

West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Fifth Legislature
Second Extraordinary Session

Held at Charleston
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June 24, 2021
FIRST DAY

West Virginia Legislature
Journal of the House of Delegates
Eighty-Fifth Legislature
Second Extraordinary Session

Charleston, Thursday, June 24, 2021

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

Pursuant to the Proclamation of His Excellency, the Governor, issued the 18th day of June, 2021, and hereinafter set forth with subsequent amendments, convening the Legislature in Extraordinary Session on the twenty-fourth day of June, 2021, the House of Delegates assembled in its Chamber in the Capitol Building in the City of Charleston at 11:00 a.m., and was called to order by the Speaker, the Honorable Roger Hanshaw.

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

Delegate Summers arose to suggest the absence of a quorum. The Clerk opened the voting machine to determine the presence of a quorum (**Roll No. 685**), and 83 members having registered their presence, the Speaker declared a quorum was present. The absent being as follows:

Absent: Bates, Bridges, Clark, Evans, Ferrell, Griffith, Hamrick, Hornbuckle, Kessinger, Longanacre, Mallow, Martin, Nestor, Pinson, Thompson, Williams and Young.

On motion of Delegate Summers, the Speaker was authorized to appoint a committee of three to notify the Senate that the House of Delegates had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamations by which it had been called together.

Whereupon,

The Speaker appointed as members of such committee:

Delegates Graves, Gearheart and Boggs.

On motion of Delegate Summers, the Speaker was authorized to appoint a committee of three, to join with a similar committee on the part of the Senate, to inform His Excellency, the Governor, that the Legislature had assembled in extraordinary session and was ready to enter upon the business stated in the Proclamation.

Whereupon,

The Speaker appointed as members of such committee:

Delegates Rowan, Phillips and Lovejoy.

Messages from the Executive

A Proclamation of His Excellency, the Governor, convening the Legislature in extraordinary session, was laid before the House of Delegates and read by the Clerk.

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at Noon on Thursday, June 24, 2021, in its chambers in the State Capitol, the City of Charleston, for the limited purpose of considering and acting upon only the following matters:

FIRST: To make a supplementary appropriation, in the amount of \$2,000,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2021, organization 0231, appropriation 70000, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021; and

SECOND: To supplement and amend 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, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2021, organization 0310, appropriation 28800, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021, in the amount of \$42,000,000; and

THIRD: To supplement and amend 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, to the Department of Homeland Security — Office of the Secretary, fund 0430, fiscal year 2021, organization 0601, appropriation 93900, in the amount of \$1,200,000; to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2021, organization 0606, appropriation 55401, in the amount of \$5,000,000; to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2021, organization 0606, appropriation 95101, in the amount of \$795,000; and to the Department of Homeland Security, Division of Corrections and Rehabilitation — Correctional Units, fund 0450, fiscal year 2021, organization 0608, appropriation 13000, in the amount of \$9,400,000; to the Department of Homeland Security, Division of Corrections and Rehabilitation — Correctional Units, fund 0450, fiscal year 2021, organization 0608, appropriation 75500, in the amount of \$22,500,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

FOURTH: To make a supplementary appropriation, in the amount of \$850,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration, Division of Personnel, fund 0206, fiscal year 2021, organization 0222, appropriation 70000, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021; and

FIFTH: To make a supplementary appropriation, in the amount of \$30,000,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307, appropriation 70000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

SIXTH: To make supplementary appropriations, by adding new items of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Governor's Office — Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100, appropriation 61400, in the amount of \$17,250,000; and to the Executive, Governor's Office — Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100, appropriation 81900, in the amount of \$7,100,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

SEVENTH: To supplement and amend 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, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2021, organization 0432, appropriation 75500, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021, in the amount of \$2,100,000; and

EIGHTH: To supplement and amend 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, to the Department of Transportation, State Rail Authority, fund 0506, fiscal year 2021, organization 0804, appropriation 13000, in the amount of \$750,000, and from this increased appropriation for Current Expenses (fund 0506, appropriation 13000), an additional \$750,000 shall be transferred to the State Rail Authority - Commuter Rail Access Fund (fund 8402), by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021; and

NINETH: To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the budget bill, in Title II, from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by transferring funds from the Department of Education, State Board of Education — State Aid to Schools, fund 0317, fiscal year 2022, organization 0402, appropriation 45300, in the amount of \$24,000,000, to the Department of Education, State Board of Education — School Construction Fund, fund 3952, appropriation 24000; and

TENTH: To make a supplementary appropriation of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Education, State Board of Education — School Construction Fund, fund 3952, fiscal year 2022, organization 0404, appropriation 24000, in the amount of \$24,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022; and

ELEVENTH: To supplement and amend by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2022, organization 0511, appropriation 00201, in the amount of \$41,500; and increasing the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2022, organization 0511, appropriation 45500, to the amount of \$41,500, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022; and

TWELFTH: To supplement and amend by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Homeland Security, Division of Corrections and Rehabilitation — Central Office, fund 0446, fiscal year 2022, organization 0608, appropriation 00100, in the amount of \$200,000; from the Department of Homeland Security, Division of Corrections and Rehabilitation — Correctional Units, fund 0450, fiscal year 2022, organization 0608, appropriation 51400, in the amount of \$75,000; from the Department of Homeland Security, Division of Corrections and Rehabilitation — Correctional Units, fund 0450, fiscal year 2022, organization 0608, appropriation 77400, in the amount of \$75,000; and by increasing an item of appropriation to the Department of Homeland Security, Division of Administrative Services, fund 0619, fiscal year 2022, organization 0623, appropriation 00100, in the amount of \$350,000, by supplementing and amending appropriations for the fiscal year ending June 30, 2022; and

THIRTEENTH: To make a supplementary appropriation, in the amount of \$750,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to Miscellaneous Boards and Commissions, Water Development Authority, fund 0621, fiscal year 2021, organization 0316, appropriation 70000, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021; and

FOURTEENTH: To make a supplementary appropriation, in the amount of \$5,000,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021, organization 0304, appropriation 11601, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

FIFTEENTH: To supplement and amend 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, to the Department of Revenue, Tax Division, fund 0470, fiscal year 2021, organization 0702, appropriation 75500, in the amount of \$2,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

SIXTEENTH: To make a supplementary appropriation, in the amount of 50,000,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, Office of the Secretary, fund 0465, fiscal year 2021, organization 0701, appropriation 59000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

SEVENTEENTH: To make a supplementary appropriation by adding new items and increasing existing items for expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to Executive, Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100, appropriation 75701, in the amount of \$17,500,000; to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021, organization 0304, appropriation 61803, in the amount of \$7,000,000; to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307, appropriation 70000, in the amount of \$1,000,000; to the West Virginia Council for Community and Technical College Education, West Virginia Council for Community and Technical College Education — Control Account, fund 0596, fiscal year 2021, organization 0420, appropriation 39200, in the amount of \$3,000,000; to the West Virginia Council for Community and

