</u>
Total.....		\$ 2,009,242

422 - Public Service Commission –

Gas Pipeline Division

(W.V. Code Chapter 24B)

Fund 8744 FY 2025 Org 0926

Personal Services and Employee Benefits.....	00100	\$ 725,664
Equipment.....	07000	3,000
Unclassified	09900	4,072
Current Expenses	13000	<u>124,628</u>
Total.....		\$ 857,364

423 - Economic Development Authority

(W.V. Code Chapter 31)

Fund 8893 FY 2025 Org 0944

Current Expenses	13000	5,000,000
Total TITLE II, Section 6 - Federal Funds.....		<u>\$ 8,778,821,122</u>

Sec. 7. Appropriations from federal block grants. — The following items are hereby appropriated from federal block grants to be available for expenditure during the fiscal year 2025.

*424 - Department of Economic Development –**Office of the Secretary –**Community Development*Fund 8746 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$ 10,662,609
Unclassified	09900	2,375,000
Current Expenses	13000	<u>224,476,883</u>
Total.....		\$ 237,514,492

*425 - Department of Economic Development –**Office of the Secretary –**Office of Economic Opportunity –**Community Services*Fund 8902 FY 2025 Org 0307

Personal Services and Employee Benefits.....	00100	\$ 771,289
Repairs and Alterations.....	06400	1,500
Equipment.....	07000	9,000
Unclassified	09900	125,000
Current Expenses	13000	<u>17,781,811</u>
Total.....		\$ 18,688,600

*426 - WorkForce West Virginia –**Workforce Investment Act*Fund 8749 FY 2025 Org 0323

Personal Services and Employee Benefits.....	00100	\$	3,036,190
Salary and Benefits of Cabinet Secretary and Agency Heads.....	00201		124,018
Repairs and Alterations.....	06400		1,600
Equipment.....	07000		500
Unclassified	09900		23,023
Current Expenses	13000		63,381,511
Buildings	25800		<u>1,100</u>
Total.....		\$	66,567,942

427 - Department of Health –

Maternal and Child Health

Fund 8750 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	2,509,103
Unclassified	09900		81,439
Current Expenses	13000		<u>7,294,267</u>
Total.....		\$	9,884,809

428 - Department of Health –

Preventive Health

Fund 8753 FY 2025 Org 0506

Personal Services and Employee Benefits.....	00100	\$	283,642
Equipment.....	07000		165,642
Unclassified	09900		22,457
Current Expenses	13000		<u>1,895,366</u>
Total.....		\$	2,367,107

429 - Department of Human Services –

Energy Assistance

Fund 8755 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	2,733,782
Salary and Benefits of Cabinet Secretary			
And Agency Heads	00201		2,450
Unclassified	09900		350,000
Current Expenses	13000		<u>57,082,035</u>
Total.....		\$	60,168,267

*430 - Department of Human Services –**Social Services*Fund 8757 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	9,709,574
Unclassified	09900		171,982
Current Expenses	13000		<u>8,870,508</u>
Total.....		\$	18,752,064

*431 - Department of Health –**Substance Abuse Prevention and Treatment*Fund 8793 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	736,598
Unclassified	09900		115,924
Current Expenses	13000		10,853,740
Federal Coronavirus Pandemic.....	89101		<u>4,225,212</u>
Total.....		\$	15,931,474

*432 - Department of Health –**Community Mental Health Services*Fund 8794 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$	607,341
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Unclassified	09900	33,533
Current Expenses	13000	5,376,330
Federal Coronavirus Pandemic.....	89101	<u>6,570,960</u>
Total.....		\$ 12,588,164

*433 - Department of Human Services –
Temporary Assistance for Needy Families*

Fund 8816 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$ 22,903,080
Salary and Benefits of Cabinet Secretary		
And Agency Head	00201	7,350
Unclassified	09900	1,250,000
Current Expenses	13000	<u>110,504,134</u>
Total.....		\$ 134,664,564

*434 - Department of Human Services –
Child Care and Development*

Fund 8817 FY 2025 Org 0511

Personal Services and Employee Benefits.....	00100	\$ 3,753,484
Salary and Benefits of Cabinet Secretary		
And Agency Head	00201	2,450
Unclassified	09900	350,000
Current Expenses	13000	<u>107,150,000</u>
Total.....		\$ 111,255,934

Total TITLE II, Section 7 – Federal Block Grants \$ 686,383,417

Sec. 8. Awards for claims against the state. — There are hereby appropriated for fiscal year 2025, from the fund as designated, in the amounts as specified, general revenue funds in the amount of \$1,647,648 special revenue funds in the amount of \$32,521, and state road funds in the amount of \$386,856 for payment of claims against the state.

Sec. 9. Appropriations from general revenue fund surplus accrued. — The following items are hereby appropriated from the state fund, general revenue, and are to be available for expenditure during the fiscal year 2025 out of surplus funds only, accrued from the fiscal year ending June 30, 2024, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriations be payable only from surplus as of July 31, 2024 from the fiscal year ending June 30, 2024, only after first meeting requirements of W.Va. Code §11B-2-20(b).

In the event that surplus revenues available on July 31, 2024, are not sufficient to meet the appropriations made pursuant to this section, then the appropriations shall be made to the extent that surplus funds are available as of the date mandated to meet the appropriations in this section and shall be allocated first to provide the necessary funds to meet the first appropriation of this section and each subsequent appropriation in the order listed in this section.

435 - Department of Tourism –

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 0246 FY 2025 Org 0304

Tourism – Brand Promotion - Surplus	61893	\$	10,000,000
Tourism – Industry Development - Surplus	61896		<u>6,000,000</u>
Total.....		\$	16,000,000

436 - Bureau for Medical Services –

Policy and Programming

(W.V. Code Chapter 16)

Fund xxxx FY 2025 Org 0511

Medical Services - Surplus.....	63300	\$	18,000,000
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437 - Department of Health –

Central Office

(W.V. Code Chapter 16)

Fund 0407 FY 2025 Org 0506

Pregnancy Centers - Surplus	49999	\$	3,000,000
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438 - State Board of Education –

State Department of Education

(W.V. Code Chapters 18 and 18A)

Fund 0313 FY 2025 Org 0402

Hope Scholarship Program – Surplus	xxxxx	\$	27,321,613
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439 - *West Virginia University –**General Administrative Fund*

(W.V. Code Chapter 18B)

Fund 0344 FY 2025 Org 0463

West Virginia University - Surplus	xxxxx	\$	5,147,926
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440 - *Marshall University –**General Administration Fund*

(W.V. Code Chapter 18B)

Fund 0348 FY 2025 Org 0471

Marshall University - Surplus.....	xxxxx	\$	2,386,218
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441 - *Concord University*

(W.V. Code Chapter 18B)

Fund 0357 FY 2025 Org 0483

Concord University - Surplus.....	xxxxx	\$	455,024
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442 - *Shepherd University*

(W.V. Code Chapter 18B)

Fund 0366 FY 2025 Org 0486

Shepherd University - Surplus.....	43299	\$	404,150
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443 - *New River Community and Technical College*

(W.V. Code Chapter 18B)

Fund 0600 FY 2025 Org 0445

New River Community and Technical College - Surplus	xxxxx	\$	349,715
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444 - *Department of Economic Development –*

Office of the Secretary

(W.V. Code Chapter 5B)

Fund 0256 FY 2025 Org 0307

Directed Transfer – Surplus	70099	\$	50,000,000
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The above appropriation for Directed Transfer (fund 0256, appropriation 70099) shall be transferred to the Economic Enhancement Fund (fund 3382).

Total TITLE II, Section 9 – General Revenue Surplus Accrued		\$	<u>120,064,646</u>
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Sec. 10. Appropriations from lottery net profits surplus accrued. — The following items are hereby appropriated from the lottery net profits, and are to be available for expenditure during the fiscal year 2025 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2024, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriations be payable only from surplus accrued from the fiscal year ending June 30, 2024.

In the event that surplus revenues available from the fiscal year ending June 30, 2024, are not sufficient to meet the appropriations made pursuant to this section, then the appropriations shall be made to the extent that surplus funds are available.

445 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(W.V. Code Chapter 29)

Fund 5405 FY 2025 Org 0508

Senior Services Medicaid Transfer – Lottery Surplus	68199	\$	14,750,000
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In-Home Services and Nutrition for Senior Citizens – Surplus.	76699		<u>2,000,000</u>
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Total			16,750,000
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Total TITLE II, Section 10 – Surplus Accrued.....		\$	<u>16,750,000</u>
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Sec. 11. Appropriations from state excess lottery revenue surplus accrued. — The following items are hereby appropriated from the state excess lottery revenue fund, and are to be available for expenditure during the fiscal year 2025 out of surplus funds only, as determined by the Director of Lottery, accrued from the fiscal year ending June 30, 2024, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriations be payable only from surplus accrued from the fiscal year ending June 30, 2024.

In the event that surplus revenues available from the fiscal year ending June 30, 2024, are not sufficient to meet the appropriations made pursuant to this section, then the appropriations shall be made to the extent that surplus funds are available.

446 - *Racing Commission –*

General Administration

(W.V. Code Chapter 19)

Fund 7308 FY 2025 Org 0707

Directed Transfer	70000	\$	800,000
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The above appropriation for Directed Transfer (fund 7308, appropriation 70000), \$800,000 shall be transferred to the Racing Commission – General Administration (fund 7305).

447 - *Department of Human Services*

(W.V. Code Chapters 9, 48, and 49)

Fund 5365 FY 2025 Org 0511

Medical Services – Lottery Surplus	68100	\$	17,000,000
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Total TITLE II, Section 11 – Surplus Accrued.....		\$	<u>17,800,000</u>
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Sec. 12. Special revenue appropriations. — There are hereby appropriated for expenditure during the fiscal year 2025 special revenues collected pursuant to general law enactment of the Legislature which are not paid into the state fund as general revenue under the provisions of W.V. Code §12-2-2 and are not expressly appropriated under this act: *Provided*, That none of the money so appropriated by this section shall be available for expenditure except in compliance with the provisions of W.V. Code §12-2-1 et seq., W.V. Code §12-3-1 et seq., and W.V. Code §11B-2-1 et seq., unless the spending unit has filed with the Director of the Budget and the Legislative Auditor prior to the beginning of each fiscal year:

(a) An estimate of the amount and sources of all revenues accruing to such fund; and

(b) A detailed expenditure schedule showing for what purposes the fund is to be expended: *Provided, however*, That federal funds received by the state may be expended only in accordance with Sections (6) or (7) of this Title and with W.V. Code §4-11-1, *et seq.* *Provided further*, That federal funds that become available to a spending unit for expenditure while the Legislature is not in session and the availability of such funds could not reasonably have been anticipated and included in this act may be only be expended in the limited circumstances provided by W.V. Code §4-11-5(d): *And provided further*, That no provision of this act may be construed to authorize the expenditure of federal funds except as provided in this section.

Sec. 13. State improvement fund appropriations. — Bequests or donations of nonpublic funds, received by the Governor on behalf of the state during the fiscal year 2025, for the purpose of making studies and recommendations relative to improvements of the administration and

management of spending units in the executive branch of state government, shall be deposited in the state treasury in a separate account therein designated state improvement fund.

There are hereby appropriated all moneys so deposited during the fiscal year 2025 to be expended as authorized by the Governor, for such studies and recommendations which may encompass any problems of organization, procedures, systems, functions, powers or duties of a state spending unit in the executive branch, or the betterment of the economic, social, educational, health and general welfare of the state or its citizens.

Sec. 14. Specific funds and collection accounts. — A fund or collection account which by law is dedicated to a specific use is hereby appropriated in sufficient amount to meet all lawful demands upon the fund or collection account and shall be expended according to the provisions of Article 3, Chapter 12 of the Code.

Sec. 15. Appropriations for refunding erroneous payment. — Money that has been erroneously paid into the state treasury is hereby appropriated out of the fund into which it was paid, for refund to the proper person.

When the officer authorized by law to collect money for the state finds that a sum has been erroneously paid, he or she shall issue his or her requisition upon the Auditor for the refunding of the proper amount. The Auditor shall issue his or her warrant to the Treasurer and the Treasurer shall pay the warrant out of the fund into which the amount was originally paid.

Sec. 16. Sinking fund deficiencies. — There is hereby appropriated to the Governor a sufficient amount to meet any deficiencies that may arise in the Mortgage Finance Bond Insurance fund of the West Virginia Housing Development Fund which is under the supervision and control of the Municipal Bond Commission as provided by W.V. Code §31-18-20b, or in the funds of the Municipal Bond Commission because of the failure of any state agency for either general obligation or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary for the payment of interest and sinking fund requirements. The Governor is authorized to transfer from time to time such amounts to the Municipal Bond Commission as may be necessary for these purposes.

The Municipal Bond Commission shall reimburse the State of West Virginia through the Governor from the first remittance collected from the West Virginia Housing Development Fund or from any state agency or local taxing district for which the Governor advanced funds, with interest at the rate carried by the bonds for security or payment of which the advance was made.

Sec. 17. Appropriations for local governments. — There are hereby appropriated for payment to counties, districts, and municipal corporations such amounts as will be necessary to pay taxes due counties, districts, and municipal corporations and which have been paid into the treasury:

- (a) For redemption of lands;
- (b) By public service corporations;
- (c) For tax forfeitures.

Sec. 18. Total appropriations. — Where only a total sum is appropriated to a spending unit, the total sum shall include personal services and employee benefits, annual increment, current

expenses, repairs and alterations, buildings, equipment, other assets, land, and capital outlay, where not otherwise specifically provided and except as otherwise provided in TITLE I – GENERAL PROVISIONS, Sec. 3.

Sec. 19. General school fund. — The balance of the proceeds of the general school fund remaining after the payment of the appropriations made by this act is appropriated for expenditure in accordance with W.V. Code §18-9A-16.

TITLE III – ADMINISTRATION

Sec. 1. Appropriations conditional. — The expenditure of the appropriations made by this act, except those appropriations made to the legislative and judicial branches of the state government, are conditioned upon the compliance by the spending unit with the requirements of Article 2, Chapter 11B of the Code.

Where spending units or parts of spending units have been absorbed by or combined with other spending units, it is the intent of this act that appropriations and reappropriations shall be to the succeeding or later spending unit created, unless otherwise indicated.

Sec. 2. Constitutionality. — If any part of this act is declared unconstitutional by a court of competent jurisdiction, its decision shall not affect any portion of this act which remains, but the remaining portion shall be in full force and effect as if the portion declared unconstitutional had never been a part of the act.

Following discussion,

The question being on the adoption of Senator Tarr's amendment to the bill, the same was put and prevailed.

On motion of Senator Weld, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 200, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Boley, Maroney, and Takubo—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 200) passed with its title.

Senator Weld moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale,

Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Boley, Maroney, and Takubo—3.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 200) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 841, Setting amount of unemployment taxes and benefits.

On motion of Senator Weld, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

ARTICLE 1A. DEFINITIONS.

§21A-1A-28. Wages; ~~average annual wage; threshold wage.~~

(a) "Wages" means all remuneration for personal service, including commissions, gratuities customarily received by an individual in the course of employment from persons other than the employing unit, as long as such gratuities equal or exceed an amount of not less than \$20 each month and which are required to be reported to the employer by the employee, bonuses and the cash value of all remuneration in any medium other than cash except for agricultural labor and domestic service. The term "wages" includes remuneration for service rendered to the state as a member of the state National Guard or Air National Guard only when serving on a temporary basis pursuant to a call made by the Governor under §15-1D-1 and §15-1D-2 of this code.

(b) The term "wages" does not include:

(1) That part of the remuneration which, after remuneration equal to ~~\$8,000~~ \$9,500 ~~or, after the amendment and reenactment of this section during the 2009 legislative session, the threshold wage~~ is paid during a calendar year to an individual by an employer or his or her predecessor with respect to employment during any calendar year, is paid to such individual by such employer during such calendar year unless that part of the remuneration is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund. For the purposes of this section, the term "employment" includes service constituting employment under any unemployment compensation law of another state; or which as a condition for full tax credit against the tax imposed by the federal Unemployment Tax Act is required to be covered under this chapter; and, except that for the purposes of §21A-6-1,

§21A-6-10, §21A-6-11, and §21A-6-13 of this code, all remuneration earned by an individual in employment shall be credited to the individual and included in his or her computation of base period wages: *Provided*, That the remuneration paid to an individual by an employer with respect to employment in another state or other states upon which contributions were required of and paid by such employer under an unemployment compensation law of such other state or states shall be included as a part of the remuneration equal to the amounts of ~~\$8,000~~ \$9,500. ~~or, after the amendment and reenactment of this section during the 2009 legislative session, the threshold wage herein referred to~~ In applying such limitation on the amount of remuneration that is taxable, an employer shall be accorded the benefit of all or any portion of such amount which may have been paid by its predecessor or predecessors: *Provided, however*, That if the definition of the term "wages" as contained in Section 3306(b) of the Internal Revenue Code of 1954, as amended, is amended to include remuneration in excess of ~~\$8,000~~ \$9,500 ~~or, after the amendment and reenactment of this section during the 2009 legislative session, the threshold wage~~ paid to an individual by an employer under the federal Unemployment Tax Act during any calendar year, wages for the purposes of this definition shall include remuneration paid in a calendar year to an individual by an employer subject to this chapter or his or her predecessor with respect to employment during any calendar year up to an amount equal to the amount of remuneration taxable under the federal Unemployment Tax Act;

(2) The amount of any payment made (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) to, or on behalf of, an individual in its employ or any of his or her dependents, under a plan or system established by an employer which makes provision for individuals in its employ generally (or for such individuals and their dependents), or for a class or classes of such individuals (or for a class or classes of such individuals and their dependents) on account of: (A) Retirement; or (B) sickness or accident disability payments made to an employee under an approved state workers' compensation law; or (C) medical or hospitalization expenses in connection with sickness or accident disability; or (D) death;

(3) Any payment made by an employer to an individual in its employ (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment) on account of retirement;

(4) Any payment made by an employer on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability to, or on behalf of, an individual in its employ after the expiration of six calendar months following the last calendar month in which such individual worked for such employer;

(5) Any payment made by an employer to, or on behalf of, an individual in its employ or his or her beneficiary: (A) From or to a trust described in Section 401(a) which is exempt from tax under Section 501(a) of the federal Internal Revenue Code at the time of such payments unless such payment is made to such individual as an employee of the trust as remuneration for services rendered by such individual and not as a beneficiary of the trust; or (B) under or to an annuity plan which, at the time of such payment, is a plan described in Section 403(a) of the federal Internal Revenue Code;

(6) The payment by an employer of the tax imposed upon an employer under Section 3101 of the federal Internal Revenue Code with respect to remuneration paid to an employee for domestic service in a private home or the employer of agricultural labor;

(7) Remuneration paid by an employer in any medium other than cash to an individual in its employ for service not in the course of the employer's trade or business;

(8) Any payment (other than vacation or sick pay) made by an employer to an individual in its employ after the month in which he or she attains the age of 65 years if he or she did not work for the employer in the period for which such payment is made;

(9) Payments, not required under any contract of hire, made to an individual with respect to his or her period of training or service in the armed forces of the United States by an employer by which such individual was formerly employed; and

(10) Vacation pay, severance pay or savings plans received by an individual before or after becoming totally or partially unemployed but earned prior to becoming totally or partially unemployed: *Provided*, That the term totally or partially unemployed does not include: (A) Employees who are on vacation by reason of the request of the employees or their duly authorized agent, for a vacation at a specific time, and which request by the employees or their agent is acceded to by their employer; (B) employees who are on vacation by reason of the employer's request provided they are so informed at least 90 days prior to such vacation; or (C) employees who are on vacation by reason of the employer's request where such vacation is in addition to the regular vacation and the employer compensates such employee at a rate equal to or exceeding their regular daily rate of pay during the vacation period.