Technical College Education, Mountwest Community and Technical College, fund 0599, fiscal year 2021, organization 0444, appropriation 99900, in the amount of \$97,340; to the West Virginia Council for Community and Technical College Education, New River Community and Technical College, fund 0600, fiscal year 2021, organization 0445, appropriation 99900, in the amount of \$87,973; to the West Virginia Council for Community and Technical College Education, Blue Ridge Community and Technical College, fund 0601, fiscal year 2021, organization 0447, appropriation 99900, in the amount of \$117,463; to the West Virginia Council for Community and Technical College Education, West Virginia University at Parkersburg, fund 0351, fiscal year 2021, organization 0464, appropriation 99900, in the amount of \$154,789; to the West Virginia Council for Community and Technical College Education, Southern West Virginia Community and Technical College, fund 0380, fiscal year 2021, organization 0487, appropriation 99900, in the amount of \$123,627; to the West Virginia Council for Community and Technical College Education, West Virginia Northern Community and Technical College, fund 0383, fiscal year 2021, organization 0489, appropriation 99900, in the amount of \$109,287; to the West Virginia Council for Community and Technical College Education, Eastern West Virginia Community and Technical College, fund 0587, fiscal year 2021, organization 0492, appropriation 99900, in the amount of \$32,699; to the West Virginia Council for Community and Technical College Education, BridgeValley Community and Technical College, fund 0618, fiscal year 2021, organization 0493, appropriation 99900, in the amount of \$121,482; to the Higher Education Policy Commission, Higher Education Policy Commission — Administration — Control Account, fund 0589, fiscal year 2021, organization 0441, appropriation XXXXX, in the amount of \$ 1 to the Higher Education Policy Commission, West Virginia University — School of Medicine, Medical School Fund, fund 0343, fiscal year 2021, organization 0463, appropriation 99900, in the amount of \$293,677; to the Higher Education Policy Commission, West Virginia University — General Administrative Fund, fund 0344, fiscal year 2021, organization 0463, appropriation 99900, in the amount of \$16,600,000; to the Higher Education Policy Commission, Marshall University — School of Medicine, fund 0347, fiscal year 2021, organization 0471, appropriation 99900, in the amount of \$ 183,526; to the Higher Education Policy Commission, Marshall University — General Administration Fund, fund 0348, fiscal year 2021, organization 0471, appropriation 99900, in the amount of \$9,700,000; to the Higher Education Policy Commission, West Virginia School of Osteopathic Medicine, fund 0336, fiscal year 2021, organization 0476, appropriation 99900, in the amount of \$133,189; to the Higher Education Policy Commission, Bluefield State College, fund 0354, fiscal year 2021, organization 0482, appropriation 99900, in the amount of \$95,748; to the Higher Education Policy Commission, Concord University, fund 0357, fiscal year 2021, organization 0483, appropriation 99900, in the amount of \$157,146; to the Higher Education Policy Commission, Glenville State College, fund 0363, fiscal year 2021, organization 0485, appropriation 99900, in the amount of \$96,704; to the Higher Education Policy Commission, Shepherd University, fund 0366, fiscal year 2021, organization 0486, appropriation 99900, in the amount of \$190,257; to the Higher Education Policy Commission, West Liberty University, fund 0370, fiscal year 2021, organization 0488, appropriation 99900, in the amount of \$ 136,540; and to the Higher Education Policy Commission, West Virginia State University, fund 0373, fiscal year 2021, organization 0490, appropriation 99900, in the amount of \$170,138, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

EIGHTEENTH: To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the budget bill, by supplementing and amending appropriations in Title II, section 9, for the fiscal year ending June 30, 2022, by reducing all appropriations from general revenue fund surplus accrued to \$0; and

NINETEENTH: To make a supplementary appropriation of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Administration, Office of Technology — Chief Technology Officer Administration Fund, fund 2531, fiscal year 2022, organization 0231, appropriation 13000, in the amount of \$2,000,000; and to the Department of Transportation, State Rail Authority — West Virginia Commuter Rail Access

Fund, fund 8402, fiscal year 2022, organization 0804, appropriation 13000, in the amount of \$750,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022; and

TWENTIETH: To amend and reenact §60-3A-18 of the Code of West Virginia, 1931, as amended, relating to altering the time frame which retail liquor licensees may sell liquors; and

TWENTY-FIRST: To authorize and appropriate public funds sufficient to pay for the Extraordinary Session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this Eighteenth day of June, in the year of our Lord, Two Thousand Twenty-One, and in the One Hundred Fifty-Eighth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State.

Messages from the Senate

A message from the Senate, by Senator Grady, on behalf of the committee from the Senate, announced that the Senate had assembled with a quorum present, and was ready to proceed with the business of this session.

Messages from the Executive

Subsequent Proclamations of His Excellency, the Governor, amending the Proclamation convening the Legislature in extraordinary session, were laid before the House of Delegates and read by the Clerk.

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby AMEND the proclamation dated June 18, 2021, calling the West Virginia Legislature to convene in Extraordinary Session on Thursday, June 24, 2021, in its chambers in the State Capitol, the City of Charleston, as follows:

1. By amending the time for the Legislature to convene on Thursday, June 24, 2021, from Noon to 11 AM; and
2. By adding items twenty-two, twenty-three, and twenty-four, as follows:

TWENTY-SECOND: to expire existing items of appropriation from the West Virginia Development Office, fund 0256, fiscal year 2001, fiscal year 2002, fiscal year 2003, fiscal year 2005, fiscal year 2006, fiscal year 2008, fiscal year 2010, fiscal year 2011, fiscal year 2012, fiscal year 2013, fiscal year 2014 and fiscal year 2015, organization 0307, appropriation 81900 and from the West Virginia Development Office, fund 0256, fiscal year 2007 and fiscal year 2008, organization 0307, appropriation 48000, the existing balances of which exceed those which are necessary for the purposes for which such accounts were established to the surplus balance of General Revenue and increase an existing item or items of appropriation in the civil contingent flind for the fiscal year 2021 from the surplus balance of General Revenue; and

TWENTY-THIRD: to expire existing items of appropriation from Lottery Funds, State Board of Education, fund 3951, fiscal year 2007 and fiscal year 2008, organization 0402, appropriation 09900; State Board of Education, fund 3951, fiscal year 2015, organization 0402, appropriation 13000; Bureau of Senior Services — Lottery Senior Citizens Fund, fund 5405, fiscal year 2010, fiscal year 2011, fiscal year 2012, fiscal year 2013, fiscal year 2014 and fiscal year 2015, organization 0508, appropriation 46200; and Library Commission — Lottery Education Fund, fund 3559, fiscal year 2011, fiscal year 2012 and fiscal year 2013, organization 0433, appropriation 26500, the existing balances of which exceed those which are necessary for the purposes for which such accounts were established, to the surplus balance of General Revenue and increase an existing item or items of appropriation in the civil contingent fund for the fiscal year 2021 from the surplus balance of General Revenue; and

TWENTY-FOURTH: to extend the expiration date of the freeze of the cost per day for each incarcerated inmate paid by a county, or municipality if the incarceration is a municipal violation, otherwise known as the per diem rate, from July 1, 2021, to July 1, 2022, and to clarify that the per diem cost for incarcerated inmates in a regional jail is calculated annually and from the previous three fiscal years of actual costs.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this Twenty-Second day of June, in the year of our Lord, Two Thousand Twenty-One, and in the One Hundred Fifty-Ninth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State.

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston

A P R O C L A M A T I O N

By the Governor

I, **JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby AMEND the proclamation dated June 18, 2021, as amended, calling the West Virginia Legislature to convene in Extraordinary Session on Thursday, June 24, 2021, in its chambers in the State Capitol, the City of Charleston, as follows:

1. By deleting item twenty-three in its entirety and replacing it with the following:

TWENTY-THIRD: To expire existing items of appropriation from Lottery Funds, State Board of Education, fund 3951, fiscal year 2007, fiscal year 2008, fiscal year 2009, fiscal year 2011 and fiscal year 2012, organization 0402, appropriation 09900 and State Board of Education, fund 3951, fiscal year 2014 and fiscal year 2015, organization 0402, appropriation 13000; Bureau of Senior Services Lottery Senior Citizens Fund, fund 5405, fiscal year 2010, fiscal year 2011, fiscal year 2012, fiscal year 2013, fiscal year 2014 and fiscal year 2015, organization 0508, appropriation 46200; and Library Commission — Lottery Education Fund, fund 3559, fiscal year 2011, fiscal year 2012 and fiscal year 2013, organization 0433, appropriation 62500, the existing balances of which exceed those which are necessary for the purposes for which such accounts were established, to the surplus balance of General Revenue and increase an existing item or items of appropriation in the civil contingent fund for the fiscal year 2021; and

2. By adding items twenty-five, twenty-six, twenty-seven, and twenty-eight, as follows:

TWENTY-FIFTH: To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the budget bill, in Title II, from the appropriation of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2022, to the Lottery Commission, Operating and Expense Fund, fund 7200, fiscal year 2022, organization 0705, the amount of \$15,100,396 to appropriation 00100, the amount of \$154,000 to appropriation 00201, the amount of \$642,869 to appropriation 09900, the amount of \$44,764,722 to appropriation 13000, the amount of \$540,000 to appropriation 06400, the amount of \$100,000 to appropriation 07000, the amount of \$250,000 to appropriation 25800, the amount of \$2,735,000 to appropriation 69000, totaling \$64,286,987, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022; and

TWENTY-SIXTH: To supplement and amend by increasing an existing appropriation of federal funds out of the Treasury to the Miscellaneous Boards and Commissions, National Coal Heritage Authority, fund 8869, fiscal year 2022, organization 0941, appropriation 00100, in the amount of \$25,000, by supplementing and amending an appropriation for the fiscal year ending June 30, 2022; and

TWENTY-SEVENTH: To request the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II, and/or other foreign conflicts; and

TWENTY-EIGHTH: To urge the federal government to take action to reauthorize coal mine reclamation programs and allocate necessary funding to the State of West Virginia.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this Twenty-Third day of June, in the year of our Lord, Two Thousand Twenty-One, and in the One Hundred Fifty-Ninth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State.

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston

A P R O C L A M A T I O N

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby AMEND the proclamation dated June 18, 2021, as amended, calling the West Virginia Legislature to convene in Extraordinary Session on Thursday, June 24, 2021, in its chambers in the State Capitol, the City of Charleston, by deleting therefrom item twenty-five, relating to appropriations of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2022, to the Lottery Commission, Operating and Expense Fund, fund 7200, fiscal year 2022, organization 0705.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this Twenty-Fourth day of June, in the year of our Lord, Two Thousand Twenty-One, and in the One Hundred Fifty-Ninth year of the State.

Jim Justice,
Governor.

By the Governor

Mac Warner,
Secretary of State.

The following communication was laid before the House of Delegates and reported by the Clerk:

STATE OF WEST VIRGINIA

Jim Justice
Governor of West Virginia

June 24, 2021

HOUSE EXECUTIVE MESSAGE NO. 1
2021 2nd EXTRAORDINARY SESSION
The Honorable Roger Hanshaw
Speaker, West Virginia House of Delegates
Building 1, Room M-228
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Speaker Hanshaw:

The following amends and replaces the "FY 2021 Official Estimate General Revenue – Statement of Revenues by Source" which I submitted as revised to you on June 7, 2021 for the fiscal year ending June 30, 2021:

General Revenue Fund
Statement of Revenues by Source
(Expressed in Thousands)

<u>Source of Revenue</u>	<u>Estimate Revised</u>	FY 2021 Official
Business and Occupation Tax	\$ 131,900	
Consumers Sales and Use Tax	1,521,300	
Personal Income Tax ¹	2,255,650	
Liquor Profit Transfers	23,000	
Beer Tax and Licenses	7,550	
Tobacco Products Tax (Cigarette & Other) ¹	168,400	
Business Franchise Fees	700	
Property Transfer Tax	15,300	
Property Tax ¹	7,600	
Insurance Tax	131,300	
Departmental Collections	24,200	
Corporate Income/Business Franchise Tax ¹	309,500	
Miscellaneous Transfers	2,000	
Interest Income	14,664	
Severance Tax ¹	272,950	
Miscellaneous Receipts	11,000	

HB102 - Lottery Transfers	65,000
Special Revenue Transfer	10,000
Senior Citizen Tax Credit Reimbursement	<u>10,000</u>
Total	<u>\$ 4,982,014</u>

¹Business and Occupation Tax estimate increased by \$5 million to account for reduced investment tax credit claims in FY 2021. Consumer Sales and Service Tax and Use Tax estimate increased by \$99.5 million to reflect strong growth in consumer spending partially associated with significant federal fiscal stimulus payments. Tobacco Products Tax estimate increased by \$13 million to reflect higher than normal sales during the Pandemic. Property Transfer Tax estimate increased by \$3 million to reflect higher than expected real estate transfers this fiscal year. Corporation Net Income Tax estimate increased by \$115 million to reflect higher than anticipated business profits and some carryover of revenue collections from last year to this year due to one-time delay in tax due dates. Severance Tax estimate increased by \$22 million to reflect strong recovery in mineral commodity process and a rebound in coal production during second half of this year.