(c) The reasonable cash value of remuneration in any medium other than cash shall be estimated and determined in accordance with rules prescribed by the commissioner, except for remuneration other than cash for services performed in agricultural labor and domestic service.

~~(d) "Average annual wage" means the state's average annual wage which is computed on or before September 30 of the year immediately preceding the rate year and is the total remuneration paid by employers as reported on contribution reports on or before that date with respect to all employment during the four consecutive calendar quarters ending on June 30 of that year divided by the average monthly number of individuals performing services in employment during the same four calendar quarters as reported on the contribution reports.~~

~~"Threshold wage" means the wage amount the employer pays unemployment taxes on for each person in his or her employ during a calendar year. On and after the effective date of the amendment and reenactment of this chapter by the Legislature in 2009, the threshold wage will be \$12,000: *Provided*, That when the moneys in the unemployment fund reach \$220 million on February 15 of any year, the threshold wage thereafter will be reduced to \$9,000: *Provided, however*, That each year thereafter the threshold wage shall increase or decrease by the same percentage that the state's average wage increases or decreases~~

(d) The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

ARTICLE 6. EMPLOYEE ELIGIBILITY; BENEFITS.

§21A-6-1. Eligibility qualifications.

An unemployed individual shall be eligible to receive benefits only if the commissioner finds that:

(1) He or she has registered for work at and thereafter continues to report at an employment office in accordance with the regulations of the commissioner;

(2) He or she has made a claim for benefits in accordance with the provisions of article seven of this chapter §21A-7-1 *et seq.* of this code and has furnished his or her Social Security number, or numbers if he or she has more than one such number;

(3) He or she is able to work and is available for full-time work for which he or she is fitted by prior training or experience and is ~~doing that which a reasonably prudent person in his or her circumstances would do in seeking work~~ actively seeking work as defined in §21A-6-1d of this code;

(4) He or she has been totally or partially unemployed during his or her benefit year for a waiting period of one-week prior to the week for which he or she claims benefits for total or partial unemployment;

(5) He or she has within his or her base period been paid wages for employment equal to not less than \$2,200 and must have earned wages in more than one quarter of his or her base period or, if he or she is not eligible under his or her base period, has within his or her alternative base period been paid wages for employment equal to not less than \$2,200 and must have earned wages in more than one quarter of his or her alternative base period; and

(6) He or she participates in reemployment services as defined in §21A-6-1d of this code, such as job search assistance services, if the individual has been determined to be likely to exhaust regular benefits and needs reemployment services pursuant to a profiling system established by the commissioner, unless the commissioner determines that:

(A) The individual has completed such services; or

(B) There is justifiable cause for the claimant's failure to participate in such services.

The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

§21A-6-1d. Jobs and Reemployment Act.

(a) In addition to compliance with all other eligibility requirements, an individual shall be eligible, and shall remain eligible, for unemployment benefits only if he or she actively seeks, and continues to seek, work by conducting at least four work search activities weekly, defined as:

(1) Registering for work with the state's labor exchange system, placement firm, temporary work agencies, or educational institution with job placement offices;

(2) Logging on and looking for work in the state's labor exchange or other online job matching system;

(3) Using reemployment services in job centers or completing similar online or self-service activities, including, but not limited to, obtaining and using labor market and career information, participating in Reemployment Services and Eligibility Assessment activities, participating in skills assessment for occupational matching, instructional workshops, or other specialized activities;

(4) Completing job applications for employers that have, or are reasonably expected to have, job openings, or following through on job referrals or job development attempts, as directed by Workforce West Virginia staff;

(5) Applying for or participating in employment and training services provided by partner programs in job centers;

(6) Participating in work-related networking events, such as job clubs, job fairs, industry association events, or networking groups;

(7) Making contacts with, or in-person visits to, employers that have, or are reasonably expected to have, job openings;

(8) Taking a civil service examination;

(9) Going on interviews with employers, either in-person or virtually; or

(10) Performing any other work search activities prescribed or allowed by rules promulgated by Workforce West Virginia.

(b) The commissioner may:

(1) Require an individual, at the time of application for unemployment benefits and weekly thereafter, to provide proof of all his or her work search activities;

(2) Verify submissions of proof of work search activities by individuals applying for or receiving unemployment benefits; and

(3) Determine any individual who fails to perform work search activities or provide proof of work search activities as required by this section, ineligible to receive unemployment benefits unless the individual can reasonably explain his or her failure to do so or timely remedy the failure to provide proof of his or her work search activity.

(c) The commissioner shall have discretion to determine the sufficiency of the proof of work search activities submitted, the explanation of a failure to submit such proof, the provision of such proof after an inaccuracy in the proof provided is identified, and whether an individual has otherwise complied with the requirements of this section.

(d) The commissioner shall, utilizing existing resources:

(1) Establish a process by which Workforce West Virginia will share open positions submitted to, or posted by, the Division of Personnel or any other state-administered job board by employers directly with individuals applying for or receiving unemployment benefits; and

(2) Establish a process by which, for the purpose of helping individuals applying for or receiving unemployment benefits secure suitable work, Workforce West Virginia shall refer individuals applying for or receiving unemployment benefits to such open positions, including facilitating contact between employers and those individuals, and monitoring whether those individuals are sufficiently responsive to a referral.

(e) An individual applying for or receiving unemployment benefits who receives referrals from Workforce West Virginia to a job or jobs considered to be suitable, as that term is defined in this chapter, shall apply for that job or those jobs within one-week of receiving the referrals and accept employment in suitable work if offered.

(f) Employers shall report the refusal of any individual who is receiving unemployment benefits and who receives job referrals from Workforce West Virginia to accept an offer of employment to the commissioner and also report those that accept employment and either leave or are dismissed from that employment within six weeks of the start date of that employment. The report shall be made in writing in a manner prescribed by the commissioner and shall be signed by the employer. The report shall become part of the file of the individual's claim for benefits.

(g) Individuals receiving unemployment benefits who accept a referral to a part-time open position or otherwise accept part-time employment for which the wages are less than his or her weekly benefit rate, shall continue to receive unemployment benefits without reduction for those wages for the duration of his or her benefits period.

(h) With the exception of individuals who have received or been served with a summons for jury duty or are serving on a jury in any court of this state, the United States, or any state of the United States; are receiving vocational training as described in the provisions of §21A-6-4 of this code; are partially unemployed and are receiving low-earnings reports from their employer; are eligible to receive short-time compensation under a work-sharing plan as described in §21A-6B-5 of this code; or who are members in good standing of a union that refers its members to employment from a union hall; all individuals applying for or receiving unemployment benefits shall be subject to the requirements of this section, including, but not limited to, individuals who are seasonally unemployed or laid off subject to recall by their employer.

(i) Workforce West Virginia shall notify individuals seeking benefits, at the time an initial claim is filed and at any other time during the benefit year that the requirements substantively change, of the obligation to actively seek work. Delivery of the notification shall be made by the method selected by the individual seeking benefits, and may include United States mail, email, online mailbox, or text message. The notification shall include, at a minimum, the types of work search activities that are acceptable; the number of work search activities that are required in any week; the requirement that work search activities be documented; and the requirement to apply, and accept if offered, suitable jobs referred by the agency.

(j) The commissioner shall promulgate rules for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code.

(k) The provisions of this section shall become effective July 1, 2024.

§21A-6-10. Benefit rate — total unemployment; ~~annual computation and publication of rates.~~

(a) Each eligible individual who is totally unemployed in any week shall be paid benefits with respect to that week at the weekly rate appearing in Column (C) in the benefit table in this section, on the line on which in Column (A) there is indicated the employee's wage class, except as otherwise provided under the term "total and partial unemployment" in §21A-1A-27 of this code. The employee's wage class shall be determined by his or her base period wages as shown in Column (B) in the benefit table. The right of an employee to receive benefits shall not be prejudiced nor the amount thereof be diminished by reason of failure by an employer to pay either

the wages earned by the employee or the contribution due on such wages. An individual who is totally unemployed but earns in excess of \$60 as a result of odd job or subsidiary work, or is paid a bonus in any benefit week shall be paid benefits for such week in accordance with the provisions of this chapter pertaining to benefits for partial unemployment.

(b) (4) The maximum benefit for each wage class shall be equal to ~~twenty-six~~ 26 times the weekly benefit rate.

(2) ~~The maximum benefit rate shall be 66 and two-thirds percent of the average weekly wage in West Virginia as determined by the commissioner.~~

(c) ~~On July 1 of each year, the commissioner shall determine the maximum weekly benefit rate upon the basis of the formula set forth above and shall establish wage classes as are required, increasing or decreasing the amount of the base period wages required for each wage class by \$150, establishing the weekly benefit rate for each wage class by rounded dollar amount to be 55 percent of one fifty-second of the median dollar amount of wages in the base period for such wage class and establishing the maximum benefit for each wage class as an amount equal to twenty-six times the weekly benefit rate. Provided, That the commissioner shall may not increase or decrease the maximum weekly benefit rate for the period beginning on the effective date of the amendment and reenactment of this section in the regular session of the Legislature in 2009 until the threshold wage is reduced to \$9,000, as required by §21A-1A-28(d) of this code. The maximum weekly benefit rate, when computed by the commissioner, in accordance with the foregoing provisions, shall be rounded to the next lowest multiple of \$1.~~

(d) ~~After he or she has established such wage classes, the commissioner shall prepare and publish a table setting forth such information.~~

(e) ~~Average weekly wage shall be computed by dividing the number of employees in West Virginia earning wages in covered employment into the total wages paid to employees in West Virginia in covered employment, and by further dividing said result by 52, and shall be determined from employer wage and contribution reports for the previous calendar year which are furnished to the department on or before June 1 following such calendar year. The average weekly wage, as determined by the commissioner, shall be rounded to the next higher dollar.~~

(f) ~~The computation and determination of rates as aforesaid shall be completed annually before July 1 and any such new wage class, with its corresponding wages in base period, weekly benefit rate, and maximum benefit in a benefit year established by the commissioner in the foregoing manner effective on July 1 shall apply only to a new claim established by a claimant on and after July 1, and does not apply to continued claims of a claimant based on his or her new claim established before said July 1.~~

BENEFIT TABLE

A	B	C	
WAGE	WAGES IN	WEEKLY	MAXIMUM
CLASS	BASE PERIOD	BENEFIT RATE	BENEFIT RATE
Under	\$ 2,200.00	Ineligible	

1	\$2,200.00	-	2,359.99	24.00	624.00
2	2,350.00	-	2,499.99	25.00	650.00
3	2,500.00	-	2,649.99	27.00	702.00
4	2,650.00	-	2,799.99	28.00	728.00
5	2,800.00	-	2,949.99	30.00	780.00
6	2,950.00	-	3,099.99	31.00	806.00
7	3,100.00	-	3,249.99	33.00	858.00
8	3,250.00	-	3,399.99	35.00	910.00
9	3,400.00	-	3,549.99	36.00	936.00
10	3,550.00	-	3,699.99	38.00	988.00
11	3,700.00	-	3,849.99	39.00	1,014.00
12	3,850.00	-	3,999.99	41.00	1,066.00
13	4,000.00	-	4,149.99	43.00	1,118.00
14	4,150.00	-	4,299.99	44.00	1,144.00
15	4,300.00	-	4,449.99	46.00	1,196.00
16	4,450.00	-	4,599.99	47.00	1,222.00
17	4,600.00	-	4,749.99	49.00	1,274.00
18	4,750.00	-	4,899.99	51.00	1,326.00
19	4,900.00	-	5,049.99	52.00	1,352.00
20	5,050.00	-	5,199.99	54.00	1,404.00
21	5,200.00	-	5,349.99	55.00	1,430.00
22	5,350.00	-	5,499.99	57.00	1,482.00
23	5,500.00	-	5,649.99	58.00	1,508.00
24	5,650.00	-	5,799.99	60.00	1,560.00
25	5,800.00	-	5,949.99	62.00	1,612.00
26	5,950.00	-	6,099.99	63.00	1,638.00

27	6,100.00	-	6,249.99	65.00	1,690.00
28	6,250.00	-	6,399.99	66.00	1,716.00
29	6,400.00	-	6,549.99	68.00	1,768.00
30	6,550.00	-	6,699.99	70.00	1,820.00
31	6,700.00	-	6,849.99	71.00	1,846.00
32	6,850.00	-	6,999.99	73.00	1,898.00
33	7,000.00	-	7,149.99	74.00	1,924.00
34	7,150.00	-	7,299.99	76.00	1,976.00
35	7,300.00	-	7,449.99	78.00	2,028.00
36	7,450.00	-	7,599.99	79.00	2,054.00
37	7,600.00	-	7,749.99	81.00	2,106.00
38	7,750.00	-	7,899.99	82.00	2,132.00
39	7,900.00	-	8,049.99	84.00	2,184.00
40	8,050.00	-	8,199.99	85.00	2,210.00
41	8,200.00	-	8,349.99	87.00	2,262.00
42	8,350.00	-	8,499.99	89.00	2,314.00
43	8,500.00	-	8,649.99	90.00	2,340.00
44	8,650.00	-	8,799.99	92.00	2,392.00
45	8,800.00	-	8,949.99	93.00	2,418.00
46	8,950.00	-	9,099.99	95.00	2,470.00
47	9,100.00	-	9,249.99	97.00	2,522.00
48	9,250.00	-	9,399.99	98.00	2,548.00
49	9,400.00	-	9,549.99	100.00	2,600.00
50	9,550.00	-	9,699.99	101.00	2,626.00
51	9,700.00	-	9,849.99	103.00	2,678.00
52	9,850.00	-	9,999.99	104.00	2,704.00

53	10,000.00	-	10,149.99	106.00	2,756.00
54	10,150.00	-	10,299.99	108.00	2,808.00
55	10,300.00	-	10,449.99	109.00	2,834.00
56	10,450.00	-	10,599.99	111.00	2,886.00
57	10,600.00	-	10,749.99	112.00	2,912.00
58	10,750.00	-	10,899.99	114.00	2,964.00
59	10,900.00	-	11,049.99	116.00	3,016.00
60	11,050.00	-	11,199.99	117.00	3,042.00
61	11,200.00	-	11,349.99	119.00	3,094.00
62	11,350.00	-	11,499.99	120.00	3,120.00
63	11,500.00	-	11,649.99	122.00	3,172.00
64	11,650.00	-	11,799.99	124.00	3,224.00
65	11,800.00	-	11,949.99	125.00	3,250.00
66	11,950.00	-	12,099.99	127.00	3,302.00
67	12,100.00	-	12,249.99	128.00	3,328.00
68	12,250.00	-	12,399.99	130.00	3,380.00
69	12,400.00	-	12,549.99	131.00	3,406.00
70	12,550.00	-	12,699.99	133.00	3,458.00
71	12,700.00	-	12,849.99	135.00	3,510.00
72	12,850.00	-	12,999.99	136.00	3,536.00
73	13,000.00	-	13,149.99	138.00	3,588.00
74	13,150.00	-	13,299.99	139.00	3,614.00
75	13,300.00	-	13,449.99	141.00	3,666.00
76	13,450.00	-	13,599.99	143.00	3,718.00
77	13,600.00	-	13,749.99	144.00	3,744.00
78	13,750.00	-	13,899.99	146.00	3,796.00

79	13,900.00	-	14,049.99	147.00	3,822.00
80	14,050.00	-	14,199.99	149.00	3,874.00
81	14,200.00	-	14,349.99	150.00	3,900.00
82	14,350.00	-	14,499.99	152.00	3,952.00
83	14,500.00	-	14,649.99	154.00	4,004.00
84	14,650.00	-	14,799.99	155.00	4,030.00
85	14,800.00	-	14,949.99	157.00	4,082.00
86	14,950.00	-	15,099.99	158.00	4,108.00
87	15,100.00	-	15,249.99	160.00	4,160.00
88	15,250.00	-	15,399.99	162.00	4,212.00
89	15,400.00	-	15,549.99	163.00	4,238.00
90	15,550.00	-	15,699.99	165.00	4,290.00
91	15,700.00	-	15,849.99	166.00	4,316.00
92	15,850.00	-	15,999.99	168.00	4,368.00
93	16,000.00	-	16,149.99	170.00	4,420.00
94	16,150.00	-	16,299.99	171.00	4,446.00
95	16,300.00	-	16,449.99	173.00	4,498.00
96	16,450.00	-	16,599.99	174.00	4,524.00
97	16,600.00	-	16,749.99	176.00	4,576.00
98	16,750.00	-	16,899.99	177.00	4,602.00
99	16,900.00	-	17,049.99	179.00	4,654.00
100	17,050.00	-	17,199.99	181.00	4,706.00
101	17,200.00	-	17,349.99	182.00	4,732.00
102	17,350.00	-	17,499.99	184.00	4,784.00
103	17,500.00	-	17,649.99	185.00	4,810.00
104	17,650.00	-	17,799.99	187.00	4,862.00

105	17,800.00	-	17,949.99	189.00	4,914.00
106	17,950.00	-	18,099.99	190.00	4,940.00
107	18,100.00	-	18,249.99	192.00	4,992.00
108	18,250.00	-	18,399.99	193.00	5,018.00
109	18,400.00	-	18,549.99	195.00	5,070.00
110	18,550.00	-	18,699.99	196.00	5,096.00
111	18,700.00	-	18,849.99	198.00	5,148.00
112	18,850.00	-	18,999.99	200.00	5,200.00
113	19,000.00	-	19,149.99	201.00	5,226.00
114	19,150.00	-	19,299.99	203.00	5,278.00
115	19,300.00	-	19,449.99	204.00	5,304.00
116	19,450.00	-	19,599.99	206.00	5,356.00
117	19,600.00	-	19,749.99	208.00	5,408.00
118	19,750.00	-	19,899.99	209.00	5,434.00
119	19,900.00	-	20,049.99	211.00	5,486.00
120	20,050.00	-	20,199.99	212.00	5,512.00
121	20,200.00	-	20,349.99	214.00	5,564.00
122	20,350.00	-	20,499.99	216.00	5,616.00
123	20,500.00	-	20,649.99	217.00	5,642.00
124	20,650.00	-	20,799.99	219.00	5,694.00
125	20,800.00	-	20,949.99	220.00	5,720.00
126	20,950.00	-	21,099.99	222.00	5,772.00
127	21,100.00	-	21,249.99	223.00	5,798.00
128	21,250.00	-	21,399.99	225.00	5,850.00
129	21,400.00	-	21,549.99	227.00	5,902.00
130	21,550.00	-	21,699.99	228.00	5,928.00