The following amends and replaces the “General Revenue Fund – Statement of Revenues, Expenditures, and Changes in Cash Balance” which I submitted as revised to you on June 7, 2021 for the fiscal year ending June 30, 2022:

General Revenue Fund
Statement of Revenues, Expenditures, and Changes in Cash Balance
(Nearest Dollar)

Actual Beginning Cash Balance July 1, 2020	\$454,485,510
Less: 31 Day Disbursements (July 1, 2020 - July 31, 2020)	(55,976,092)
Plus: Prior Year Reimbursements (July 1, 2020 - July 31, 2020)	1,842
Less: Prior Year Appropriations Forwarded	(370,172,328)
Less: Cash Balance - Adjustments and Accruals	<u>(259,245)</u>
Accumulated Surplus from FY 2020 @ July 31, 2020	\$28,079,687
Less: Transfer to Revenue Shortfall Reserve Fund (Statutory)	(14,039,843)
Less: Transfer to FY 2020 Surplus Appropriation in FY 2021 Budget Bill (Milton Flood Wall)	(6,000,000)
Plus: FY 2021 Surplus Supplemental Appropriation - (HB 2788) Expiration of State Excess Lottery Funds to General Revenue Surplus (2020 Regular Session)	6,497,548
Plus: FY 2021 Surplus Supplemental Appropriation - (HB 2804) Expiration from Special Revenues Funds to General Revenue Surplus	15,500,000

Plus: FY 2021 Surplus Supplemental Appropriations - (HB 3297) Expiration from Veterans' Prior Year Reappropriation to General Revenue Surplus	550,000	
Less: FY 2021 Surplus Supplemental Appropriations - (HB 2789 Public Defender) (2021 Regular Session)	(20,000,000)	
Less: FY 2021 Surplus Supplemental Appropriations - (HB 2803 Forestry) (2021 Regular Session)	(1,000,000)	
Less: FY 2021 Surplus Supplemental Appropriations - (HB 2802 Division of Emergency Management) (2021 Regular Session)	(650,000)	
Less: FY 2021 Surplus Supplemental Appropriations - (HB 2895 Veterans' Nursing Home) (2021 Regular Session)	(8,500,000)	
Less: FY 2021 Surplus Supplemental Appropriations - (HB 3297 Veterans' Nursing Home) (2021 Regular Session)	(550,000)	
Less: Prior Year Reimbursements and Adjustments (August 1, 2020 - May 31, 2021)	<u>159,151</u>	
Estimated Unappropriated Surplus Balance @ June 30, 2021		\$ 46,543
Plus: FY 2021 Revenue Estimate as revised	\$4,982,014,000	
Less: FY 2021 Appropriations (FY 2021 Budget Bill) (2020 Regular Session)	(4,574,513,367)	
Less: FY 2021 1 st Extraordinary Session: Supplemental Appropriations to Highways from General Revenue Unappropriated Balance	(150,000,000)	
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Commuter Rail	(750,000)	
Less: FY 2021 2 nd Extraordinary Session Recommended Supplemental Appropriation – Water Development Authority	(750,000)	
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Division of Personnel	(850,000)	
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Office of Technology	(2,000,000)	

Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Tax Division	(2,000,000)
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Arts, Culture, and History	(2,100,000)
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Tourism	(5,000,000)
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Civil Contingent Fund and Local Economic Development	(24,350,000)
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Closure Fund	(30,000,000)
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Homeland Security	(38,895,000)
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – State Parks	(42,000,000)
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – Rainy Day Fund	(50,000,000)
Less: FY 2021 2 nd Extraordinary Session: Recommended Supplemental Appropriation – FY 2022 Surplus Section moved to FY 2021	<u>(58,701,585)</u>
Total Estimated Unappropriated Balance @ June 30, 2021	<u>\$ 104,048</u>
Plus: FY 2022 Revenue Estimate	\$4,569,616,000
Less: FY 2022 Appropriations (FY 2022 Budget Bill) (2021 Regular Session)	<u>(4,495,032,115)</u>
Estimated Unappropriated Balance from FY 2022 Activity @ June 30, 2022	<u>\$74,583,885</u>
Total Estimated Unappropriated Balance @ June 30, 2022	<u>\$74,734,476</u>

Thank you for your cooperation in this matter.

Sincerely,

Jim Justice
Governor

Resolutions Introduced

Delegates Linville and J. Pack offered the following resolution, which was reported by the Clerk as follows:

H. C. R. 201 - "Requesting the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II."

Whereas, Only 473 Americans were awarded the Congressional Medal of Honor, the nation's highest decoration of valor during World War II, and, as of today, only one of those Americans, West Virginia's own son, Hershel "Woody" Williams, remains alive; and

Whereas, The time is approaching for a final salute to the Medal of Honor recipients from World War II; and

Whereas, A single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II would be the perfect vehicle to do so, and it would also provide national recognition to honor all 16 million soldiers, sailors and airmen who served in our armed forces from 1941 to 1945; and

Whereas, General Douglas MacArthur, Supreme Allied Commander in the Pacific theatre, and General Dwight Eisenhower, Supreme Allied Commander of the European theatre, were each honored by the nation with state funerals; and

Whereas, The selfless, brave men and women who served under them deserve the honor of special recognition at a state funeral to be held upon the death of the last living Medal of Honor recipient from World War II; therefore, be it

Resolved by the Legislature of West Virginia:

That the West Virginia Senate and West Virginia House of Delegates hereby request the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II; and, be it

Further Resolved, That the West Virginia Senate and West Virginia House of Delegates hereby request the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from each succeeding American war, that the memory of their deeds may be perpetuated; and, be it

Further Resolved, That the Clerk of the House of Delegates and Clerk of the Senate forward a copy of this resolution to the President of the United States, the Clerk of the United States Senate, the Clerk of the United States House of Representatives, all members of West Virginia's Congressional delegation, and the Governor of West Virginia.

At the respective requests of Delegate Summers, and by unanimous consent, reference of the resolution (H. C. R. 201) to a committee was dispensed with, and it was taken up for immediate consideration.

The yeas and nays were demanded, which demand was sustained.

The resolution was then put upon its adoption.

The yeas and nays having been ordered, they were taken (**Roll No. 686**), and there were--yeas 88, nays none, absent and not voting 12, with the absent and not voting being as follows:

Absent and Not Voting: Bates, Bridges, Clark, Evans, Ferrell, Griffith, Hornbuckle, Mallow, Nestor, Pinson, Williams and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the resolution (H. C. R. 201) adopted.

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

In the absence of objection, the Speaker announced that all Members present would be added as sponsors of H. C. R. 201.