131	21,700.00	-	21,849.99	230.00	5,980.00
132	21,850.00	-	21,999.99	231.00	6,006.00
133	22,000.00	-	22,149.99	233.00	6,058.00
134	22,150.00	-	22,299.99	235.00	6,110.00
135	22,300.00	-	22,449.99	236.00	6,136.00
136	22,450.00	-	22,599.99	238.00	6,188.00
137	22,600.00	-	22,749.99	239.00	6,214.00
138	22,750.00	-	22,899.99	241.00	6,266.00
139	22,900.00	-	23,049.99	243.00	6,318.00
140	23,050.00	-	23,199.99	244.00	6,344.00
141	23,200.00	-	23,349.99	246.00	6,396.00
142	23,350.00	-	23,499.99	247.00	6,422.00
143	23,500.00	-	23,649.99	249.00	6,474.00
144	23,650.00	-	23,799.99	250.00	6,500.00
145	23,800.00	-	23,949.99	252.00	6,552.00
146	23,950.00	-	24,099.99	254.00	6,604.00
147	24,100.00	-	24,249.99	255.00	6,630.00
148	24,250.00	-	24,399.99	257.00	6,682.00
149	24,400.00	-	24,549.99	258.00	6,708.00
150	24,550.00	-	24,699.99	260.00	6,760.00
151	24,700.00	-	24,849.99	262.00	6,812.00
152	24,850.00	-	24,999.99	263.00	6,838.00
153	25,000.00	-	25,149.99	265.00	6,890.00
154	25,150.00	-	25,299.99	266.00	6,916.00
155	25,300.00	-	25,449.99	268.00	6,968.00
156	25,450.00	-	25,599.99	269.00	6,994.00

157	25,600.00	-	25,749.99	271.00	7,046.00
158	25,750.00	-	25,899.99	273.00	7,098.00
159	25,900.00	-	26,049.99	274.00	7,124.00
160	26,050.00	-	26,199.99	276.00	7,176.00
161	26,200.00	-	26,349.99	277.00	7,202.00
162	26,350.00	-	26,499.99	279.00	7,254.00
163	26,500.00	-	26,649.99	281.00	7,306.00
164	26,650.00	-	26,799.99	282.00	7,332.00
165	26,800.00	-	26,949.99	284.00	7,384.00
166	26,950.00	-	27,099.99	285.00	7,410.00
167	27,100.00	-	27,249.99	287.00	7,462.00
168	27,250.00	-	27,399.99	289.00	7,514.00
169	27,400.00	-	27,549.99	290.00	7,540.00
170	27,550.00	-	27,699.99	292.00	7,592.00
171	27,700.00	-	27,849.99	293.00	7,618.00
172	27,850.00	-	27,999.99	295.00	7,670.00
173	28,000.00	-	28,149.99	296.00	7,696.00
174	28,150.00	-	28,299.99	298.00	7,748.00
175	28,300.00	-	28,449.99	300.00	7,800.00
176	28,450.00	-	28,599.99	301.00	7,826.00
177	28,600.00	-	28,749.99	303.00	7,878.00
178	28,750.00	-	28,899.99	304.00	7,904.00
179	28,900.00	-	29,049.99	306.00	7,956.00
180	29,050.00	-	29,199.99	308.00	8,008.00
181	29,200.00	-	29,349.99	309.00	8,034.00
182	29,350.00	-	29,499.99	311.00	8,086.00

183	29,500.00	-	29,649.99	312.00	8,112.00
184	29,650.00	-	29,799.99	314.00	8,164.00
185	29,800.00	-	29,949.99	315.00	8,190.00
186	29,950.00	-	30,099.99	317.00	8,242.00
187	30,100.00	-	30,249.99	319.00	8,294.00
188	30,250.00	-	30,399.99	320.00	8,320.00
189	30,400.00	-	30,549.99	322.00	8,372.00
190	30,550.00	-	30,699.99	323.00	8,398.00
191	30,700.00	-	30,849.99	325.00	8,450.00
192	30,850.00	-	30,999.99	327.00	8,502.00
193	31,000.00	-	31,149.99	328.00	8,528.00
194	31,150.00	-	31,299.99	330.00	8,580.00
195	31,300.00	-	31,449.99	331.00	8,606.00
196	31,450.00	-	31,599.99	333.00	8,658.00
197	31,600.00	-	31,749.99	335.00	8,710.00
198	31,750.00	-	31,899.99	336.00	8,736.00
199	31,900.00	-	32,049.99	338.00	8,788.00
200	32,050.00	-	32,199.99	339.00	8,814.00
201	32,200.00	-	32,349.99	341.00	8,866.00
202	32,350.00	-	32,499.99	342.00	8,892.00
203	32,500.00	-	32,649.99	344.00	8,944.00
204	32,650.00	-	32,799.99	346.00	8,996.00
205	32,800.00	-	32,949.99	347.00	9,022.00
206	32,950.00	-	33,099.99	349.00	9,074.00
207	33,100.00	-	33,249.99	350.00	9,100.00
208	33,250.00	-	33,399.99	352.00	9,152.00

209	33,400.00	-	33,549.99	354.00	9,204.00
210	33,550.00	-	33,699.99	355.00	9,230.00
211	33,700.00	-	33,849.99	357.00	9,282.00
212	33,850.00	-	33,999.99	358.00	9,308.00
213	34,000.00	-	34,149.99	360.00	9,360.00
214	34,150.00	-	34,299.99	361.00	9,386.00
215	34,300.00	-	34,449.99	363.00	9,438.00
216	34,450.00	-	34,599.99	365.00	9,490.00
217	34,600.00	-	34,749.99	366.00	9,516.00
218	34,750.00	-	34,899.99	368.00	9,568.00
219	34,900.00	-	35,049.99	369.00	9,594.00
220	35,050.00	-	35,199.99	371.00	9,646.00
221	35,200.00	-	35,349.99	373.00	9,698.00
222	35,350.00	-	35,499.99	374.00	9,724.00
223	35,500.00	-	35,649.99	376.00	9,776.00
224	35,650.00	-	35,799.99	377.00	9,802.00
225	35,800.00	-	35,949.99	379.00	9,854.00
226	35,950.00	-	36,099.99	381.00	9,906.00
227	36,100.00	-	36,249.99	382.00	9,932.00
228	36,250.00	-	36,399.99	384.00	9,984.00
229	36,400.00	-	36,549.99	385.00	10,010.00
230	36,550.00	-	36,699.99	387.00	10,062.00
231	36,700.00	-	36,849.99	388.00	10,088.00
232	36,850.00	-	36,999.99	390.00	10,140.00
233	37,000.00	-	37,149.99	392.00	10,192.00
234	37,150.00	-	37,299.99	393.00	10,218.00

235	37,300.00	-	37,449.99	395.00	10,270.00
236	37,450.00	-	37,599.99	396.00	10,296.00
237	37,600.00	-	37,749.99	398.00	10,348.00
238	37,750.00	-	37,899.99	400.00	10,400.00
239	37,900.00	-	38,049.99	401.00	10,426.00
240	38,050.00	-	38,199.99	403.00	10,478.00
241	38,200.00	-	38,349.99	404.00	10,504.00
242	38,350.00	-	38,499.99	406.00	10,556.00
243	38,500.00	-	38,649.99	408.00	10,608.00
244	38,650.00	-	38,799.99	409.00	10,634.00
245	38,800.00	-	38,949.99	411.00	10,686.00
246	38,950.00	-	39,099.99	412.00	10,712.00
247	39,100.00	-	39,249.99	414.00	10,764.00
248	39,250.00	-	39,399.99	415.00	10,790.00
249	39,400.00	-	39,549.99	417.00	10,842.00
250	39,550.00	-	39,699.99	419.00	10,894.00
251	39,700.00	-	39,849.99	420.00	10,920.00
252	39,850.00	-	39,999.99	422.00	10,972.00
253	40,000.00	-	40,149.99	423.00	10,998.00
254	40,150.00	-	and above	424.00	11,024.00
254	40,150.00	-	40,299.99	425.00	11,050.00
255	40,300.00	-	40,449.99	427.00	11,102.00
256	40,450.00	-	40,599.99	428.00	11,128.00
257	40,600.00	-	40,749.99	430.00	11,180.00
258	40,750.00	-	40,899.99	431.00	11,206.00
259	40,900.00	-	41,049.99	433.00	11,258.00

260	41,050.00	-	41,199.99	434.00	11,284.00
261	41,200.00	-	41,349.99	436.00	11,336.00
262	41,350.00	-	41,499.99	438.00	11,388.00
263	41,500.00	-	41,649.99	439.00	11,414.00
264	41,650.00	-	41,799.99	441.00	11,466.00
265	41,800.00	-	41,949.99	442.00	11,492.00
266	41,950.00	-	42,099.99	444.00	11,544.00
267	42,100.00	-	42,249.99	446.00	11,596.00
268	42,250.00	-	42,399.99	447.00	11,622.00
269	42,400.00	-	42,549.99	449.00	11,674.00
270	42,550.00	-	42,699.99	450.00	11,700.00
271	42,700.00	-	42,849.99	452.00	11,752.00
272	42,850.00	-	42,999.99	454.00	11,804.00
273	43,000.00	-	43,149.99	455.00	11,830.00
274	43,150.00	-	43,299.99	457.00	11,882.00
275	43,300.00	-	43,449.99	458.00	11,908.00
276	43,450.00	-	43,599.99	460.00	11,960.00
277	43,600.00	-	43,749.99	461.00	11,986.00
278	43,750.00	-	43,899.99	463.00	12,038.00
279	43,900.00	-	44,049.99	465.00	12,090.00
280	44,050.00	-	44,199.99	466.00	12,116.00
281	44,200.00	-	44,349.99	468.00	12,168.00
282	44,350.00	-	44,499.99	469.00	12,194.00
283	44,500.00	-	44,649.99	471.00	12,246.00
284	44,650.00	-	44,799.99	473.00	12,298.00
285	44,800.00	-	44,949.99	474.00	12,324.00

286	44,950.00	-	45,099.99	476.00	12,376.00
287	45,100.00	-	45,249.99	477.00	12,402.00
288	45,250.00	-	45,399.99	479.00	12,454.00
289	45,400.00	-	45,549.99	480.00	12,480.00
290	45,550.00	-	45,699.99	482.00	12,532.00
291	45,700.00	-	45,849.99	484.00	12,584.00
292	45,850.00	-	45,999.99	485.00	12,610.00
293	46,000.00	-	46,149.99	487.00	12,662.00
294	46,150.00	-	46,299.99	488.00	12,688.00
295	46,300.00	-	46,449.99	490.00	12,740.00
296	46,450.00	-	46,599.99	492.00	12,792.00
297	46,600.00	-	46,749.99	493.00	12,818.00
298	46,750.00	-	46,899.99	495.00	12,870.00
299	46,900.00	-	47,049.99	496.00	12,896.00
300	47,050.00	-	47,199.99	498.00	12,948.00
301	47,200.00	-	47,349.99	500.00	13,000.00
302	47,350.00	-	47,499.99	501.00	13,026.00
303	47,500.00	-	47,649.99	503.00	13,078.00
304	47,650.00	-	47,799.99	504.00	13,104.00
305	47,800.00	-	47,949.99	506.00	13,156.00
306	47,950.00	-	48,099.99	507.00	13,182.00
307	48,100.00	-	48,249.99	509.00	13,234.00
308	48,250.00	-	48,399.99	511.00	13,286.00
309	48,400.00	-	48,549.99	512.00	13,312.00
310	48,550.00	-	48,699.99	514.00	13,364.00
311	48,700.00	-	48,849.99	515.00	13,390.00

312	48,850.00	-	48,999.99	517.00	13,442.00
313	49,000.00	-	49,149.99	519.00	13,494.00
314	49,150.00	-	49,299.99	520.00	13,520.00
315	49,300.00	-	49,449.99	522.00	13,572.00
316	49,450.00	-	49,599.99	523.00	13,598.00
317	49,600.00	-	49,749.99	525.00	13,650.00
318	49,750.00	-	49,899.99	526.00	13,676.00
319	49,900.00	-	50,049.99	528.00	13,728.00
320	50,050.00	-	50,199.99	530.00	13,780.00
321	50,200.00	-	50,349.99	531.00	13,806.00
322	50,350.00	-	50,499.99	533.00	13,858.00
323	50,500.00	-	50,649.99	534.00	13,884.00
324	50,650.00	-	50,799.99	536.00	13,936.00
325	50,800.00	-	50,949.99	538.00	13,988.00
326	50,950.00	-	51,099.99	539.00	14,014.00
327	51,100.00	-	51,249.99	541.00	14,066.00
328	51,250.00	-	51,399.99	542.00	14,092.00
329	51,400.00	-	51,549.99	544.00	14,144.00
330	51,550.00	-	51,699.99	546.00	14,196.00
331	51,700.00	-	51,849.99	547.00	14,222.00
332	51,850.00	-	51,999.99	549.00	14,274.00
333	52,000.00	-	52,149.99	550.00	14,300.00
334	52,150.00	-	52,299.99	552.00	14,352.00
335	52,300.00	-	52,449.99	553.00	14,378.00
336	52,450.00	-	52,599.99	555.00	14,430.00
337	52,600.00	-	52,749.99	557.00	14,482.00

338	52,750.00	-	52,899.99	558.00	14,508.00
339	52,900.00	-	53,049.99	560.00	14,560.00
340	53,050.00	-	53,199.99	561.00	14,586.00
341	53,200.00	-	53,349.99	563.00	14,638.00
342	53,350.00	-	53,499.99	565.00	14,690.00
343	53,500.00	-	53,649.99	566.00	14,716.00
344	53,650.00	-	53,799.99	568.00	14,768.00
345	53,800.00	-	53,949.99	569.00	14,794.00
346	53,950.00	-	54,099.99	571.00	14,846.00
347	54,100.00	-	54,249.99	573.00	14,898.00
348	54,250.00	-	54,399.99	574.00	14,924.00
349	54,400.00	-	54,549.99	576.00	14,976.00
350	54,550.00	-	54,699.99	577.00	15,002.00
351	54,700.00	-	54,849.99	579.00	15,054.00
352	54,850.00	-	54,999.99	580.00	15,080.00
353	55,000.00	-	55,149.99	582.00	15,132.00
354	55,150.00	-	55,299.99	584.00	15,184.00
355	55,300.00	-	55,449.99	585.00	15,210.00
356	55,450.00	-	55,599.99	587.00	15,262.00
357	55,600.00	-	55,749.99	588.00	15,288.00
358	55,750.00	-	55,899.99	590.00	15,340.00
359	55,900.00	-	56,049.99	592.00	15,392.00
360	56,050.00	-	56,199.99	593.00	15,418.00
361	56,200.00	-	56,349.99	595.00	15,470.00
362	56,350.00	-	56,499.99	596.00	15,496.00
363	56,500.00	-	56,649.99	598.00	15,548.00

364	56,650.00	-	56,799.99	599.00	15,574.00
365	56,800.00	-	56,949.99	601.00	15,626.00
366	56,950.00	-	57,099.99	603.00	15,678.00
367	57,100.00	-	57,249.99	604.00	15,704.00
368	57,250.00	-	57,399.99	606.00	15,756.00
369	57,400.00	-	57,549.99	607.00	15,782.00
370	57,550.00	-	57,699.99	608.00	15,808.00
371	57,700.00	-	57,849.99	611.00	15,886.00
372	57,850.00	-	57,999.99	612.00	15,912.00
373	58,000.00	-	58,149.99	614.00	15,964.00
374	58,150.00	-	58,299.99	615.00	15,990.00
375	58,300.00	-	58,449.99	617.00	16,042.00
376	58,450.00	-	58,599.99	619.00	16,094.00
377	58,600.00	-	58,749.99	620.00	16,120.00
378	58,750.00	-	58,899.99	622.00	16,172.00
379	58,900.00	-	59,049.99	623.00	16,198.00
380	59,050.00	-	59,199.99	625.00	16,250.00
381	59,200.00	-	59,349.99	626.00	16,276.00
382	59,350.00	-	59,499.99	628.00	16,328.00
383	59,500.00	-	59,649.99	630.00	16,380.00
384	59,650.00	-	59,799.99	631.00	16,406.00
385	59,800.00	-	59,949.99	633.00	16,458.00
386	59,950.00	-	60,099.99	634.00	16,484.00
387	60,100.00	-	60,249.99	636.00	16,536.00
388	60,250.00	-	60,399.99	638.00	16,588.00
389	60,400.00	-	60,549.99	639.00	16,614.00

390	60,550.00	-	60,699.99	641.00	16,666.00
391	60,700.00	-	60,849.99	642.00	16,692.00
392	60,850.00	-	60,999.99	644.00	16,744.00
393	61,000.00	-	61,149.99	645.00	16,770.00
394	61,150.00	-	61,299.99	647.00	16,822.00
395	61,300.00	-	61,449.99	649.00	16,874.00
396	61,450.00	-	61,599.99	650.00	16,900.00
397	61,600.00	-	61,749.99	652.00	16,952.00
398	61,750.00	-	61,899.99	653.00	16,978.00
399	61,900.00	-	62,049.99	655.00	17,030.00
400	62,050.00	-	62,199.99	657.00	17,082.00
401	62,200.00	-	62,349.99	658.00	17,108.00
402	62,350.00	-	62,499.99	660.00	17,160.00
403	62,500.00	-	62,649.99	661.00	17,186.00
404	62,650.00	-	and over	662.00	17,212.00

(a) For individuals with base period wages of \$62,650 or more, the weekly benefit amount shall be \$662.

(b) An individual who is totally unemployed but earns in excess of \$60 as a result of an odd job, a non-payrolled job or work from a non-covered employer or is paid a bonus in any benefit week, shall be paid benefits for such week in accordance with the provisions of §21A-6-11 of this code pertaining to benefits for partial unemployment.

(c) If a balance of benefits remains after an individual receives 26 weeks of unemployment benefits, due to partial unemployment as defined in §21A-6-11 of this code, the individual may receive benefit payments at the same weekly benefit rate as the most recent week, until the maximum benefit balance is exhausted.

(f) The right of an employee to receive benefits shall not be prejudiced, nor the amount thereof be diminished by reason of failure by an employer to pay either the wages earned by the employee or the contribution due on such wages.

(g) The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

ARTICLE 6A. EXTENDED BENEFITS PROGRAM.

§21A-6A-4. Weekly extended benefit amount.

The weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be an amount equal to the weekly benefit payable to ~~him~~ the eligible individual during ~~his~~ the eligible individual's applicable benefit year: *Provided*, That for any week during a period in which federal payments to states under section 204 of the Federal-State Extended Unemployment Compensation Act of 1970 are reduced under an order issued under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, the weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be reduced by a percentage equivalent to the percentage of the reduction in the federal payment. Such reduced weekly extended benefit amount, if not a full dollar amount, shall be rounded to the nearest lower full dollar amount.

The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

§21A-6A-5. Total extended benefit amount.

The total extended benefit amount payable to an eligible individual with respect to his or her applicable benefit year shall be the least of the following amounts:

(1) Fifty percent of the total amount of regular benefits which were payable to him or her under this chapter in his or her applicable benefit year;

(2) Thirteen times his or her weekly benefit amount which was payable to him or her under this chapter for a week of total unemployment in the applicable benefit year: *Provided*, That an individual filing for extended benefits through the interstate benefit payment plan and residing in a state where an extended benefit period is not in effect shall be limited to payment for only the first two weeks of such extended benefits: *Provided, however*, That during any fiscal year in which federal payments to states under section 204 of the Federal-State Extended Unemployment Compensation Act of 1970 are reduced under an order issued under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, the total extended benefit amount payable to an individual with respect to his or her applicable benefit year shall be reduced by an amount equal to the aggregate of the reductions under ~~section four, article six-a of this chapter~~ §21A-6A-4 of this code in the weekly amounts paid to the individual.

(3)(A) For weeks beginning in a high unemployment period, subdivision (1) of this section shall be applied by substituting 80 percent for 50 percent, and subdivision (2) of this section shall be applied by substituting 20 for 13.

(B) For the purposes of this article, the term "high unemployment period" means any period during which the provisions of ~~subdivision (3), section one of this article~~ §21A-6A-1(3) of this code would result in a "state >on' indicator" if ~~subdivision (3), section one of this article~~ §21A-6A-1(3) of this code were applied by substituting eight percent for six and one-half percent.

(4) The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.

ARTICLE 6B. SHORT TIME COMPENSATION PROGRAM.**§21A-6B-6. Benefits**

(a) The short-time compensation weekly benefit amount shall be the product of the regular weekly unemployment compensation amount for a week of total unemployment as defined in §21A-6-10 multiplied by the percentage of reduction in the individual's usual weekly hours of work.

(b) An individual may be eligible for short-time compensation or unemployment benefits, as appropriate: *Provided*, That no individual shall be eligible for combined benefits in any benefit year in an amount more than the maximum entitlement established for regular unemployment benefits: *Provided, however*, That no individual shall be paid short-time compensation benefits for more than 26 weeks under a plan.

(c) Provisions applicable to unemployment benefits claimants shall apply to short-time compensation claimants to the extent that they are not inconsistent with the program's provisions. An individual who files an initial claim for short-time compensation benefits shall receive a monetary determination.

(d) An employee who is not provided any work during a week by the short-time compensation employer, or any other employer, and who is otherwise eligible for unemployment benefits shall be eligible for the amount of regular unemployment compensation to which he or she would otherwise be eligible.

(e) An employee who is not provided any work by the short-time compensation employer during a week, but who works for another employer and is otherwise eligible, may be paid unemployment benefits for that week subject to the disqualifying income and other provisions applicable to claims for regular unemployment benefits.

(f) An employee who has received all of the short-time compensation or combined unemployment benefits and short-time compensation available in a benefit year shall be considered an exhaustee for purposes of extended benefits and, if otherwise eligible under those provisions, shall be eligible to receive extended benefits.

(g) The amendments made to this section during the 2024 Regular Session shall become effective July 1, 2024.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 841—A Bill to amend and reenact §21A-1A-28 of the Code of West Virginia, 1931, as amended; to amend and reenact §21A-6-1 and §21A-6-10 of said code; to amend said code by adding thereto an new section, designated §21A-6-1d; to amend and reenact §21A-6A-4 and §21A-6A-5 of said code; and to amend §21A-6B-6 of said code; all relating to the amount of unemployment taxes and benefits; removing definitions; modifying the calculation of the taxable wage base; modifying the maximum benefit rate; requiring work search activities to qualify for unemployment benefits; defining what constitutes work search activities; mandating submittal of proof of work search activities; providing for verification of work search activities; granting commissioner of Workforce West Virginia discretion in verification of work search activities; mandating establishment of process to refer individuals seeking unemployment benefits to job opportunities; requiring individuals receiving referrals to suitable work to apply for and accept that work; mandating employers to report refusal of offer of employment to commissioner and other matters; allowing individuals who accept part-time non-suitable employment to receive unemployment benefits without reduction for wages under certain

circumstances; making certain individuals applying for or receiving unemployment benefits exempt from work search requirements; establishing process for notification of work search activity requirements; requiring rulemaking; setting internal effective dates; modifying the total extended benefit amount; and modifying the short-time compensation weekly benefit amount.

Senator Weld moved that the Senate concur in the House of Delegates amendments to the bill.

Following discussion,

The question being on the adoption of Senator Weld's aforesaid motion, the same was put and prevailed.

Engrossed Committee Substitute for Senate Bill 841, as amended by the House of Delegates, was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 841 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Clements, Deeds, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Tarr, Taylor, Trump, Woodrum, and Blair (Mr. President)—24.

The nays were: Caputo, Chapman, Grady, Hamilton, Stuart, Weld, and Woelfel—7.

Absent: Boley, Maroney, and Takubo—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 841) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 614, Relating to elementary behavior intervention and safety.

On motion of Senator Weld, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, after the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

ARTICLE 5. AUTHORITY; RIGHTS; RESPONSIBILITY.

§18A-5-1. Authority of teachers and other school personnel; exclusion of students having infectious diseases; suspension or expulsion of disorderly students; corporal punishment abolished.

(a) The teacher shall stand in the place of the parent(s), guardian(s), or custodian(s) in exercising authority over the school and has control of all students enrolled in the school from the time they reach the school until they have returned to their respective homes, except where transportation of students is provided, the driver in charge of the school bus or other mode of transportation shall exercise such authority and control over the students while they are in transit to and from the school.

(b) Subject to the rules of the state ~~Board of Education~~ board, the teacher shall exclude from the school any student known to have, or who is suspected of having, any infectious disease, or any student who has been exposed to any infectious disease and shall immediately notify the proper health officer or medical inspector of the exclusion. Any student so excluded may not be readmitted to the school until he or she has complied with all the requirements of the rules governing those cases or has presented a certificate of health signed by the medical inspector or other proper health officer.

(c) This subsection is subject to the requirements of subsections (j), (k), and (l) of this section. The teacher may exclude from his or her classroom or school bus any student who is guilty of disorderly conduct; who in any manner interferes with an orderly educational process; who behaves in a manner that obstructs the teaching or learning process of others in the classroom; who threatens, abuses, or otherwise intimidates or attempts to intimidate a school employee or a student; who willfully disobeys a school employee; or who uses abusive or profane language directed at a school employee. Any student excluded shall be placed under the control of the principal of the school or a designee. The excluded student may be admitted to the classroom or school bus only when the principal, or a designee, provides written certification to the teacher that the student may be readmitted and specifies the specific type of disciplinary action, if any, that was taken. If the principal finds that disciplinary action is warranted, he or she shall provide written and, if possible, telephonic notice of the action to the parent(s), guardian(s), or custodian(s). When a student is excluded from a classroom or a school bus two times in one semester, and after exhausting all reasonable methods of classroom discipline provided in the school discipline plan, the student may be readmitted to the classroom or the school bus only after the principal, teacher, and, if possible, the parent(s), guardian(s), or custodian(s) of the student have held a conference to discuss the student's disruptive behavior patterns, and the teacher and the principal agree on a course of discipline for the student and inform the parent(s), guardian(s), or custodian(s) of the course of action. Thereafter, if the student's disruptive behavior persists, upon the teacher's request, the principal may, to the extent feasible, transfer the student to another setting. The Legislature finds that isolating students or placing them in alternative learning centers may be the best setting for chronically disruptive students. The county board shall create more alternative learning centers or expand its capacity for alternative placements, subject to funding, to correct these students' behaviors so they can return to a regular classroom without engaging in further disruptive behavior.

~~(d) When a grade six through 12 teacher, excluding an elementary school teacher, determines that the behavior of the student is disorderly conduct, is interfering with an orderly educational process, or obstructs the teaching or learning process of others in the classroom:~~

~~(1) The student may be excluded from that teacher's classroom and if excluded may not re-enter that teacher's classroom for at least the remainder of the instructional day;~~

~~(2) If the student is excluded pursuant to subdivision (1) of this subsection;~~

~~(A) The principal shall communicate with the teacher within 24 hours of the student being excluded from the teacher's classroom about the exclusion;~~

~~(B) The teacher has 24 hours to create an electronic record and place the report of this action into the West Virginia Education Information System (WVEIS), without any repercussion to the teacher; and~~

~~(C) If the student is removed from a classroom a total of three times in one month for one or more of the behaviors set forth in this subsection, the student shall receive as determined by the principal an in-school suspension, an out-of-school suspension, or may be considered for placement in an alternative learning center if one is available within the school district.~~

(d) For purposes of this section, nothing herein may be construed to be in conflict with the provisions of the Individuals with Disabilities Education Act, 20 U.S.C. §1400, et seq. or Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794.

(e) The Legislature finds that suspension from school is not appropriate solely for a student's failure to attend class. Therefore, a student may not be suspended from school solely for not attending class. Other methods of discipline may be used for the student which may include, but are not limited to, detention, extra class time, or alternative class settings.

(f) Corporal punishment of any student by a school employee is prohibited.

(g) Each county board is solely responsible for the administration of proper discipline in the public schools of the county and shall adopt policies consistent with the provisions of this section to govern disciplinary actions. These policies shall encourage the use of alternatives to discipline practices, provide for the training of school personnel in alternatives to discipline practices, and provide for encouraging the involvement of parent(s), guardian(s), or custodian(s) in the maintenance of school discipline. To promote a teaching and learning environment free from substantial classroom disturbances, each county board shall ensure that each school implements a tier system policy, with teacher input, to provide a framework for student behaviors and punishments. The policy shall be clear and concise with specific guidelines and examples. The principal shall support the teacher in the discipline of the students if proper cause and documentation is provided following the schoolwide discipline policy. The teacher may not be reprimanded if their actions are legal and within the structure of the county board's policy for student behavior and punishment. The county board policies shall also include an appeal procedure whereby a teacher may appeal to the county superintendent if a school principal refuses to allow the exclusion of a student from the classroom or if a teacher believes the school principal has prematurely ended the exclusion of a student from the classroom. The county boards shall provide for the immediate incorporation and implementation in schools of a preventive discipline program which may include the responsible student program and a student involvement program, which may include the peer mediation program, devised by the ~~West Virginia Board of Education~~ state board. Each county board may modify those programs to meet the particular needs of the county. The county boards shall provide in-service training for teachers and principals relating to assertive discipline procedures and conflict resolution. The county boards also may establish cooperatives with private entities to provide middle educational programs, which may include programs focusing on developing individual coping skills, conflict resolution, anger control, self-esteem issues, stress management and decision making for students, and any other program related to preventive discipline.

(h) For the purpose of this section:

(1) "Student" includes any child, youth, or adult who is enrolled in any instructional program or activity conducted under board authorization and within the facilities of, or in connection with, any program under public school direction: *Provided*, That, in the case of adults, the student–teacher relationship shall terminate when the student leaves the school or other place of instruction or activity;

(2) "Teacher" means all professional educators as defined in §18A-1-1 of this code and includes the driver of a school bus or other mode of transportation; and

(3) "Principal" means the principal, assistant principal, vice principal, or the administrative head of the school, or a professional personnel designee of the principal or the administrative head of the school.

(i) Teachers shall exercise other authority and perform other duties prescribed for them by law or by the rules of the state board not inconsistent with the provisions of this chapter and Chapter 18 of this code.

(j) A grade kindergarten through six teacher may remove a student only under the following circumstances:

(1) Through documentation by the teacher that the student's behavior falls under one or the following two categories:

(A) A student who is repeatedly interfering with the teacher's instruction and classmates' ability to learn, only if the teacher determines that the student has consistently shown unruly, disruptive, or abusive behavior. "Unruly" and "disruptive" behavior by the student is defined as a behavior that seriously and materially interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity. For purposes of removal from the classroom under this section, "unruly" or "disruptive" behavior does not include normal or anticipated actions by the student commensurate with his or her respective grade level.

(B) A student showing violent and aggressive behaviors, causing or intending to cause physical harm, to the teacher or the students in the classroom setting, as further set forth in sections (k) and (l) below.

(2) The student may not be returned to that teacher's classroom without the teacher's consent unless the discipline committee, established by each individual school, determines that such placement is the best or only alternative available. If the student was removed from the teacher's class due to any physically harming behaviors or the intent to physically harm, the student may not be returned to the teacher's class without the teacher's consent and the teacher may not be coerced to consent.

(3) Not later than the third day of class after the day on which a student is removed from class by the teacher under this section, or by the school principal or other appropriate administrator under this section, the school discipline team shall schedule a conference including the teacher who requested removal of the student, parent or the guardian of the student, and principal. The student may not be returned to the regular classroom pending the conference. Following the conference, and whether or not each requested person is in attendance after valid attempts to require the persons attendance, the school discipline team shall take consideration of the factors

under this section and shall order the placement of the student for a period consistent with the schoolwide discipline policy.

(4) Before ordering the suspension, expulsions, removal to a disciplinary alternative education program, or placement in another classroom, the school discipline team shall consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the students disciplinary history, and whether the student has a disability that substantially impairs the students capacity to appreciate the wrongfulness of the students conduct regardless of whether the decision of the behavior coordinator concerns a mandatory or discretionary action.

(5) In instances when the behavior of the student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment or impedes on other students' ability to learn in a safe environment, the student may be removed through the provisions set forth in subsections (k) and (l) below.

(k) When a grade kindergarten through six teacher in an elementary setting determines that the behavior of the student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment or impedes on other students' ability to learn in a safe environment, the student shall be placed in a behavioral intervention program the county has established, has partnered with another county board to establish, or has gained access to for its students through an agreement with another county board for the purpose of addressing such behaviors: *Provided*, That if the county board has not established, partnered with another county board to establish, or gained access through an agreement with another county board to a behavioral intervention program:

(1) The student shall be removed from the classroom immediately after the incident and removed from the presence of other students for the remainder of the school day;

(2) The parents shall be notified and shall pick the student up from school preferably immediately, but by the end of the day at the latest;

(3) The student may not ride the bus;

(4) If the student is not picked up by the end of the day, the principal or other district employee may notify law enforcement;

(5) The student shall be suspended for the next one to three school days while alternative learning accommodations are made;

(6) The student shall be evaluated under Child Find and shall be referred for a Functional Behavior Analysis pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*;

(7) The student shall receive his or her education through the alternative learning accommodations and may not return to school until a risk assessment is done;

(8) After the risk assessment, the student's return to school shall be on a provisional basis for a period of five to 10 days. If another incident as described in this subsection occurs within that time frame, the student shall be placed in an alternative learning environment for the remainder of that grading period;

(9) If the virtual school option is the agreed upon method of alternative education, then the student can begin the program at such time the decision is made; and

(10) Whether a student's behavior falls under the requirements of this subsection and whether the student is to be placed in an alternative learning environment for the remainder of the grading period pursuant to subdivision (6) of this subsection shall be at the discretion of the student's classroom teacher and principal or vice principal. If the principal or vice principal disagree with the teacher, the teacher may provide documentation and appeal to the county superintendent.

(l) When a grade six through 12 teacher, excluding an elementary school teacher, determines that the behavior of the student is disorderly conduct, is interfering with an orderly educational process, or obstructs the teaching or learning process of others in the classroom:

(1) The student may be excluded from that teacher's classroom and, if excluded, may not re-enter that teacher's classroom for at least the remainder of the instructional day; and

(2) If the student is excluded pursuant to subdivision (1) of this subsection:

(A) The principal shall communicate with the teacher within 24 hours of the student being excluded from the teacher's classroom about the exclusion;

(B) The teacher has 24 hours to create an electronic record and place the report of this action into the West Virginia Education Information System without any repercussion to the teacher; and

(C) If the student is removed from a classroom a total of three times in one month for one or more of the behaviors set forth in this subsection, the student shall receive, as determined by the principal, an in-school suspension, an out-of-school suspension, or may be considered for placement in an alternative learning center if one is available within the school district.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 614—A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, generally relating to the process of removal of students from the classroom setting; providing for elementary behavior intervention and safety; clarifying that nothing herein may be construed to conflict with certain federal laws; providing for the removal of students in grades kindergarten through six for unruly, disruptive, or abusive behavior; providing definitions for unruly and disruptive behavior; clarifying that normal or expected behavior by a student is not classified as unruly or disruptive behavior; specifying requirements applicable to when a grade kindergarten through six teacher in an elementary setting determines that the behavior of a student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment, or impedes on other students' ability to learn in a safe environment; providing that a student removed from the classroom for violent, threatening, or intimidating behavior may not ride the bus; authorizing the principal or other district employee to notify law enforcement if the student is not picked up from school by the end of the day; requiring an evaluation of the student under Child Find; requiring a referral for a Functional Behavior Analysis pursuant to the Individuals with Disabilities Education Act; providing that the student shall receive his or her education through alternative learning accommodations; requiring a risk assessment before the student may return to school; and providing guidelines for the removal of students in grades six through twelve.

On motion of Senator Takubo, the following amendments to the House of Delegates amendments to the bill (Eng. Com. Sub. for S. B. 614) were reported by the Clerk, considered simultaneously, and adopted:

On pages 5 and 6, section one, lines 102 through 142, by striking out all of subsection (j) and inserting in lieu thereof a new subsection (j), to read as follows:

(j) A grade kindergarten through six teacher in an elementary setting may remove a student pursuant to this subsection upon documentation by the teacher that the student is repeatedly interfering with the teacher's instruction and classmates' ability to learn if the teacher determines that the student has consistently shown unruly or disruptive behavior. "Unruly" and "disruptive" behavior by the student is defined as a behavior that seriously and materially interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity. For purposes of removal from the classroom under this section, "unruly" or "disruptive" behavior does not include normal or anticipated actions by the student commensurate with his or her respective grade level.

(1) The student may not be returned to that teacher's classroom without the teacher's consent unless the school discipline team, established by each individual school, determines that such placement is the best or only alternative available.