Bills Introduced

Pursuant to House Rule 92, the following bills were introduced, and severally referred as follows:

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 201 - "A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2021, organization 0231, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 202 - "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, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2021, organization 0310, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 203 - "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, to the Department of Homeland Security – Office of the Secretary, fund 0430, fiscal year 2021, organization 0601; to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2021, organization 0606; and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2021, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 204 - "A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration, Division of Personnel, fund 0206, fiscal year 2021, organization 0222, by

supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 205 - “A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 206 - “A Bill making a supplementary appropriation by adding new items of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Governor’s Office – Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 207 - “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, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2021, organization 0432, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 208 - “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, to the Department of Transportation, State Rail Authority, fund 0506, fiscal year 2021, organization 0804, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 209 - “A Bill supplementing and amending Chapter eleven, Acts of the Legislature, Regular Session, 2021, known as the budget bill, in Title II, from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2022, organization 0402 by supplementing and amending the appropriations for the fiscal year ending June 30, 2022; therefore”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 210 - “A Bill making a supplementary appropriation of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Education, State Board of Education – School Construction Fund, fund 3952, fiscal

year 2022, organization 0404, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 211 - “A Bill supplementing and amending by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2022, organization 0511 by supplementing and amending the appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 212 - “A Bill supplementing and amending by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Homeland Security, Division of Corrections and Rehabilitation – Central Office, fund 0446, fiscal year 2022, organization 0608; from the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2022, organization 0608; and to the Department of Homeland Security, Division of Administrative Services, fund 0619, fiscal year 2022, organization 0623, by supplementing and amending appropriations for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 213 - “A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to Miscellaneous Boards and Commissions, Water Development Authority, fund 0621, fiscal year 2021, organization 0316, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 214 - “A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021, organization 0304, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 215 - “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, to the Department of Revenue, Tax Division, fund 0470, fiscal year 2021, organization 0702, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 216 - “A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of

Revenue, Office of the Secretary, fund 0465, fiscal year 2021, organization 0701, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 217 - “A Bill making a supplementary appropriation by adding new items and increasing existing items for expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to Executive, Governor’s Office - Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100; to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021, organization 0304; to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307; to the West Virginia Council for Community and Technical College Education, West Virginia Council for Community and Technical College Education – Control Account, fund 0596, fiscal year 2021, organization 0420; to the West Virginia Council for Community and Technical College Education, Mountwest Community and Technical College, fund 0599, fiscal year 2021, organization 0444; to the West Virginia Council for Community and Technical College Education, New River Community and Technical College, fund 0600, fiscal year 2021, organization 0445; to the West Virginia Council for Community and Technical College Education, Blue Ridge Community and Technical College, fund 0601, fiscal year 2021, organization 0447; to the West Virginia Council for Community and Technical College Education, West Virginia University at Parkersburg, fund 0351, fiscal year 2021, organization 0464; to the West Virginia Council for Community and Technical College Education, Southern West Virginia Community and Technical College, fund 0380, fiscal year 2021, organization 0487; to the West Virginia Council for Community and Technical College Education, West Virginia Northern Community and Technical College, fund 0383, fiscal year 2021, organization 0489; to the West Virginia Council for Community and Technical College Education, Eastern West Virginia Community and Technical College, fund 0587, fiscal year 2021, organization 0492; to the West Virginia Council for Community and Technical College Education, BridgeValley Community and Technical College, fund 0618, fiscal year 2021, organization 0493; to the Higher Education Policy Commission, Higher Education Policy Commission – Administration – Control Account, fund 0589, fiscal year 2021, organization 0441; to the Higher Education Policy Commission, West Virginia University – School of Medicine, Medical School Fund, fund 0343, fiscal year 2021, organization 0463; to the Higher Education Policy Commission, West Virginia University – General Administrative Fund, fund 0344, fiscal year 2021, organization 0463; to the Higher Education Policy Commission, Marshall University – School of Medicine, fund 0347, fiscal year 2021, organization 0471; to the Higher Education Policy Commission, Marshall University – General Administration Fund, fund 0348, fiscal year 2021, organization 0471; to the Higher Education Policy Commission, West Virginia School of Osteopathic Medicine, fund 0336, fiscal year 2021, organization 0476; to the Higher Education Policy Commission, Bluefield State College, fund 0354, fiscal year 2021, organization 0482; to the Higher Education Policy Commission, Concord University, fund 0357, fiscal year 2021, organization 0483; to the Higher Education Policy Commission, Glenville State College, fund 0363, fiscal year 2021, organization 0485; to the Higher Education Policy Commission, Shepherd University, fund 0366, fiscal year 2021, organization 0486; to the Higher Education Policy Commission, West Liberty University, fund 0370, fiscal year 2021, organization 0488; and to the Higher Education Policy Commission, West Virginia State University, fund 0373, fiscal year 2021, organization 0490 by supplementing and amending the appropriations for the fiscal year ending June 30, 2021”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 218 - “A Bill supplementing and amending chapter eleven, Acts of the Legislature, Regular Session, 2021, known as the budget bill, supplementing and amending appropriations in Title II, section 9 for the fiscal year ending June 30, 2022”; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff**[By Request of the Executive]:**

H. B. 219 - "A Bill making a supplementary appropriation of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund, fund 2531, fiscal year 2022, organization 0231 and to the Department of Transportation, State Rail Authority – West Virginia Commuter Rail Access Fund, fund 8402, fiscal year 2022, organization 0804 by supplementing and amending the appropriations for the fiscal year ending June 30, 2022"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff**[By Request of the Executive]:**

H. B. 220 - "A Bill to amend and reenact §60-3A-18 of the Code of West Virginia, 1931, as amended, relating to altering the time frame which retail liquor licensees may sell liquors"; to the Committee on the Judiciary.

By Delegates Hanshaw (Mr. Speaker) and Skaff**[By Request of the Executive]:**

H. B. 221 - "A Bill expiring funds to the unappropriated surplus balance of the Treasury in the State Fund, General Revenue, for the fiscal year ending June 30, 2021, in the amount of \$4,514.05 from the Bureau of Senior Services, fund 5405, fiscal year 2010, organization 0508, appropriation 46200; in the amount of \$7,668.74 from the Bureau of Senior Services, fund 5405, fiscal year 2011, organization 0508, appropriation 46200; in the amount of \$13,712.89 from the Bureau of Senior Services, fund 5405, fiscal year 2012, organization 0508, appropriation 46200; in the amount of \$4,544.37 from the Bureau of Senior Services, fund 5405, fiscal year 2013, organization 0508, appropriation 46200; in the amount of \$50,667.70 from the Bureau of Senior Services, fund 5405, fiscal year 2014, organization 0508, appropriation 46200; in the amount of \$512,256.00 from the Bureau of Senior Services, fund 5405, fiscal year 2015, organization 0508, appropriation 46200; in the amount of \$18,982.00 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2011, organization 0433, appropriation 62500; in the amount of \$17,999.00 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2012, organization 0433, appropriation 62500; in the amount of \$337,252.00 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2013, organization 0433, appropriation 62500; in the amount of \$83,183.47 from the State Board of Education, fund 3951, fiscal year 2007, organization 0402, appropriation 09900; in the amount of \$158,044.00 from the State Board of Education, fund 3951, fiscal year 2008, organization 0402, appropriation 09900; in the amount of \$63,654 from the State Board of Education, fund 3951, fiscal year 2009, organization 0402, appropriation 09900; in the amount of \$15,975.00 from the State Board of Education, fund 3951, fiscal year 2011, organization 0402, appropriation 09900; in the amount of \$387,842.08 from the State Board of Education, fund 3951, fiscal year 2012, organization 0402, appropriation 09900; in the amount of \$303,375.00 from the State Board of Education, fund 3951, fiscal year 2014, organization 0402, appropriation 13000 ;and, in the amount of \$1,268,175.00 from the State Board of Education, fund 3951, fiscal year 2015, organization 0402, appropriation 13000"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff**[By Request of the Executive]:**