(2) Not later than the third day of class after the day on which a student is removed from class by the teacher under this subsection, or by the school principal or other appropriate administrator under this subsection, the school discipline team shall schedule a conference including the teacher who requested removal of the student, the parent or the guardian of the student, and the principal. The student may not be returned to the regular classroom pending the conference. Following the conference, and whether or not each requested person is in attendance after valid attempts to require the persons attendance, the school discipline team shall take consideration of the factors under this subsection and shall order the placement of the student for a period consistent with the schoolwide discipline policy.

(4) Before ordering the suspension, expulsions, removal to a disciplinary alternative education program, or placement in another classroom, the school discipline team shall consider the students disciplinary history and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the students conduct.

(5) In instances when the behavior of the student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment or impedes on other students' ability to learn in a safe environment, the student may be removed through the provisions set forth in subsection (k) of this subsection.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 614—A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, generally relating to the process of removal of students from the classroom setting; providing for elementary behavior intervention and safety; clarifying that nothing herein may be construed to conflict with certain federal laws; providing for the removal of students in grades kindergarten through six for unruly and disruptive behavior; providing definition

for unruly and disruptive behavior; clarifying that normal or expected behavior by a student is not classified as unruly or disruptive behavior; prohibiting return of student to classroom without teacher's consent or the school discipline team determining such placement is the best or only alternative available; requiring school discipline team to schedule a conference; requiring the school discipline team to order the placement of the student for a period consistent with the schoolwide discipline policy; requiring consideration of specified factors; specifying requirements applicable to when a grade kindergarten through six teacher in an elementary setting determines that the behavior of a student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment, or impedes on other students' ability to learn in a safe environment; requiring placement in behavioral intervention program; providing alternative requirements applicable when county doesn't have access to a behavioral intervention program; providing that the student may not ride the bus; authorizing the principal or other district employee to notify law enforcement if the student is not picked up from school by the end of the day; requiring suspension for the next one to three days while alternative learning accommodations are made; requiring an evaluation of the student under Child Find; requiring a referral for a Functional Behavior Analysis; providing that the student shall receive his or her education through alternative learning accommodations; requiring a risk assessment before the student may return to school; and requiring return to school be on provisional basis.

On motion of Senator Weld, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Committee Substitute for Senate Bill 614, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: Trump—1.

Absent: Boley, Maroney, and Takubo—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 614) passed with its Senate amended title.

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

Senator Weld, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Senate Bill 219, Relating to the Uniform Controlled Substances Act.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the House to Engrossed Senate Bill 219 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions and agree to an amendment as follows:

ARTICLE 4. OFFENSES AND PENALTIES.

§60A-4-416. Drug delivery resulting in death; failure to render aid.

(a) Any person who knowingly and willfully delivers a controlled substance or counterfeit controlled substance in violation of ~~the provisions of §60A-4-401~~ of this code for an illicit purpose and the use, ingestion, or consumption of the controlled substance or counterfeit controlled substance alone, or in combination with one or more other controlled substances, proximately causes the death of a person using, ingesting, or consuming the controlled substance, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for a determinate sentence of not less than three nor more than 15 years.

(b) Any person who, while engaged in the illegal use of a controlled substance with another person, ~~who~~ knowingly fails to seek medical assistance for such other person when the other person suffers an overdose of the controlled substance or suffers a significant adverse physical reaction to the controlled substance and the overdose or adverse physical reaction proximately causes the death of the other person, is guilty of a felony and, upon conviction thereof, shall be imprisoned in a state correctional facility for not less than one year nor more than five years.

(c) As used in this section:

(1) The phrase "engaged in the illegal use of a controlled substance with another person" means being in the physical presence of a person engaged in illegal drug use and participating with him or her in illegal drug use, or while in the presence of a person engaged in illegal drug use knowingly facilitating illegal drug abuse by the other person so engaged.

(2) "Seek medical assistance" means contacting the 9-1-1 emergency system, a poison control facility, any type of first responder, a medical facility or medical professional capable of treating an overdose and in the case of an opioid overdose to administer or cause the administration of a commercially produced and medically recognized opioid antagonist.

Respectfully submitted,

Ryan W. Weld (*Chair*), Vince S. Deeds, Michael A. Woelfel (*Conferees on the part of the Senate*).

David Kelly (*Chair*), Brandon Steele, Joey Garcia (*Conferees on the part of the House of Delegates*).

Senator Weld, Senate cochair of the committee of conference, was recognized to explain the report.

Thereafter, on motion of Senator Weld, the report was taken up for immediate consideration and adopted.

Engrossed Senate Bill 219, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Boley, Maroney, and Takubo—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 219) passed with its title.

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

A message from the Clerk of the House of Delegates announced the adoption by that body of the committee of conference report, passage as amended by the conference report, and requested the concurrence of the Senate in the adoption thereof, as to

Eng. Com. Sub. for House Bill 5084, Require retailers to verify identification and age upon purchase of vape products.

Whereupon, Senator Weld, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for House Bill 5084, Require retailers to verify identification and age upon purchase of vape products.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the House to Engrossed Committee Substitute for House Bill 5084 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That the House agree to the amendments of the Senate to the bill and its title.

Respectfully submitted,

David Kelly (*Chair*), Evan Worrell, Joey Garcia (*Conferees on the part of the House of Delegates.*)

Ryan W. Weld (*Chair*), Mike Stuart, Michael A. Woelfel (*Conferees on the part of the Senate.*)

On motions of Senator Weld, severally made, the report of the committee of conference was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for House Bill 5084, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio,

Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: None.

Absent: Boley, Maroney, Takubo, and Trump—4.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5084) passed with its Senate amended title.

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

A message from the Clerk of the House of Delegates announced the adoption by that body of the committee of conference report, passage as amended by the conference report with its conference amended title, and requested the concurrence of the Senate in the adoption thereof, as to

Eng. Com. Sub. for House Bill 4399, Creating the equitable right to expungement.

Whereupon, Senator Stover, from the committee of conference on matters of disagreement between the two houses, as to

Eng. Com. Sub. for House Bill 4399, Creating the equitable right to expungement.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the Senate to Engrossed Committee Substitute on House Bill 4399 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the Senate, and that the Senate and House agree to an amendment as follows:

Page 5, Section 25, line 1 by striking all of subsection (a) and inserting in lieu thereof a new subsection (a), to read as follows:

(a) Any person who has been charged with a criminal offense under the laws of this state and who has been found not guilty of the offense, or against whom charges have been dismissed, and not in exchange for a guilty plea to another offense resulting in a conviction, may file a civil petition in the circuit court in which the charges were filed to expunge all records relating to the arrest, charge, or other matters arising out of the arrest or charge. Any person whose charges have been dismissed following a full and successful completion of a pre-trial diversion pursuant to §61-11-22 of this code, or whose charges have been dismissed following the full and successful completion of a deferred adjudication pursuant to §61-11-22a of this code, may file a civil petition in the circuit court for expungement of all charges originally brought, provided that the charges sought to be expunged arose from the same transaction or occurrence, and all records relating to the arrest, charges, or other matters arising out of the arrest or charges may be expunged: *Provided*, That no record in the Division of Motor Vehicles may be expunged by virtue of any order of expungement entered pursuant to §17C-5-2b of this code nor may any charges ultimately dismissed by way of full and successful completion of any deferred adjudication be expunged for

violations of §61-2-28(a), §61-2-28(b), §61-2-9(a), §61-2-9a, §61-2-9(b), or §61-2-9(c) of this code where the alleged victim is a family or household member as defined in §48-27-204 of this code: Provided, further, That any person who has previously been convicted of a felony may not file a petition for expungement pursuant to this section. The term records as used in this section includes, but is not limited to, arrest records, fingerprints, photographs, index references, or other data whether in documentary or electronic form, relating to the arrest, charge, or other matters arising out of the arrest or charge. Criminal investigation reports and all records relating to offenses subject to the provisions of §15-12-1 et seq. of this code because the person was found not guilty by reason of mental illness, ~~mental retardation~~ intellectual disability, or addiction are exempt from the provisions of this section.

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Eng. Com. Sub. for House Bill 4399—A Bill to amend and reenact §61-11-22, §61-11-22a, and §61-11-25 of the Code of West Virginia, 1931, as amended, relating to general provisions concerning crimes; correcting internal citations; expungement of criminal records; and when a civil action may be filed to expunge criminal records for cases where charges have been dismissed following a full and successful completion of a pretrial diversion or deferred adjudication; relating to exceptions to the allowance to file a civil action for expungement.

Respectfully submitted,

Chris Pritt (*Chair*), Ty Nestor, Joey Garcia (*Conferees on the part of the House of Delegates*).

David Stover (*Chair*), Vince S. Deeds, Mike Caputo (*Conferees on the part of the Senate*).

Senator Stover, Senate cochair of the committee of conference, was recognized to explain the report.

Thereafter, on motion of Senator Stover, the report was taken up for immediate consideration and adopted.

Engrossed Committee Substitute for House Bill 4399, as amended by the conference report, was then put upon its passage.

On the passage of the bill, as amended, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: Stuart—1.

Absent: Boley, Maroney, and Takubo—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4399) passed with its conference amended title.

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

On motion of Senator Weld, at 10:25 p.m., the Senate recessed for 10 minutes.

The Senate reconvened at 10:37 p.m.

On motion of Senator Weld, the Senate reconsidered its action by which in prior proceedings today it concurred in the House amendment to the Senate amendment, except as to the amendment that removes the Regional Planning and Development Councils representative from the Revitalization Council (*shown in the Senate Journal of today, pages 174 to 179, inclusive*), as to

Eng. Com. Sub. for House Bill 5223, To create the Southern Coalfield Resiliency and Revitalization Program.

The vote thereon having been reconsidered,

The question again being on the adoption of Senator Weld's motion that the Senate concur in the House amendment to the Senate amendment, except as to the amendment that removes the Regional Planning and Development Councils representative from the Revitalization Council.

At the request of Senator Weld, and by unanimous consent, his foregoing motion was withdrawn.

Thereafter, on motion of Senator Jeffries, the following amendments to the House of Delegates amendments to the Senate amendments to the bill (Eng. Com. Sub. for H. B. 5223) were reported by the Clerk, considered simultaneously, and adopted:

On page three, section five, after line twenty-two, by inserting a new subdivision, designated subdivision (16), to read as follows:

(16) A representative from the Regional Planning and Development Councils encompassing the five participating counties;

And,

On page five, section seven, by striking out all of subdivision (14).

On motion of Senator Weld, the Senate concurred in the House of Delegates amendments to the Senate amendments, as amended.

Engrossed Committee Substitute for House Bill 5223, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—30.

The nays were: None.

Absent: Boley, Maroney, Takubo, and Woelfel—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5223) passed with its title.

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

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 280, Allowing teachers in public schools to discuss scientific theories.

On motion of Senator Weld, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page 1, after the enacting clause, by striking everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-41a. Allowing discussion of certain scientific theories.

No public school board, school superintendent, or school principal may prohibit a public school classroom teacher from responding to student inquiries or answering questions from students about scientific theories of how the universe and/or life came to exist.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 280—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-41a, relating to allowing a public school classroom teacher to respond to student inquiries or answer student questions about scientific theories of how the universe and/or life came to exist.

On motion of Senator Weld, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 280, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—29.

The nays were: Caputo—1.

Absent: Boley, Maroney, Takubo, and Woelfel—4.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 280) passed with its House of Delegates amended title.

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

At the request of Senator Tarr, and by unanimous consent, the Senate returned to the second order of business and the introduction of guests.

On motion of Senator Weld, at 10:44 p.m., the Senate recessed 11 p.m. tonight.

The Senate reconvened at 11:01 p.m. and again proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments, as amended by the House of Delegates, passage as amended with its House of Delegates amended title, to take effect May 1, 2024, and requested the concurrence of the Senate in the House of Delegates amendment to the Senate amendments, as to

Eng. Com. Sub. for House Bill 5294, Revising state law regulating farm wineries.

On motion of Senator Weld, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the Senate amendments to the bill was reported by the Clerk:

By striking out the title and substituting therefor a new title, to read as follows:

Eng. Com. Sub. for House Bill 5294—A Bill to amend and reenact the provisions of §11-16-6a and §11-16-11a of the Code of West Virginia, as amended; to amend and reenact §60-3A-3a of said code; to amend and reenact §60-4-3a and §60-4-3b of said code; to amend and reenact §60-6-1 of said code; to amend and reenact §60-7-2, §60-7-8a, and §60-7-8d of said code; to amend and reenact §60-8-2, §60-8-3, §60-8-6c of said code; to amend said code by adding thereto a new section designated §60-8-8; to amend and reenact §60-8-32a of said code; and to amend and reenact §60-8A-5 of said code, all relating to wine, alcoholic liquors, hard cider and non-intoxicating beer generally; defining terms; removing requirement that certain samples must be complimentary; allowing on-premises consumption of alcoholic beverages at wineries, farm wineries, distilleries, mini distilleries, micro distilleries, brewers or resident brewers under specified conditions; increasing number of samples per patron per day; allowing licensed alcohol representatives to purchase West Virginia product for approved sampling events; modifying sample sizes; authorizing alcohol manufacturers to attend private fairs and festivals, wine festivals, and one day charitable events and sell their manufactured alcohol by the drink or glass for on-premises consumption or by the bottle for off-premises consumption; clarifying that certain alcohol manufacturers may sell sealed bottles for off-premises consumption and on premises bottle service by the glass; modifying definition of close proximity to 300 feet; removing or limiting the ability of political subdivisions to regulate certain conduct of alcohol manufacturers, distilleries, mini-distilleries, micro-distilleries, wineries and farm wineries; removing private manufacturer club licensees' 15 hours per week food service requirement; authorizing simultaneous dual licensing in some circumstances; allowing sale and serving of alcohol, wine, nonintoxicating beer, nonintoxicating craft beer and cider in various types of containers, including glasses and bottles by specified licensees on specified premises; authorizing Class B retail licensees to conduct nonintoxicating beer and liquor sampling events; modifying sample sizes for Class A retail licenses

and Class B retail licenses; authorizing licensed brewers and resident brewers to enter into alternating partnership agreements; providing that wineries or farm wineries possessing certain licenses are not subject to the food requirements for private wine restaurants; authorizing licensed representatives to purchase bottles for Class A retail licenses and Class B retail licenses who conduct events; permitting licensed representatives to serve samples; providing for treating fair and festival sales by licensees as on premises sales for the purpose of calculating the two percent of gross sales price of each retail liquor sale for market zone calculations; providing that temporary out of state licensees for one day events are not exempt from background checks required of full licensees; providing that certain licenses are not subject to specified background check requirements; allowing Class A wine licensees to serve food that does not require kitchen preparation; and allowing wineries or farm wineries providing hard cider samples to serve food that does not require kitchen preparation.

On motion of Senator Weld, the Senate concurred in the foregoing House of Delegates amendment to the Senate amendments to the bill.

Engrossed Committee Substitute for House Bill 5294, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Hunt, Jeffries, Karnes, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Rucker, Stover, Stuart, Swope, Tarr, Taylor, Weld, Woelfel, Woodrum, and Blair (Mr. President)—24.

The nays were: Deeds, Hamilton, Martin, Roberts, and Smith—5.

Absent: Boley, Grady, Maroney, Takubo, and Trump—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5294) passed with its House of Delegates amended title.

Senator Weld moved that the bill take effect May 1, 2024.

On this question, the yeas were: Azinger, Barrett, Caputo, Chapman, Clements, Hunt, Jeffries, Karnes, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Rucker, Stover, Stuart, Swope, Tarr, Taylor, Weld, Woelfel, Woodrum, and Blair (Mr. President)—24.

The nays were: Deeds, Hamilton, Martin, Roberts, and Smith—5.

Absent: Boley, Grady, Maroney, Takubo, and Trump—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 5294) takes effect May 1, 2024.

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

A message from the Clerk of the House of Delegates announced that that body had receded in part from its amendments to, and the passage as amended by deletion, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 17, Authorizing Department of Health to promulgate legislative rules.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to the House of Delegates amendments to, and the passage as amended with its Senate amended title, of

Eng. Senate Bill 146, Creating adult education taskforce.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendment to, and the passage as amended, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 200, Budget Bill.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Com. Sub for Senate Bill 453, Requiring pricing and payment transparency from pharmacy benefits managers contracting with PEIA.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 461, Relating to county economic opportunity development districts.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to the House of Delegates amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for Senate Bill 568, Creating multi-tiered system for school absenteeism.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended with its Senate amended title, to take effect January 1, 2025, of

Eng. Com. Sub. for Senate Bill 624, Cancelling voter registration records for individuals no longer WV residents.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to the House of Delegates amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for Senate Bill 631, Prohibiting municipalities from disconnecting water service for nonpayment of stormwater fees.

A message from the Clerk of the House of Delegates announced that that body had receded in part from its amendments to, and the passage as amended by deletion, to take effect from passage, of,

Eng. Com. Sub. for Senate Bill 632, Relating to Dangerousness Assessment Advisory Board multi-disciplinary study group.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to the House of Delegates amendments to, and the passage as amended with its Senate amended title, to take effect from passage, of

Eng. Com. Sub. for Com. Sub. for Senate Bill 679, Regulating certain plant-based derivatives, hemp-derived cannabinoid products, and Kratom.

A message from the Clerk of the House of Delegates announced that that body had receded from its amendments to, and the passage as amended by deletion, of

Eng. Senate Bill 681, Revising service obligation for certain doctoral medical degree programs.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended with its House of Delegates amended title, to take effect from passage, of

Eng. Senate Bill 803, Updating definitions for assessment of real property.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 837, Reorganizing offices of Public Defender Corporations to conform to circuit reconfiguration.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 850, Updating Consumer Credit and Protection Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 864, Clarifying reporting requirements of Grant Transparency and Accountability Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 872, Relating to county fire service fees.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 873, Schedule for tax installment payments.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 875, Relating to certain insurance coverage provided by BRIM.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 4297, Law Enforcement Officers Safety Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, to take effect January 1, 2025, of

Eng. Com. Sub. for House Bill 4350, Relating to appointment of candidates after filing period.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. House Bill 4793, Relating to distilled liquor.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 4880, Relating to personal income tax social security exemption.

A message from the Clerk of the House announced concurrence by that body in the changed effective date, to take effect July 1, 2024, of

Eng. Com. Sub. for House Bill 4883, Relating to increasing annual salaries of certain employees of the state.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 4911, Relating to the sale of raw milk.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 4945, Relating generally to the Hope Scholarship Program.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 4951, To facilitate the interstate practice of School Psychology in educational or school settings.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, to take effect from passage, of

Eng. Com. Sub. for House Bill 4975, Relating to establishing a foster parent information system.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5024, Relating to exempting non-grantor trusts administered in this state from the personal income tax.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5105, To eliminate the vaccine requirements for public virtual schools.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5162, Establish a program to promote creation and expansion of registered apprenticeship programs.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 5252, Requiring certain minimum experience for the director or coordinator of services class title involving school transportation.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5262, Relating generally to teacher's bill of rights.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, to take effect January 1, 2025, of

Eng. Com. Sub. for House Bill 5338, Relating to Safe Harbor for Cybersecurity Programs.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amended title, passage as amended, of

Eng. House Bill 5348, Changing the name of the "Raleigh County Recreation Authority" to the "Raleigh County Parks and Recreation Authority".

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. House Bill 5430, Relating to per diem compensation and expenses of newly elected or appointed judicial officers receiving education and training prior to taking the oath of office.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended with its Senate amended title, of

Eng. Com. Sub. for House Bill 5668, Creating the Responsible Gaming and Research Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the adoption as amended, of

Eng. Com. Sub. for House Joint Resolution 28, Protection from medically-assisted suicide or euthanasia in West Virginia Amendment.

At the request of Senator Trump, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was added as a co-sponsor to the following resolution on March 9, 2024:

Senate Joint Resolution 4: Senator Woelfel.

On motion of Senator Weld, at 11:35 p.m., the Senate recessed.

The Senate reconvened at 11:45 p.m.

At the request of Senator Weld, unanimous consent being granted, the Clerk was authorized to notify the House of Delegates and Governor that the Senate has completed its labors and is ready to adjourn *sine die*.

At the further request of Senator Weld, and by unanimous consent, the Clerk of the Senate was directed to submit communications, after bills have been examined, found truly enrolled, authenticated with signatures, and presented to His Excellency, the Governor, for his action, bills passed but not presented to him prior to adjournment of the regular sixty-day session of the Legislature, showing the date such bills so enrolled were presented to the Governor; said communications to be included in the final Journal, together with Governor's action on said bills.

In accordance with the foregoing unanimous consent request, the following communications were reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 11, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

S. B. 148, Establishing auto-renewal program for wildlife licenses;

S. B. 438, Modifying roster requirements of authorizing entities;

Com. Sub. for S. B. 451, Directing Prosecuting Attorneys Institute to make training available to certain new prosecuting attorneys;

Com. Sub. for S. B. 477, Prohibiting public disclosure of personal information on internet;

S. B. 487, Requiring periodic review of professional development for teachers and education staff;

Com. Sub. for S. B. 540, Updating WV coordinate systems;

S. B. 782, Defining deadlines for local permits and extensions for property development or improvement;

S. B. 802, Updating consumer credit and protection laws on certain agricultural vehicles and equipment;

Com. Sub. for S. B. 844, Redesignating Educational Broadcasting Authority as Educational Broadcasting Commission;

And,

Com. Sub. for S. B. 865, Changing reference to Curator of Department of Arts, Culture, and History to secretary.

These bills are presented to you on this day, March 11, 2024.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

JEFF CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304.357.7800

March 11, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

- S. B. 574**, Supplemental appropriation to DOT, Division of Highways;
- S. B. 653**, Supplementing and amending appropriations to School Building Authority, School Construction Fund;
- S. B. 657**, Expiring funds from Excess Lottery Revenue Fund to General Revenue;
- S. B. 696**, Supplementing and amending appropriations to Department of Homeland Security, Division of Emergency Management;
- S. B. 700**, Supplementing and amending appropriations to Miscellaneous Boards and Commissions, Hospital Finance Authority;
- S. B. 703**, Supplementing and amending appropriations to Department of Homeland Security, WV State Police;
- S. B. 707**, Supplementing and amending appropriations to Department of Commerce, Division of Natural Resources;
- S. B. 708**, Supplementing and amending appropriations to Department of Agriculture, WV Spay Neuter Assistance Fund;
- S. B. 709**, Supplementing and amending appropriations to Department of Arts, Culture and History, National Coal Heritage Area Authority;

And,

S. B. 710, Supplementing and amending appropriations to State Board of Education, Aid for Exceptional Children.

These bills are presented to you on this day, March 11, 2024.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 12, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

S. B. 142, Clarifying deadline to file annual report for companies authorized to do business in WV;

S. B. 147, Adding definition of "ammunition" for purposes of obtaining state license to carry concealed deadly weapon;

S. B. 166, **Updating contested elections procedures;**

S. B. 170, Relating to compensable diseases of certain firefighters covered by workers' compensation;

S. B. 173, Modifying certain guidelines for motor vehicle dealers, distributors, wholesalers, and manufacturers;

Com. Sub. for S. B. 190, Modifying definition of sexual contact;

S. B. 262, Clarifying procedure for administrative dissolution of corporations by Secretary of State;

Com. Sub. for Com. Sub. for S. B. 325, Relating to distribution of drugs to safety net providers and contract pharmacies;

And,

S. B. 378, Prohibiting smoking in vehicle when minor 16 or under is present.

These bills are presented to you on this day, March 12, 2024.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 12, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

Com. Sub. for S. B. 200, Budget Bill.

This bill is presented to you on this day, March 12, 2024.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 12, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

- S. B. 610**, Clarifying authority of Water Development Authority in certain circumstances;
- S. B. 613**, WV Residential Mortgage Lender, Broker and Servicer Act;
- Com. Sub. for S. B. 628**, Declaring certain claims as moral obligations of the state;
- Com. Sub. for S. B. 649**, Clarifying per diem compensation for certain judges recalled to service;
- Com. Sub. for S. B. 667**, Creating Physician Assistant Compact;
- S. B. 687**, Clarifying Legislative Auditor's scope of authority;
- Com. Sub. for S. B. 690**, Establishing WV Agritourism Commission;
- Com. Sub. for S. B. 714**, Transferring duties and licensing from Board of Osteopathic Medicine to Board of Medicine;
- Com. Sub. for S. B. 722**, Revising examination of records relating to limited video lottery;
- Com. Sub. for S. B. 730**, Clarifying compensation for county tax collector;
- S. B. 768**, Providing exception for sharing of confidential child welfare records;
- Com. Sub. for S. B. 778**, Amending certain qualifying offenses to enhance sentences of repeat offenders;

Com. Sub. for S. B. 786, Relating to massage therapy establishments;

Com. Sub. for S. B. 824, Increasing membership of WV Motorsport Committee;

Com. Sub. for S. B. 826, Creating exemption from bond or security requirement of banking institutions holding certain funds for county commissions;

S. B. 827, Providing for regional distribution and dismantling centers;

S. B. 834, Increasing number of members for Motor Vehicle Dealers Advisory Board;

S. B. 837, Reorganizing offices of Public Defender Corporations to conform to circuit reconfiguration;

Com. Sub. for S. B. 850, Updating Consumer Credit and Protection Act;

S. B. 864, Clarifying reporting requirements of Grant Transparency and Accountability Act;

S. B. 872, Relating to county fire service fees;

S. B. 873, Schedule for tax installment payments;

And,

S. B. 875, Relating to certain insurance coverage provided by BRIM.

These bills are presented to you on this day, March 12, 2024.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M 211
1900 KANAWHA BLVD, EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 12, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

S. B. 643, Supplementing and amending appropriations to Department of Education, School Building Authority;

Com. Sub. for S. B. 644, Supplementing and amending appropriations to Department of Commerce, Division of Forestry, and Geological and Economic Survey;

Com. Sub. for S. B. 652, Supplementing and amending appropriations to DHHR, Health Facilities;

Com. Sub. for S. B. 656, Supplementing and amending appropriations to DHHR, Division of Human Services;

S. B. 663, Supplementing and amending appropriations to Division of Administrative Services, Criminal Justice Fund;

Com. Sub. for S. B. 665, Supplementing and amending appropriations to DHHR, Division of Health;

Com. Sub. for S. B. 695, Supplementing and amending appropriations to Energy Assistance, TANF, and Child Care and Development;

S. B. 697, Supplementing and amending appropriations to DHHR, Consolidated Medical Service Fund;

S. B. 698, Supplementing and amending appropriations to DHHR, Division of Human Services;

S. B. 699, Supplementing and amending appropriations to DHHR, Child Support Enforcement Fund;

S. B. 702, Supplementing and amending appropriations to DHHR, Laboratory Services Fund;

S. B. 704, Supplementing and amending appropriations to PSC, Motor Carrier Division;

S. B. 705, Supplementing and amending appropriations to PSC;

S. B. 868, Supplementary appropriation to Department of Commerce, Geological and Economic Survey;

S. B. 871, Supplementary appropriation to Department of Veterans' Assistance, Veterans' Facilities;

S. B. 876, Supplementing and amending appropriations to Department of Health and Human Resources, Health Facilities;

And,

S. B. 877, Supplementing and amending appropriations to Higher Education Policy Commission.

These bills are presented to you on this day, March 12, 2024.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M 211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 12, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

S. B. 650, Supplementing and amending appropriations to Higher Education Policy Commission, Fairmont State University;

S. B. 661, Expiring funds from Lottery Net Profits to General Revenue Surplus;

And,

S. B. 701, Supplementing and amending appropriations to Department of Education, School Construction Fund.

These bills are presented to you on this day, March 12, 2024.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 13, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for S. B. 429, WV Farm Use Vehicle Tag Placement Act;

Com. Sub. for S. B. 445, Reducing certification periods and renewal fees for EMS personnel;

S. B. 452, Designating certain water and wastewater facilities as emergency project;

Com. Sub. for S. B. 466, Requiring State Board of Education develop Safety While Accessing Technology education program;

Com. Sub. for Com. Sub. for S. B. 482, Relating to rule-making authority of Ethics Commission;

Com. Sub. for S. B. 503, Protecting belief-based student organizations from certain types of discrimination;

Com. Sub. for S. B. 504, Relating to felony offense of sexual intercourse, intrusion, or contact with student;

S. B. 530, Removing requirement for counties to draft and adopt zoning ordinances;

Com. Sub. for S. B. 548, Clarifying appellate jurisdiction of Intermediate Court of Appeals;

S. B. 551, Modifying requirements related to levy of service fees;

And,

Com. Sub. for S. B. 587, Enabling State Fire Commission to propose legislative rules.

These bills are presented to you on this day, March 13, 2024.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis", written in a cursive style.

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates



STEPHEN J. HARRISON
CLERK OF THE HOUSE

West Virginia House of Delegates

OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 13, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

- Com. Sub. for H. B. 4376**, Relating to surgical smoke evacuation;
- Com. Sub. for H. B. 4431**, Permitting the cremation of unidentified remains;
- Com. Sub. for H. B. 4667**, Prohibiting syringe services programs from distributing listed smoking devices;
- Com. Sub. for H. B. 4709**, Relating to vocational and technical education programs;
- H. B. 4768**, Relating to increasing the number of out-of-state medical students receiving in-state tuition rates who agree to practice for a specific time within West Virginia;
- H. B. 4832**, Relating to state superintendent's reports regarding the finances of school districts;
- Com. Sub. for H. B. 4845**, To prohibit swatting;
- Com. Sub. for H. B. 4933**, Relating to Medicaid dental coverage;
- Com. Sub. for H. B. 4940**, A squatter cannot be considered a tenant in WV;
- H. B. 4984**, Relating to repealing tax credit for employing former employees of Colin Anderson Center;
- Com. Sub. for H. B. 4986**, Relating to computer science and cybersecurity instruction for adult learners;
- H. B. 5014**, Supplementing and amending appropriations to West Virginia University General Administration Fund;

H. B. 5056, Relating to substitute service personnel positions;

H. B. 5128, Directing transfer of moneys into fire protection funds at the end of each year;

H. B. 5170, Increasing the size of matching grants for local economic development from \$30,000 to \$50,000;

Com. Sub. for H. B. 5432, To move the essential functions of the Information Services and Communications Division into the Office of Technology;

H. B. 5549, Relating to allowing license plates to be obtained from alternative sources when the Division of Corrections and Rehabilitation is unable to produce them;

H. B. 5569, Requiring an appraiser to pay for a background check required by the AMC as a condition of being added to the AMCs panel of appraisers;

Com. Sub. for H. B. 5617, Authorizing the Public Service Commission to promulgate rules for maintenance, flushing, flow testing, and marking of fire hydrants owned by water utilities;

H. B. 5632, Relating generally to West Virginia Real Estate License Act;

And,

H. B. 5690, Creating a West Virginia Task Force on Artificial Intelligence.

These bills are presented to you on this day, March 13, 2024.

Respectfully submitted,


Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 14, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for S. B. 2, Authorizing DEP to promulgate rules;

Com. Sub. for S. B. 17, Authorizing Department of Health to promulgate legislative rules;

Com. Sub. for S. B. 36, Authorizing Department of Homeland Security to promulgate legislative rules;

Com. Sub. for S. B. 50, Authorizing Department of Revenue to promulgate legislative rules;

Com. Sub. for S. B. 60, Authorizing DOT to promulgate legislative rules;

S. B. 149, Relating to municipalities required to be represented on county authority boards;

Com. Sub. for S. B. 217, Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget;

Com. Sub. for S. B. 280, Allowing teachers in public schools to discuss scientific theories;

S. B. 439, Authorizing certain 911 personnel to be members of Emergency Medical Services Retirement System under certain circumstances;

Com. Sub. for Com. Sub. for S. B. 453, Requiring pricing and payment transparency from pharmacy benefits managers contracting with PEIA;

S. B. 461, Relating to county economic opportunity development districts;

Com. Sub. for S. B. 632, Relating to Dangerousness Assessment Advisory Board multi-disciplinary study group;

Com. Sub. for Com. Sub. for S. B. 679, Regulating certain plant-based derivatives, hemp-derived cannabinoid products, and Kratom;

S. B. 803, Updating definitions for assessment of real property;

Com. Sub. for S. B. 820, Requiring automatic enrollment of substance abuse disorder population into managed care;

And,

S. B. 874, Relating to WV Division of Multimodal Transportation.

These bills are presented to you on this day, March 14, 2024.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M 211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-557-7800

March 15, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

S. B. 806, Removing certain required reports to Legislative Oversight Commission on Education Accountability.

This bill is presented to you on this day, March 15, 2024.

Respectfully submitted,

A handwritten signature in blue ink that reads "Lee Cassis".

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M.211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 19, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

S. B. 146, Creating adult education taskforce;

S. B. 159, Prohibiting persons convicted of certain crimes against minors from holding positions on boards of education;

S. B. 164, Relating generally to trespassing;

Com. Sub. for S. B. 222, Exempting WV veterans from certain fees and charges at state parks;

Com. Sub. for S. B. 261, WV Veterans' Home Loan Mortgage Program of 2024;

S. B. 430, WV Rent-to-Own Act;

Com. Sub. for S. B. 475, Relating to recovery residences;

Com. Sub. for S. B. 533, Allowing EMS agencies to triage, treat or transport patients to alternate destinations;

Com. Sub. for S. B. 542, Amending procedure for filling vacancies in certain county offices having more than three commissioners;

Com. Sub. for S. B. 557, Relating to compensation for firefighters required to work holidays;

Com. Sub. for Com. Sub. for S. B. 568, Creating multi-tiered system for school absenteeism;

Com. Sub. for S. B. 578, Clarifying offense of burglary;

And,

Com. Sub. for S. B. 583, Relating to employer liability and damages in civil actions involving commercial motor vehicles.

These bills are presented to you on this day, March 19, 2024.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

March 19, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, have been examined and found truly enrolled:

Com. Sub. for S. B. 623, Requiring DMV to provide images of certain individuals to Secretary of State for voter identification purposes;

Com. Sub. for S. B. 624, Cancelling voter registration records for individuals no longer WV residents;

Com. Sub. for S. B. 631, Prohibiting municipalities from disconnecting water service for nonpayment of stormwater fees;

S. B. 681, Revising service obligation for certain doctoral medical degree programs;

S. B. 683, Amending definition of "alternative fuel" under motor fuel excise tax;

S. B. 732, Requiring cooperation between law-enforcement agencies and military authorities;

Com. Sub. for S. B. 751, Creating online charitable raffles;

Com. Sub. for S. B. 755, Providing safeguards for online sales of tobacco products;

Com. Sub. for S. B. 841, Setting amount of unemployment taxes and benefits;

S. B. 858, Clarifying filing requirements and deadlines in property tax cases;

And,

S. B. 866, Designating State Treasurer as chairperson of WV Investment Management Board.

These bills are presented to you on this day, March 19, 2024.