H. B. 222 - "A Bill expiring funds to the unappropriated surplus balance of the Treasury in the State Fund, General Revenue, by decreasing existing items of appropriation in the amount of \$397,450.00 from the Department of Economic Development, fund 0256, fiscal year 2007, organization 0307, appropriation 48000; in the amount of \$305,500.00 from the Department of Economic Development, fund 0256, fiscal year 2008, organization 0307, appropriation 48000; in the amount of \$136.61 from the Department of Economic Development, fund 0256, fiscal year, 2001,

organization 0307, appropriation 81900; in the amount of \$3,725.24 from the Department of Economic Development, fund 0256, fiscal year 2002, organization 0307, appropriation 81900; in the amount of \$2,420.04 from the Department of Economic Development, fund 0256, fiscal year 2003, organization 0307, appropriation 81900; in the amount of \$6,488.43 from the Department of Economic Development, fund 0256, fiscal year 2005, organization 0307, appropriation 81900; in the amount of \$6,518.25.00 from the Department of Economic Development, fund 0256, fiscal year 2006, organization 0307, appropriation 81900; in the amount of \$2,068.61 from the Department of Economic Development, , fund 0256, fiscal year 2008, organization 0307, appropriation 81900; in the amount of \$243,027.46 from the Department of Economic Development, fund 0256, fiscal year 2010, organization 0307, appropriation 81900; in the amount of \$93,244.87 from the Department of Economic Development, fund 0256, fiscal year 2011, organization 0307, appropriation 81900; in the amount of \$33,002.10 from the Department of Economic Development, fund 0256, fiscal year 2012, organization 0307, appropriation 81900; in the amount of \$86,438.58 from the Department of Economic Development, , fund 0256, fiscal year 2013, organization 0307, appropriation 81900; in the amount of \$23,878.68 from the Department of Economic Development, fund 0256, fiscal year 2014, organization 0307, appropriation 81900; and in the amount of \$199,262.69 from the Department of Economic Development, fund 0256, fiscal year 2015, organization 0307, appropriation 81900"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 223 - "A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to extending the expiration date of the freeze of the per diem rate to July 1, 2022; and clarifying that the per diem cost for incarcerated inmates in a regional jail is calculated annually and from the previous three fiscal years of actual costs"; to the Committee on Finance.

By Delegates Hanshaw (Mr. Speaker) and Skaff

[By Request of the Executive]:

H. B. 224 - "A Bill supplementing and amending by increasing an existing appropriation of federal funds out of the Treasury to the Miscellaneous Boards and Commissions, National Coal Heritage Authority, fund 8869, fiscal year 2022, organization 0941, by supplementing and amending an appropriation for the fiscal year ending June 30, 2022"; to the Committee on Finance.

At 12:05 p.m., the House of Delegates recessed until 3:00 p.m.

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Evening Session

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

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2002 - "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, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal

year 2021, organization 0310, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.”

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2002) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 687**), and there were--yeas 76, nays 7, absent and not voting 17, with the nays and the absent and not voting being as follows:

Nays: Bruce, Conley, Gearheart, J. Jeffries, Kimes, Martin and Paynter.

Absent and Not Voting: Barnhart, Bates, Bridges, Clark, Cooper, Evans, Ferrell, Fleischauer, Forsht, Griffith, Mallow, Pinson, Rohrbach, Rowe, Storch, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 688**), and there were--yeas 69, nays 16, absent and not voting 15, with the nays and the absent and not voting being as follows:

Nays: Conley, Dean, Foster, Gearheart, Graves, J. Jeffries, Kimble, Kimes, Longanacre, Mandt, Martin, Paynter, Pritt, Smith, B. Ward and Worrell.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Fleischauer, Forsht, Griffith, Mallow, Pinson, Rowe, Storch, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2002) passed.

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

On this question, the yeas and nays were taken (**Roll No. 689**), and there were--yeas 73, nays 12, absent and not voting 15, with the nays and the absent and not voting being as follows:

Nays: Conley, Foster, Gearheart, J. Jeffries, Kimes, Longanacre, Mandt, Martin, Paynter, Pritt, B. Ward and Worrell.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Fleischauer, Forsht, Griffith, Mallow, Pinson, Rowe, Storch, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2002) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2003 - "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, to the Department of Homeland Security – Office of the Secretary, fund 0430, fiscal year 2021, organization 0601; to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2021, organization 0606; and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2021, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2003) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 690**), and there were--yeas 81, nays 5, absent and not voting 14, with the nays and the absent and not voting being as follows:

Nays: Gearheart, Graves, Kimes, Pritt and B. Ward.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Forsht, Griffith, Mallow, Pinson, Rowe, Storch, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 691**), and there were--yeas 77, nays 9, absent and not voting 14, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Conley, Foster, Gearheart, Graves, Kimes, Paynter, Pritt and B. Ward.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Forsht, Griffith, Mallow, Pinson, Rowe, Storch, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2003) passed.

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

On this question, the yeas and nays were taken (**Roll No. 692**), and there were--yeas 79, nays 7, absent and not voting 14, with the nays and the absent and not voting being as follows:

Nays: Conley, Foster, Gearheart, Kimes, Paynter, Pritt and B. Ward.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Forsht, Griffith, Mallow, Pinson, Rowe, Storch, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2003) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2005 - "A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2005) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 693**), and there were--yeas 77, nays 9, absent and not voting 14, with the nays and the absent and not voting being as follows:

Nays: Gearheart, J. Jeffries, Kimes, McGeehan, Paynter, Phillips, Pritt, Toney and B. Ward.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Forsht, Griffith, Mallow, Pinson, Rowe, Storch, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 694**), and there were--yeas 74, nays 12, absent and not voting 14, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Conley, Dean, Gearheart, J. Jeffries, Kimble, Kimes, Longanacre, McGeehan, Paynter, Phillips and Worrell.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Fleischauer, Griffith, Hanna, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2005) passed.