Respectfully submitted,



Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates



STEPHEN J. HARRISON
CLERK OF THE HOUSE

West Virginia House of Delegates
OFFICE OF THE CLERK
BUILDING 1, SUITE 212
1900 KANAWHA BLVD., EAST
CHARLESTON 25305

(304) 340-3200
STEVE.HARRISON@WVHOUSE.GOV

March 21, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bills, authenticated by the signature of the Clerk of each House, and signed by the Speaker of the House of Delegates and the President of the Senate, have been examined and found truly enrolled:

Com. Sub. for H. B. 4086, Authorizing certain agencies of the Department of Commerce to promulgate legislative rules;

Com. Sub. for H. B. 4110, Authorizing certain miscellaneous agencies and boards to promulgate legislative rules;

Com. Sub. for H. B. 4190, Relating to the establishment of an alert system for missing cognitively impaired persons;

Com. Sub. for H. B. 4233, Non-binary not permitted on birth certificates;

H. B. 4297, Law Enforcement Officers Safety Act;

H. B. 4305, Relating to granting in-state resident status to economic development participants;

Com. Sub. for H. B. 4350, Relating to appointment of candidates after filing period;

Com. Sub. for H. B. 4399, Creating the equitable right to expungement;

Com. Sub. for H. B. 4552, To ensure party affiliation is consistent with candidate's voter registration;

H. B. 4700, Banning certain persons from sport wagering activities;

H. B. 4721, Require Surveyors to offer to record surveys of property;

Com. Sub. for H. B. 4756, Creating a state Alzheimer's plan task force;

Com. Sub. for H. B. 4782, Preventing municipalities from targeting protected businesses with planning and zoning ordinances more restrictive than those placed upon other businesses;

Com. Sub. for H. B. 4786, Delivery Network Company (DNC) Insurance Model Act;

H. B. 4793, Relating to distilled liquor;

Com. Sub. for H. B. 4812, Capping amount of moneys to third party vendors who collect business and occupation taxes on behalf of cities;

H. B. 4814, Relating to extending the reporting and sunset dates of the State Advisory Council on Postsecondary Attainment Goals;

H. B. 4822, Creating the Certified Sites and Development Readiness Program;

Com. Sub. for H. B. 4829, Relating to employment of service personnel and removing the requirement for a high school diploma or general education development certificate;

Com. Sub. for H. B. 4830, To address the professional development of teachers;

Com. Sub. for H. B. 4837, Clarifying the duty of banks to retain and procure records;

H. B. 4838, Require county boards of education to provide long-term substitute teachers, upon hiring, with certain information;

H. B. 4860, Providing that a general education teacher may not be responsible for accommodation logs;

H. B. 4863, Patriotic Access to Students in Schools Act;

Com. Sub. for H. B. 4874, Relating to fatality and mortality review team;

Com. Sub. for H. B. 4880, Relating to personal income tax social security exemption;

Com. Sub. for H. B. 4882, Extending in-state tuition rates to all members and veterans of the National Guard, reserves, and armed forces as well as their spouses and dependents;

Com. Sub. for H. B. 4883, Relating to increasing annual salaries of certain employees of the state;

Com. Sub. for H. B. 4911, Relating to the sale of raw milk;

Com. Sub. for H. B. 4919, Relating to the Promise Scholarship;

H. B. 4945, Relating generally to the Hope Scholarship Program;

Com. Sub. for H. B. 4951, To facilitate the interstate practice of School Psychology in educational or school settings;

Com. Sub. for H. B. 4967, Relating to the administration of the Voluntary Remediation and Redevelopment Act to provide new liability protections for persons and companies who wish to purchase and redevelop former industrial properties;

Com. Sub. for H. B. 4971, Relating to Critical Materials Manufacturing Tax;

Com. Sub. for H. B. 4975, Relating to establishing a foster parent information system;

H. B. 4998, Modifying penalties for third offense shoplifting;

Com. Sub. for H. B. 4999, Creating exception to spousal privilege;

Com. Sub. for H. B. 5013, Relating to Timber Management;

Com. Sub. for H. B. 5017, Relating to mobile food establishment reciprocity;

Com. Sub. for H. B. 5024, Relating to exempting non-grantor trusts administered in this state from the personal income tax;

Com. Sub. for H. B. 5084, Require retailers to verify identification and age upon purchase of vape products;

Com. Sub. for H. B. 5091, West Virginia Critical Infrastructure Protection Act;

Com. Sub. for H. B. 5105, To eliminate the vaccine requirements for public virtual schools;

H. B. 5117, Relating generally to waiver of initial licensing fees for certain individuals;

Com. Sub. for H. B. 5122, Relating to civil service for deputy sheriffs;

Com. Sub. for H. B. 5151, Relating to defining term fictive kin;

Com. Sub. for H. B. 5158, Relating to making technical corrections to the special education code;

Com. Sub. for H. B. 5162, Establish a program to promote creation and expansion of registered apprenticeship programs;

Com. Sub. for H. B. 5175, Eliminate funding for the Center for Nursing and transfer its duties and authorities to the Higher Education Policy Commission;

Com. Sub. for H. B. 5178, Requiring car dealerships in this state to utilize a search engine to determine if buyers of vehicles have valid motor vehicle insurance;

Com. Sub. for H. B. 5188, Relating to awards and benefits for duty related disability in the municipal police officers and firefighters retirement system;

H. B. 5213, To allow Gold Star spouses to receive one free Gold Star vehicle registration for personal use;

Com. Sub. for H. B. 5232, The Business Liability Protection Act;

Com. Sub. for H. B. 5238, Mandating that all courts provide adjudication for juvenile offenders for traffic violations to the Division of Motor Vehicles;

H. B. 5252, Requiring certain minimum experience for the director or coordinator of services class title involving school transportation;

Com. Sub. for H. B. 5262, Relating generally to teacher's bill of rights;

Com. Sub. for H. B. 5294, Revising state law regulating farm wineries;

Com. Sub. for H. B. 5295, Authorizing a private outdoor designated area to simultaneously host multiple qualified permit holders;

H. B. 5298, Relating to prohibiting a candidate who failed to secure the nomination of a political party in a primary election from seeking the same elected office as an affiliate with a different political party in the subsequent general election;

Com. Sub. for H. B. 5317, Making it permissive for commercial motor vehicles registered in this state to pass an annual inspection of all safety equipment to be consistent with the federal motor carrier safety regulations;

Com. Sub. for H. B. 5326, Relating to prohibition of unfair real estate service agreements;

Com. Sub. for H. B. 5338, Relating to Safe Harbor for Cybersecurity Programs;

Com. Sub. for H. B. 5347, Relating to establishing a program for emergency medical services personnel to become certified paramedics;

H. B. 5348, Changing the name of the "Raleigh County Recreation Authority" to the "Raleigh County Parks and Recreation Authority";

Com. Sub. for H. B. 5349, West Virginia Truth in Food Labeling Act;

Com. Sub. for H. B. 5395, Relating to judicial review of Board decisions;

Com. Sub. for H. B. 5405, Providing additional professional development and support to West Virginia educators through teacher and leader induction and professional growth;

H. B. 5430, Relating to per diem compensation and expenses of newly elected or appointed judicial officers receiving education and training prior to taking the oath of office;

Com. Sub. for H. B. 5435, Establishing the registered apprenticeship to associate of applied science program to be administered by the Council for Community and Technical College Education;

Com. Sub. for H. B. 5510, Clarify law regarding the crime of witness tampering;

Com. Sub. for H. B. 5514, Enhancing training requirements for county boards of education members;

H. B. 5520, Relating to juvenile competency;

H. B. 5528, Relating to the renewable energy facilities program;

Com. Sub. for H. B. 5540, Relating to fentanyl prevention and awareness Education (Laken's Law);

Com. Sub. for H. B. 5561, Relating to permitting the electronic execution of trusts;

H. B. 5582, Modifying exceptions for real estate appraisal licensure;

Com. Sub. for H. B. 5583, Permitting the Commissioner of the Division of Highways to issue a special permit to operate or move a vehicle or combination of vehicles of a size or weight of vehicles or nondivisible load exceeding the maximum specified;

H. B. 5594, Exempting the West Virginia School of Osteopathic Medicine, West Virginia University and Marshall University from contracts, agreements, or memorandums of understanding with spending units in state government with exceptions;

Com. Sub. for H. B. 5604, Relating to procurement by state spending units;

Com. Sub. for H. B. 5650, Allow suspended school personnel to enter school property functions open to the public;

Com. Sub. for H. B. 5662, Relating to adding "person in a position of trust" to certain crimes;

Com. Sub. for H. B. 5668, Creating the Responsible Gaming and Research Act;

And,

H. B. 5696, Relating to the upper Ohio Valley Trail Network;

These bills are presented to you on this day, March 21, 2024.

Respectfully submitted,



Stephen J. Harrison
Clerk of the House of Delegates

C: The Honorable Lee Cassis
Clerk of the Senate

Executive Communications

Under authorization of Senate approval therefor in prior proceedings today, to include in this day's Journal communications showing the Governor's action on enrolled bills presented to him in post-session reports, the following are inserted hereinafter:



Jim Justice
Governor of West Virginia

March 13, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Hundred Seventy-Three (173), which was presented to me on March 12, 2024.

Senate Bill No. Five Hundred Twenty-Nine (529), which was presented to me on March 6, 2024.

Committee Substitute for Senate Bill No. Six Hundred Fifty-Two (652), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Thirty-Seven (837), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Seventy-Six (876), which was presented March 12, 2024.

You will note that I have approved these bills on March 13, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 14, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Five Hundred Seventy-Four (574), which was presented to me on March 11, 2024.

Senate Bill No. Six Hundred Forty-Three (643), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Six Hundred Forty-Four (644), which was presented to me on March 12, 2024.

Senate Bill No. Six Hundred Fifty (650), which was presented to me on March 12, 2024.

Senate Bill No. Six Hundred Fifty-Three (653), which was presented to me on March 11, 2024.

Committee Substitute for Senate Bill No. Six Hundred Fifty-Six (656), which was presented to me on March 12, 2024.

You will note that I have approved these bills on March 14, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia
March 14, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Six Hundred Fifty-Seven (657), which was presented to me on March 11, 2024.

Senate Bill No. Six Hundred Sixty-One (661), which was presented to me on March 12, 2024.

Senate Bill No. Six Hundred Sixty-Three (663), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Six Hundred Sixty-Five (665), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Six Hundred Ninety-Five (695), which was presented to me on March 12, 2024.

Senate Bill No. Six Hundred Ninety-Six (696), which was presented to me on March 11, 2024.

You will note that I have approved these bills on March 14, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 14, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Six Hundred Ninety-Seven (697), which was presented to me on March 12, 2024.

Senate Bill No. Six Hundred Ninety-Eight (698), which was presented to me on March 12, 2024.

Senate Bill No. Six Hundred Ninety-Nine (699), which was presented to me on March 12, 2024.

Senate Bill No. Seven Hundred (700), which was presented to me on March 11, 2024.

Senate Bill No. Seven Hundred One (701), which was presented to me on March 12, 2024.

You will note that I have approved these bills on March 14, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 14, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Seven Hundred Two (702), which was presented to me on March 12, 2024.

Senate Bill No. Seven Hundred Three (703), which was presented to me on March 11, 2024.

Senate Bill No. Seven Hundred Four (704), which was presented to me on March 12, 2024.

Senate Bill No. Seven Hundred Five (705), which was presented to me on March 12, 2024.

Senate Bill No. Seven Hundred Seven (707), which was presented to me on March 11, 2024.

Senate Bill No. Seven Hundred Eight (708), which was presented to me on March 11, 2024.

You will note that I have approved these bills on March 14, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 14, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Seven Hundred Nine (709), which was presented to me on March 11, 2024.

Senate Bill No. Seven Hundred Ten (710), which was presented to me on March 11, 2024.

Senate Bill No. Eight Hundred Sixty-Eight (868), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Seventy-One (871), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Seventy-Seven (877), which was presented to me on March 12, 2024.

You will note that I have approved these bills on March 14, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 20, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia - 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Four Hundred Sixty-Six (466), which was presented to me on March 13, 2024.

Committee Substitute for Senate Bill No. Seven Hundred Thirty (730), which was presented to me on March 12, 2024.

Committee Substitute for House Bill No. Five Thousand Six Hundred Seventeen (5617), which was presented to me on March 13, 2024.

You will note that I have approved these bills on March 20, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 22, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Hundred Forty-Two (142), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. One Hundred Ninety (190), which was presented to me on March 12, 2024.

Senate Bill No. Two Hundred Sixty-Two (262), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Two Hundred Eighty (280), which was presented to me on March 14, 2024.

Committee Substitute for Senate Bill No. Three Hundred Seventy (370), which was presented to me on March 6, 2024.

You will note that I have approved these bills on March 22, 2024.

Sincerely,


Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 22, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Three Hundred Seventy-Eight (378), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Four Hundred Twenty-Nine (429), which was presented to me on March 13, 2024.

Senate Bill No. Four Hundred Fifty-Two (452), which was presented to me on March 13, 2024.

Committee Substitute for Committee Substitute for Senate Bill No. Four Hundred Eighty-Two (482), which was presented to me on March 13, 2024.

Committee Substitute for Senate Bill No. Five Hundred Three (503), which was presented to me on March 13, 2024.

You will note that I have approved these bills on March 22, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 22, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Five Hundred Four (504), which was presented to me on March 13, 2024.

Senate Bill No. Five Hundred Thirty (530), which was presented to me on March 13, 2024.

Committee Substitute for Senate Bill No. Five Hundred Thirty-Nine (539), which was presented to me on March 6, 2024.

Senate Bill No. Six Hundred Two (602), which was presented to me on March 6, 2024.

Senate Bill No. Seven Hundred Fifty-Two (752), which was presented to me on March 5, 2024.

You will note that I have approved these bills on March 22, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 22, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Four Thousand Three Hundred Seventy-Six (4376), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Four Thousand Four Hundred Thirty-One (4431), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Four Thousand Six Hundred Sixty-Seven (4667), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Four Thousand Seven Hundred Nine (4709), which was presented to me on March 13, 2024.

House Bill No. Four Thousand Seven Hundred Sixty-Eight (4768), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Forty-Five (4845), which was presented to me on March 13, 2024.

You will note that I have approved these bills on March 22, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 22, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Four Thousand Eight Hundred Sixty-Three (4863), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Nine Hundred Forty (4940), which was presented to me on March 13, 2024.

House Bill No. Four Thousand Nine Hundred Eighty-Four (4984), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Four Thousand Nine Hundred Eighty-Six (4986), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Five Thousand One Hundred Seventy-Eight (5178), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand One Hundred Eighty-Eight (5188), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 22, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Two (2), which was presented to me on March 14, 2024.

Committee Substitute for Senate Bill No. Seventeen (17), which was presented to me on March 14, 2024.

Committee Substitute for Senate Bill No. Thirty-Six (36), which was presented to me on March 14, 2024.

Committee Substitute for Senate Bill No. Fifty (50), which was presented to me on March 14, 2024.

Committee Substitute for Senate Bill No. Sixty (60), which was presented to me on March 14, 2024.

Senate Bill No. One Hundred Forty-Seven (147), which was presented to me on March 12, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Hundred Sixty-Four (164), which was presented to me on March 19, 2024.

Senate Bill No. One Hundred Sixty-Six (166), which was presented to me on March 12, 2024.

Senate Bill No. One Hundred Seventy (170), which was presented to me on March 12, 2024.

Senate Bill No. Four Hundred Thirty (430), which was presented to me on March 19, 2024.

Senate Bill No. Four Hundred Thirty-Nine (439), which was presented to me on March 14, 2024.

Committee Substitute for Senate Bill No. Four Hundred Forty-Five (445), which was presented to me on March 13, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Four Hundred Fifty-One (451), which was presented to me on March 11, 2024.

Senate Bill No. Four Hundred Eighty-Seven (487), which was presented to me on March 11, 2024.

Committee Substitute for Senate Bill No. Five Hundred Thirty-Three (533), which was presented to me on March 19, 2024.

Committee Substitute for Senate Bill No. Five Hundred Forty (540), which was presented to me on March 11, 2024.

Committee Substitute for Senate Bill No. Five Hundred Forty-Eight (548), which was presented to me on March 13, 2024.

Committee Substitute for Senate Bill No. Five Hundred Eighty-Seven (587), which was presented to me on March 13, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Six Hundred Thirteen (613), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Six Hundred Twenty-Three (623), which was presented to me on March 19, 2024.

Committee Substitute for Senate Bill No. Six Hundred Thirty-Two (632), which was presented to me on March 14, 2024.

Senate Bill No. Seven Hundred Thirty-Two (732), which was presented to me on March 19, 2024.

Senate Bill No. Seven Hundred Sixty-Eight (768), which was presented to me on March 12, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Seven Hundred Eighty-Six (786), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Three (803), which was presented to me on March 14, 2024.

Committee Substitute for Senate Bill No. Eight Hundred Twenty-Six (826), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Fifty-Eight (858), which was presented to me on March 19, 2024.

Senate Bill No Eight Hundred Sixty-Four (864), which was presented to me on March 12, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Four Thousand One Hundred Ninety (4190), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Seven Hundred Twenty-One (4721), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Twelve (4812), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Eight Hundred Twenty-Two (4822), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Thirty (4830), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Four Thousand Eight Hundred Thirty-Eight (4838), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Seventy-Four (4874), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Nine Hundred Nineteen (4919), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Nine Hundred Thirty-Three (4933), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Four Thousand Nine Hundred Fifty-One (4951), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Four Thousand Nine Hundred Sixty-Seven (4967), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Nine Hundred Seventy-Five (4975), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Nine Hundred Ninety-Eight (4998), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Fifty-Six (5056), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Five Thousand Eighty-Four (5084), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Five Thousand Ninety-One (5091), which was presented to me on March 21, 2024.

House Bill No. Five Thousand One Hundred Seventeen (5117), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand One Hundred Fifty-Eight (5158), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand One Hundred Sixty-Two (5162), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Two Hundred Thirty-Two (5232), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Five Thousand Two Hundred Sixty-Eight (5268), which was presented to me on March 6, 2024.

Committee Substitute for House Bill No. Five Thousand Three Hundred Seventeen (5317), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Three Hundred Twenty-Six (5326), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Three Hundred Ninety-Five (5395), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Five Hundred Ten (5510), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Five Thousand Five Hundred Forty-Nine (5549), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Five Thousand Five Hundred Sixty-One (5561), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Six Hundred Sixty-Two (5662), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 26, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Hundred Forty-Six (146), which was presented to me on March 19, 2024.

Committee Substitute for Senate Bill No. Two Hundred Seventeen (217), which was presented to me on March 14, 2024.

Committee Substitute for Senate Bill No. Two Hundred Twenty-Two (222), which was presented to me on March 19, 2024.

Committee Substitute for Senate Bill No. Five Hundred Forty-Two (542), which was presented to me on March 19, 2024.

Committee Substitute for Senate Bill No. Five Hundred Seventy-Eight (578), which was presented to me on March 19, 2024.

Committee Substitute for Senate Bill No. Six Hundred Twenty-Four (624), which was presented to me on March 19, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Hundred Forty-Eight (148), which was presented to me on March 11, 2024.

Senate Bill No. Four Hundred Thirty-Eight (438), which was presented to me on March 11, 2024.

Committee Substitute for Senate Bill No. Four Hundred Seventy-Seven (477), which was presented to me on March 11, 2024.

Senate Bill No. Six Hundred Ten (610), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Six Hundred Twenty-Eight (628), which was presented to me on March 12, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. One Hundred Forty-Nine (149), which was presented to me on March 14, 2024.

Senate Bill No. One Hundred Fifty-Nine (159), which was presented to me on March 19, 2024.

Senate Bill No. Two Hundred Forty (240), which was presented to me on March 5, 2024.

Committee Substitute for Senate Bill No. Two Hundred Sixty-One (261), which was presented to me on March 19, 2024.

Committee Substitute for Senate Bill No. Three Hundred Thirty-One (331), which was presented to me on March 6, 2024.

Senate Bill No. Four Hundred Sixty-One (461), which was presented to me on March 14, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Committee Substitute for Senate Bill No. Three Hundred Twenty-Five (325), which was presented to me on March 12, 2024.

Committee Substitute for Committee Substitute for Senate Bill No. Four Hundred Fifty-Three (453), which was presented to me on March 14, 2024.

Committee Substitute for Committee Substitute for Senate Bill No. Five Hundred Sixty-Eight (568), which was presented to me on March 19, 2024.

House Bill No. Four Thousand Eight Hundred Sixty (4860), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Five Hundred Fourteen (5514), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Six Hundred Thirty-Two (5632), which was presented to me on March 13, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Four Hundred Seventy-Five (475), which was presented to me on March 19, 2024.

Senate Bill No. Five Hundred Fifty-One (551), which was presented to me on March 13, 2024.

Committee Substitute for Senate Bill No. Five Hundred Fifty-Seven (557), which was presented to me on March 19, 2024.

Committee Substitute for Senate Bill No. Five Hundred Eighty-Three (583), which was presented to me on March 19, 2024.

Senate Bill No. Six Hundred Eighty-Seven (687), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Seven Hundred Fifty-One (751), which was presented to me on March 19, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Six Hundred Thirty-One (631), which was presented to me on March 19, 2024.

Committee Substitute for Committee Substitute for Senate Bill No. Six Hundred Seventy-Nine (679), which was presented to me on March 14, 2024.

Senate Bill No. Six Hundred Eighty-One (681), which was presented to me on March 19, 2024.

Committee Substitute for Senate Bill No. Seven Hundred Fifty-Five (755), which was presented to me on March 19, 2024.

Senate Bill No. Eight Hundred Sixty-Six (866), which was presented to me on March 19, 2024.

Senate Bill No. Eight Hundred Seventy-Four (874), which was presented to me on March 14, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Six Hundred Forty-Nine (649), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Six Hundred Sixty-Seven (667), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Six Hundred Ninety (690), which was presented to me on March 12, 2024.

Senate Bill No. Seven Hundred Twelve (712), which was presented to me on March 6, 2024.

Committee Substitute for Senate Bill No. Seven Hundred Seventy-Eight (778), which was presented to me on March 12, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Seven Hundred Eighty-Two (782), which was presented to me on March 11, 2024.

Committee Substitute for Senate Bill No. Eight Hundred Twenty-Four (824), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Twenty-Seven (827), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Thirty-Four (834), which was presented to me on March 12, 2024.

Committee Substitute for Senate Bill No. Eight Hundred Forty-Four (844), which was presented to me on March 11, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Eight Hundred Two (802), which was presented to me on March 11, 2024.

Senate Bill No. Eight Hundred Six (806), which was presented to me on March 15, 2024.

Committee Substitute for Senate Bill No. Eight Hundred Twenty (820), which was presented to me on March 14, 2024.

Committee Substitute for Senate Bill No. Eight Hundred Sixty-Five (865), which was presented to me on March 11, 2024.

Senate Bill No. Eight Hundred Seventy-Three (873), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Seventy-Five (875), which was presented to me on March 12, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for Senate Bill No. Eight Hundred Fifty (850), which was presented to me on March 12, 2024.

Senate Bill No. Eight Hundred Seventy-Two (872), which was presented to me on March 12, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Twenty-Nine (4829), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Thirty-Seven (4837), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Fifty-Seven (5057), which was presented to me on March 6, 2024.

Committee Substitute for House Bill No. Five Thousand Two Hundred Thirty-Eight (5238), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Four Thousand Eighty-Six (4086), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand One Hundred Ten (4110), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Nine (4809), which was presented to me on March 6, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Fifty (4850), which was presented to me on March 6, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Eighty (4880), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Four Thousand Two Hundred Thirty-Three (4233), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Two Hundred Ninety-Seven (4297), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Three Hundred Five (4305), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Three Hundred Fifty (4350), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Seven Hundred (4700), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Four Thousand Three Hundred Ninety-Nine (4399), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Five Hundred Fifty-Two (4552), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Seven Hundred Fifty-Six (4756), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Seven Hundred Eighty-Six (4786), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Eight Hundred Fourteen (4814), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Eight Hundred Thirty-Two (4832), which was presented to me on March 13, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Four Thousand Seven Hundred Eighty-Two (4782), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Seven Hundred Ninety-Three (4793), which was presented to me on March 21, 2024.

House Bill No. Four Thousand Nine Hundred Forty-Five (4945), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Nine Hundred Seventy-One (4971), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Nine Hundred Ninety-Nine (4999), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Four Thousand Eight Hundred Eighty-Two (4882), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Four Thousand Eight Hundred Eighty-Three (4883), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand One Hundred Twenty-Two (5122), which was presented to me on March 21, 2024.

House Bill No. Five Thousand One Hundred Twenty-Eight (5128), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Five Thousand Two Hundred Ninety-Five (5295), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Five Thousand Thirteen (5013), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Seventeen (5017), which was presented to me on March 21, 2024.

House Bill No. Five Thousand One Hundred Seventy (5170), which was presented to me on March 13, 2024.

House Bill No. Five Thousand Two Hundred Fifty-Two (5252), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Two Hundred Ninety-Four (5294), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Three Hundred Forty-Eight (5348), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Five Thousand Twenty-Four (5024), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand One Hundred Fifty-One (5151), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand One Hundred Seventy-Five (5175), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Two Hundred Thirteen (5213), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Two Hundred Sixty-Two (5262), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

House Bill No. Five Thousand Two Hundred Ninety-Eight (5298), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Four Hundred Thirty-Two (5432), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Five Thousand Four Hundred Thirty-Five (5435), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Five Hundred Sixty-Nine (5569), which was presented to me on March 13, 2024.

Committee Substitute for House Bill No. Five Thousand Six Hundred Fifty (5650), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Five Thousand Three Hundred Forty-Seven (5347), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Five Hundred Twenty (5520), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Five Hundred Forty (5540), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Five Hundred Ninety-Four (5594), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Six Hundred Sixty-Eight (5668), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Six Hundred Ninety (5690), which was presented to me on March 13, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 27, 2024

The Honorable Mac Warner
Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Committee Substitute for House Bill No. Five Thousand Three Hundred Forty-Nine (5349), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Four Hundred Five (5405), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Four Hundred Thirty (5430), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Five Hundred Eighty-Two (5582), which was presented to me on March 21, 2024.

Committee Substitute for House Bill No. Five Thousand Five Hundred Eighty-Three (5583), which was presented to me on March 21, 2024.

House Bill No. Five Thousand Six Hundred Ninety-Six (5696), which was presented to me on March 21, 2024.

You will note that I have approved these bills on March 27, 2024.

Sincerely,

A handwritten signature in black ink that reads "Jim Justice".

Jim Justice
Governor

JJ/mc

cc: The Honorable Lee Cassis, Clerk
The Honorable Stephen J. Harrison, Clerk
State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 14, 2024

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for Senate Bill 200

Secretary Warner:

Pursuant to the provisions of Section Fifty-One, Article VI of the Constitution of West Virginia, I hereby return Enrolled Committee Substitute for Senate Bill 200, passed March 9, 2024, approved with the following objections:

My first objection is to an incorrect fund number ("fund 2440") to which an appropriation is directed to be transferred in item 31, page 27, lines 2 and 3, which lines state as follows:

"The above appropriation for Directed Transfer (fund 0204, appropriation 70000) shall be transferred to the Information Services and Communication Fund (fund 2440)."

The correct fund number for the Information Services and Communication Fund is "fund 2220" and I have therefore deleted the incorrect reference to "(fund 2440)" in the bill.

My second objection is to a directed transfer of \$300,000 in item 80, page 58, lines 41 and 42, which lines state as follows:

"From the above appropriation of Current Expenses (fund 0403, appropriation 13000), \$300,000 shall be used for Green Acres Regional Center, Inc."

The line item for fund 0403, appropriation 13000, was reduced by \$1,214,190, which is anticipated to potentially result in a loss of federal matching dollars north of \$650,000. The Department of Human Services believes this \$300,000 can be more impactful for West Virginians if it is otherwise utilized by the Department and not directed to this entity, which can and does bill the State for its services, setting it on a level field with other, similar businesses. I am therefore deleting the language in its entirety, page 58, lines 41 and 42.

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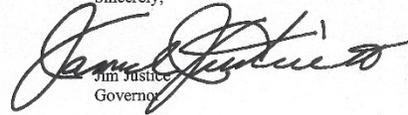
OFFICE OF THE GOVERNOR

My third objection is to items 439 through 443, in their entirety, on pages 216 and 217. These appropriations are to only certain of our institutions of higher education to the exclusion of others. In 2022, the Legislature passed and I signed House Bill 4008, mandating a performance-based funding formula be developed for our colleges and universities. Section 1 of the budget bill does include formula-based appropriations for all of our higher education institutions, except for an inflationary component of that formula. These items 439 through 443 appear to be appropriations for the inflationary component excluded from the Section 1 appropriations but only to certain institutions. The inclusion and exclusion of certain institutions is not the result of objectively applying the formula, and the decision to include and exclude certain institutions wasn't made at the recommendation of or in consultation with the West Virginia Higher Education Policy Commission, the state agency with expertise in this subject matter. If we are to follow a truly performance-based formula for funding our great colleges and universities, then this should be done on a fair and objective basis transparent to all.

There are also certain clerical errors that should be addressed when the Legislature is convened for other important budgetary matters, prior to the end of the fiscal year.

For the reasons stated herein, I have approved, subject to the above objections, Enrolled Committee Substitute for Senate Bill No. 200.

Sincerely,



Jim Justice
Governor

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates

[CLERK'S NOTE: **Enr. Committee Substitute for Senate Bill 841** and **Enr. Committee Substitute for House Bill 4911** became law without the Governor's signature on March 27, 2024, under the provisions of Section 14, Article VII of the Constitution of West Virginia.]

Veto Messages



Jim Justice
Governor of West Virginia

March 14, 2024

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled House Bill 5014

Secretary Warner:

Pursuant to Section Fifty-One, Article VI of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled House Bill 5014. This bill appropriates two million dollars to "West Virginia University Health System for the Federal Food and Drug Administration Pilot Program" and four million dollars to "Hospital Grants and Research Programs."

While I wholeheartedly support our hospitals and medical centers and the advancement of vital medical care for the citizens of West Virginia, these two appropriations direct the grant of large sums of money with little context or direction for the use of such funding. The language of the bill is ambiguous as to the Legislature's intent and just what types of research may be funded from this appropriation, and no context or background has been provided to date to my Office regarding this appropriation. I believe it is imperative that we take a prudent approach and address important outstanding questions regarding the State's budget for the next fiscal year before making discretionary supplementary appropriations such as this. The Legislature will need to convene prior to the end of the fiscal year to address budgetary matters, and this supplementary appropriation may be considered along with other priorities for funding at that time. Accordingly, I hereby disapprove and return Enrolled House Bill 5014.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice
Governor

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000



Jim Justice
Governor of West Virginia

March 26, 2024

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled House Bill 5528

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled House Bill 5528. This bill would increase the incremental generating capacity of renewable electric-generating facilities.

While I have always said that West Virginia is an "all-of-the-above energy state" and we continue to pursue new energy development opportunities throughout the Mountain State, it is very important that we are careful not to cripple our great coal-fired energy industry in the process. West Virginia is an energy powerhouse and always has been, providing the coal that powered and built this Nation. Bringing in new energy development technologies certainly provides a good opportunity for our State and our citizens. In recent years, however, it seems that the power companies servicing our State are being incentivized at the corporate and federal levels to drastically reduce and eliminate, specifically, coal-generated power. Not only will this arbitrary reduction in coal-powered energy end up costing consumers more, but this drastic change can only further endanger our nation's energy security and put West Virginians at the mercy of the national power grid to ensure we keep the lights on at home.

I fear this well-intentioned bill will further encourage these companies to drop coal-generated power and continue to turn toward more expensive options outside of West Virginia. The ripple effect of such drastic and rapid change could lead to West Virginians paying more on their power bills, as these entities try to pass their cost increases down the chain to the consumer; it could also lead to job loss by putting coal mines and coal generating facilities out of business quickly. All of this ultimately leads to harm for our citizens. Accordingly, I hereby disapprove and return Enrolled House Bill 5528.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Justice".

Jim Justice
Governor

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

OFFICE OF THE GOVERNOR

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Jim Justice
Governor of West Virginia

March 27, 2024

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Senate Bill 683

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Senate Bill 683. This bill purports to exempt hydrogen from the motor fuel tax. This bill, while well-intentioned, fell technically short of accomplishing its intended purpose. Specifically, the bill failed to exempt hydrogen from the motor fuel tax when used as a motor fuel since hydrogen would remain taxable under the definition of a special fuel.

I encourage the Legislature to revisit this issue and to meet with representatives from the Tax Department to ensure a bill to exempt Hydrogen from the motor fuel tax amends all necessary sections of West Virginia Code to accomplish the purpose.

Accordingly, I hereby disapprove and return Enrolled Senate Bill 683.

Sincerely,

A handwritten signature in blue ink that reads "Jim Justice".

Jim Justice
Governor

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates

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Jim Justice
Governor of West Virginia

March 27, 2024

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for Senate Bill 714

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill 714, which seeks to transfer the duties and functions of the Board of Osteopathic Medicine to the Board of Medicine and to expand the board's authority to regulate genetic counselors.

The West Virginia Board of Osteopathic Medicine ("WVBOM") has been in existence since 1923. In other words, the WVBOM has been operating in this state for over 100 years. During those 100 years, the WVBOM has provided the practice of osteopathic medicine with effective oversight at no additional cost to our citizens because of the WVBOM's self-sustaining financial model.

These are two separate and distinct categories of the medical profession and should be treated as such, in order to best uphold the values and principles of each. The Osteopathic community has been vocal in advising that the elimination of the West Virginia Board of Osteopathic Medicine would serve to disregard the unique benefits that osteopathic physicians provide to the citizens of our Great State, and could greatly impede underserved citizens from receiving prompt, high-quality osteopathic care. Having separate boards to regulate separate categories of the medical profession will continue to encourage diversity in practice, increase innovative approaches to care, and preserve the integrity of each distinct practice.

Accordingly, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill 714.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Justice".

Jim Justice
Governor

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

OFFICE OF THE GOVERNOR

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Jim Justice
Governor of West Virginia

March 27, 2024

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Senate Bill 722

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Senate Bill 722. This bill proposes to limit the West Virginia Lottery's ability, in its determination of the financial fitness of a limited video lottery applicant or licensee, to examine all of an applicant or licensee's financial records.

This bill compromises the integrity of the West Virginia Lottery by permitting improperly financially-vetted licensees to operate limited video lottery establishments. This bill would weaken the West Virginia Lottery's oversight and provide no benefit to the citizens of the State.

Accordingly, I hereby disapprove and return Enrolled Senate Bill 722.

Sincerely,


Jim Justice
Governor

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Jim Justice
Governor of West Virginia

March 27, 2024

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 5105

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 5105, which seeks to expand exemptions for vaccination requirements for West Virginia school students.

Since this legislation was passed, I have heard constant, strong opposition to this legislation from our State's medical community. The overwhelming majority that have voiced their opinion believe that this legislation will do irreparable harm by crippling childhood immunity to diseases such as mumps and measles. West Virginia historically has seen very few instances of these diseases, specifically because the vaccination requirements in this State are so strong. Importantly, the vaccines at issue have been required in this State for decades and have kept our communities safe. Our surrounding states, however, have seen spikes in such illnesses recently. These spikes, we are advised, are the result of the lesser vaccine requirements in those states. The image below shows surrounding states with reported measles cases as of March 21, 2024, highlighted in blue.

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Additionally, we have heard from many private and parochial institutions all around the State, likewise requesting this bill be vetoed. We have heard from this community that they see this bill as purely divisive and, if signed into law, requiring consideration of adopting policies that will result in parents pulling their children from their schools.

I have always and will always defend our freedoms as West Virginians and as Americans. I hear how strongly people believe in one side or the other on this subject, and I respect all opinions. But I must follow the guidance of our medical experts on this subject. Our medical community in West Virginia serves our people every single day, helping protect our people from disease and poor health. Their wisdom should not be ignored—especially when it comes to the health and safety of our children.

West Virginia is way ahead of the pack in protecting our children from preventable diseases like the measles, and in this matter, I will defer to our licensed medical professionals who have come forward overwhelmingly to say this bill could and likely would result in reduced immunity and harm to West Virginia's kids. Our kids are our future. They are our most important resource, and I will protect them with everything I have. Accordingly, I hereby disapprove and return Enrolled Committee Substitute for House Bill 5105.

Sincerely,

A handwritten signature in blue ink, which appears to read "Jim Justice", is written over the typed name and title.

Jim Justice
Governor

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Jim Justice
Governor of West Virginia

March 27, 2024

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 5338

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 5338, relating to Safe Harbor for Cybersecurity Programs.

The bill—meant to create a safe harbor for companies trying to maintain best practices in their cybersecurity frameworks—is certainly well-intentioned; however, the final language in the bill created unintended consequences which require a veto of this legislation. Specifically, one unintended effect of the bill would be to immunize international entities such as TikTok from lawsuit, when West Virginians' personal information and data are shared against our citizens' wishes. The potential for bad actors to abuse this law and to harm our citizens is unfortunately real.

This was not the Legislature's intent. My Office worked with Legislative staff during this bill review period to confirm this would be the unfortunate effect of the final enrolled bill. We stand ready to work with the bill's sponsors and the stakeholders involved to help craft a bill that will help our State's businesses and protect our citizens.

For the reasons stated above, I hereby disapprove and return Enrolled Committee Substitute for House Bill 5338.

Sincerely,

A handwritten signature in blue ink that reads "Jim Justice".

Jim Justice
Governor

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OFFICE OF THE GOVERNOR

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates



Jim Justice
Governor of West Virginia

March 27, 2024

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for House Bill 5604

Secretary Warner:

Pursuant to Section Fourteen, Article VII of the Constitution of the State of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill 5604 for the reasons set forth herein. The bill would raise the dollar amount threshold for agency-delegated purchases of technical infrastructure from \$50,000 to \$250,000 and would direct the approval of at least two IT marketplace portals for use by state spending units, among other changes.

Under the bill, the threshold for "agency-delegated" purchases is raised from \$50,000 to \$250,000 for all spending units of the State, which includes all departments, bureaus, divisions, offices, boards, commissions, authorities, agencies, and institutions of the State. The bill would allow each individual unit of government to seek out technical infrastructure (defined to mean "all information systems, information technology, information technology equipment, telecommunications, and technology services") through a marketplace portal, and make purchases of hardware, software, licenses, and so forth, without coordination of such contracts across spending units. Currently, purchases over \$50,000 must be reviewed by the Purchasing Division to ensure spending units aren't duplicating costs or entering into contracts where a better value for the State exists through a different contract solution. This is an important check that creates efficiencies across spending units and, thus, saves the taxpayers money.

The individual spending units of the State also don't generally have subject-matter expertise in information technology, but would be, under the bill, the primary drivers of purchases of information technology. In this complex area, in particular, we need to involve our experts early in the process to help our agencies know what they actually need in terms of technology to better their systems and services to the citizens of West Virginia. The bill does, in a limited way, involve the State's subject-matter expert agency, the Office of Technology, but only in that the Chief Information Officer "shall determine if the procurement of technical infrastructure through an IT marketplace portal is advantageous for the State of West Virginia." Rather than the piecemeal approach to technology purchases contemplated in the bill, we

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OFFICE OF THE GOVERNOR

should continue to use our experts at the Office of Technology and our Chief Information Officer to strategically guide decision-making for information technology purchases for the State. This, too, results in efficiencies across spending units and saves West Virginia taxpayers money.

I encourage the bill's sponsors and staff to meet with my Office and our Office of Technology to work through the issues raised in this letter to ensure we continue to mind the store as best we can, while enabling State agencies to procure the information technology they truly need.

For these reasons, I hereby disapprove and return Enrolled Committee Substitute for House Bill 5604.

Sincerely,



Jim Justice
Governor

cc: The Honorable Craig Blair
President of the Senate

The Honorable Roger Hanshaw
Speaker of the House of Delegates

All business of the sixty-day session now being concluded,

On motion of Senator Weld, at 11:45 p.m., the Senate adjourned *sine die*.