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

On this question, the yeas and nays were taken (**Roll No. 695**), and there were--yeas 78, nays 9, absent and not voting 13, with the nays and the absent and not voting being as follows:

Nays: Conley, Gearheart, J. Jeffries, Kimble, Kimes, Longanacre, McGeehan, Phillips and Worrell.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Hanna, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2005) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2006 - "A Bill making a supplementary appropriation by adding new items of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2006) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 696**), and there were--yeas 81, nays 6, absent and not voting 13, with the nays and the absent and not voting being as follows:

Nays: Gearheart, J. Jeffries, Kimble, Kimes, McGeehan and Pritt.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Hanna, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 697**), and there were--yeas 62, nays 24, absent and not voting 14, with the nays and the absent and not voting being as follows:

Nays: Barrett, Bruce, Conley, Dean, Foster, Gearheart, Graves, Hardy, Horst, J. Jeffries, Keaton, Kimble, Kimes, Longanacre, Mandt, McGeehan, Paynter, Phillips, Pritt, Riley, Wamsley, B. Ward, G. Ward and Worrell.

Absent and Not Voting: Bates, Boggs, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Hanna, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2006) passed.

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

On this question, the yeas and nays were taken (**Roll No. 698**), and there were--yeas 68, nays 19, absent and not voting 13, with the nays and the absent and not voting being as follows:

Nays: Barrett, Conley, Ellington, Foster, Gearheart, Hardy, Horst, J. Jeffries, Kimble, Kimes, Longanacre, Mandt, McGeehan, Paynter, Phillips, Pritt, B. Ward, G. Ward and Worrell.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Hanna, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2006) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2007 - "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, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2021, organization 0432, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2007) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 699**), and there were--yeas 82, nays 6, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Fast, J. Jeffries, Kimes, McGeehan, Paynter and Pritt.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 700**), and there were--yeas 74, nays 14, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Bruce, Conley, Dean, Fast, Graves, Horst, D. Jeffries, J. Jeffries, Kimes, Longanacre, McGeehan, Paynter, Pritt and B. Ward.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2007) passed.

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

On this question, the yeas and nays were taken (**Roll No. 701**), and there were--yeas 77, nays 11, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Conley, Fast, Horst, J. Jeffries, Kimes, Longanacre, McGeehan, Miller, Paynter, Pritt and B. Ward.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2007) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2008 - "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, to the Department of Transportation, State Rail Authority, fund 0506, fiscal year 2021, organization 0804, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the Budget Bill for the fiscal year ending June 30, 2021."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2008) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 702**), and there were--yeas 81, nays 7, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Fast, Hanna, J. Jeffries, Kimes, McGeehan, Paynter and Pritt.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 703**), and there were--yeas 68, nays 20, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Conley, Dean, Ellington, Fast, Hanna, Higginbotham, Holstein, Horst, Householder, J. Jeffries, Kimes, Longanacre, Mazzocchi, McGeehan, J. Pack, Paynter, Pritt, Toney, Wamsley and B. Ward.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2008) passed.

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

On this question, the yeas and nays were taken (**Roll No. 704**), and there were--yeas 73, nays 15, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Conley, Ellington, Fast, Hanna, Higginbotham, Horst, J. Jeffries, Kimes, Longanacre, Mazzocchi, McGeehan, Paynter, Pritt, Toney and B. Ward.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2008) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2009 - "A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the Budget Bill, in Title II, from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2022, organization 0402 by supplementing and amending the appropriations for the fiscal year ending June 30, 2022."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2009) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 705**), and there were--yeas 81, nays 7, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Gearheart, Hanna, J. Jeffries, Kimes, McGeehan, Paynter and Pritt.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 706**), and there were--yeas 75, nays 13, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Barrett, Conley, Gearheart, Hanna, Horst, J. Jeffries, Keaton, J. Kelly, Kimes, McGeehan, Paynter, Pritt and Smith.

Absent and Not Voting: Bates, Bridges, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2009) passed.

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

On this question, the yeas and nays were taken (**Roll No. 707**), and there were--yeas 80, nays 9, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Barrett, Conley, Gearheart, Hanna, Horst, J. Jeffries, Kimes, McGeehan and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2009) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2010 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Education, State Board of Education – School Construction Fund, fund 3952, fiscal year 2022, organization 0404, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2010) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 708**), and there were--yeas 83, nays 6, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Hanna, J. Jeffries, Kimes, McGeehan, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 709**), and there were--yeas 78, nays 11, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Hanna, Horst, J. Jeffries, Keaton, J. Kelly, Kimes, Longanacre, McGeehan, Pritt and Smith.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2010) passed.

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

On this question, the yeas and nays were taken (**Roll No. 710**), and there were--yeas 80, nays 9, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Hanna, Horst, J. Jeffries, Kimes, Longanacre, McGeehan, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2010) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2011 - "A Bill supplementing and amending by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2022, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2011) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 711**), and there were--yeas 83, nays 6, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Gearheart, Horst, J. Jeffries, Kimes, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 712**), and there were--yeas 71, nays 18, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Bridges, Conley, Ellington, Gearheart, Graves, Higginbotham, Howell, J. Jeffries, J. Kelly, Kimes, Longanacre, Martin, Paynter, Pritt, Statler, Steele, Storch and B. Ward.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2011) passed.

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

On this question, the yeas and nays were taken (**Roll No. 713**), and there were--yeas 81, nays 8, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Gearheart, J. Jeffries, Kimes, Longanacre, Paynter, Pritt and Statler.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2011) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2012 - "A Bill supplementing and amending by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Homeland Security, Division of Corrections and Rehabilitation – Central Office, fund 0446, fiscal year 2022, organization 0608; from the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2022, organization 0608; and to the Department of Homeland Security, Division of Administrative Services, fund 0619, fiscal year 2022, organization 0623, by supplementing and amending appropriations for the fiscal year ending June 30, 2022."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2012) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 714**), and there were--yeas 82, nays 7, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Gearheart, Hardy, J. Jeffries, Kimes, McGeehan, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 715**), and there were--yeas 80, nays 9, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Gearheart, Hardy, J. Jeffries, Kimes, Longanacre, McGeehan, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2012) passed.

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

On this question, the yeas and nays were taken (**Roll No. 716**), and there were--yeas 80, nays 9, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Gearheart, Hardy, J. Jeffries, Kimes, Longanacre, McGeehan, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2012) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2014 - "A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021, organization 0304, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2014) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 717**), and there were--yeas 81, nays 7, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Gearheart, J. Jeffries, Kimes, McGeehan, Paynter, Phillips and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Diserio, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 718**), and there were--yeas 69, nays 18, absent and not voting 13, with the nays and the absent and not voting being as follows:

Nays: Conley, Dean, Ellington, Foster, Gearheart, Horst, D. Jeffries, J. Jeffries, Kimble, Kimes, Longanacre, McGeehan, Paynter, Phillips, Pritt, B. Ward, G. Ward and Worrell.

Absent and Not Voting: Bates, Clark, Cooper, Diserio, Evans, Ferrell, Forsht, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2014) passed.

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

On this question, the yeas and nays were taken (**Roll No. 719**), and there were--yeas 73, nays 16, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Ellington, Foster, Gearheart, Horst, J. Jeffries, Kimble, Kimes, Longanacre, McGeehan, Paynter, Phillips, Pritt, B. Ward, G. Ward and Worrell.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2014) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2015 - "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, to the Department of Revenue, Tax Division, fund 0470, fiscal year 2021,

organization 0702, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.”

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2015) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 720**), and there were--yeas 80, nays 9, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Gearheart, Hanna, J. Jeffries, Kimes, McGeehan, Paynter, Phillips, Pritt and Tully.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 721**), and there were--yeas 56, nays 33, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Anderson, Burkhammer, Conley, Dean, Ellington, Gearheart, Graves, Hanna, Holstein, Horst, D. Jeffries, J. Jeffries, Keaton, J. Kelly, Kimble, Kimes, Longanacre, Mandt, McGeehan, L. Pack, Paynter, Phillips, Pritt, Riley, Rohrbach, Smith, Statler, Storch, Sypolt, Tully, B. Ward, G. Ward and Worrell.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2015) passed.

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

On this question, the yeas and nays were taken (**Roll No. 722**), and there were--yeas 67, nays 22, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Conley, Dean, Ellington, Gearheart, Hanna, Holstein, Horst, J. Jeffries, J. Kelly, Kimble, Kimes, Longanacre, Mandt, McGeehan, Phillips, Pritt, Riley, Smith, Storch, G. Ward and Worrell.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2015) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2016 - "A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, Office of the Secretary, fund 0465, fiscal year 2021, organization 0701, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2016) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 723**), and there were--yeas 85, nays 4, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Gearheart, Kimes, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 724**), and there were--yeas 82, nays 7, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Anderson, Conley, Ellington, Gearheart, Kimble, Kimes and G. Ward.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2016) passed.

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

On this question, the yeas and nays were taken (**Roll No. 725**), and there were--yeas 85, nays 4, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Gearheart, Kimble and Kimes.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2016) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2017 - "A Bill making a supplementary appropriation by adding new items and increasing existing items for expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to Executive, Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100; to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021, organization 0304; to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307; to the West Virginia Council for Community and Technical College Education, West Virginia Council for Community and Technical College Education – Control Account, fund 0596, fiscal year 2021, organization 0420; to the West Virginia Council for Community and Technical College Education, Mountwest Community and Technical College, fund 0599, fiscal year 2021, organization 0444; to the West Virginia Council for Community and Technical College Education, New River Community and Technical College, fund 0600, fiscal year 2021, organization 0445; to the West Virginia Council for Community and Technical College Education, Blue Ridge Community and Technical College, fund 0601, fiscal year 2021, organization 0447; to the West Virginia Council for Community and Technical College Education, West Virginia University at Parkersburg, fund 0351, fiscal year 2021, organization 0464; to the West Virginia Council for Community and Technical College Education, Southern West Virginia Community and Technical College, fund 0380, fiscal year 2021, organization 0487; to the West Virginia Council for Community and Technical College Education, West Virginia Northern Community and Technical College, fund 0383, fiscal year 2021, organization 0489; to the West Virginia Council for Community and Technical College Education, Eastern West Virginia Community and Technical College, fund 0587, fiscal year 2021, organization 0492; to the West Virginia Council for Community and Technical College Education, BridgeValley Community and Technical College, fund 0618, fiscal year 2021, organization 0493; to the Higher Education Policy Commission, Higher Education Policy Commission – Administration – Control Account, fund 0589, fiscal year 2021, organization 0441; to the Higher Education Policy Commission, West Virginia University – School of Medicine, Medical School Fund, fund 0343, fiscal year 2021, organization 0463; to the Higher Education Policy Commission, West Virginia University – General Administrative Fund, fund 0344, fiscal year 2021, organization 0463; to the Higher Education Policy Commission, Marshall University – School of Medicine, fund 0347, fiscal year 2021, organization 0471; to the Higher Education Policy Commission, Marshall University – General Administration Fund, fund 0348, fiscal year 2021, organization 0471; to the Higher Education Policy Commission, West Virginia School of Osteopathic Medicine, fund 0336, fiscal year 2021, organization 0476; to the Higher Education Policy Commission, Bluefield State College, fund 0354, fiscal year 2021, organization 0482; to the Higher Education Policy Commission, Concord University,

fund 0357, fiscal year 2021, organization 0483; to the Higher Education Policy Commission, Glenville State College, fund 0363, fiscal year 2021, organization 0485; to the Higher Education Policy Commission, Shepherd University, fund 0366, fiscal year 2021, organization 0486; to the Higher Education Policy Commission, West Liberty University, fund 0370, fiscal year 2021, organization 0488; and to the Higher Education Policy Commission, West Virginia State University, fund 0373, fiscal year 2021, organization 0490, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.”

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2017) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 726**), and there were--yeas 84, nays 4, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: J. Jeffries, Kimes, Paynter and Phillips.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Longanacre, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 727**), and there were--yeas 78, nays 11, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Dean, Foster, Graves, D. Jeffries, J. Jeffries, Kimes, McGeehan, Paynter, Phillips and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2017) passed.

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

On this question, the yeas and nays were taken (**Roll No. 728**), and there were--yeas 83, nays 6, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Foster, J. Jeffries, Kimes, Paynter and Phillips.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2017) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2018 - "A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the Budget Bill, supplementing and amending appropriations in Title II, Section 9 for the fiscal year ending June 30, 2022."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2018) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 729**), and there were--yeas 86, nays 3, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Kimes, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 730**), and there were--yeas 85, nays 4, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Graves, Kimes, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2018) passed.

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

On this question, the yeas and nays were taken (**Roll No. 731**), and there were--yeas 85, nays 4, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Conley, Kimes, Paynter and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2018) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2019 - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund, fund 2531, fiscal year 2022, organization 0231; and to the Department of Transportation, State Rail Authority – West Virginia Commuter Rail Access Fund, fund 8402, fiscal year 2022, organization 0804, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2019) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 732**), and there were--yeas 80, nays 8, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Fast, J. Jeffries, Kimes, Longanacre, McGeehan, Paynter, Phillips and Pritt.

Absent and Not Voting: Bates, Brown, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 733**), and there were--yeas 73, nays 16, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Bridges, Conley, Dean, Fast, Graves, Hanna, Haynes, Holstein, Horst, J. Jeffries, Kimes, Longanacre, McGeehan, Paynter, Phillips and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2019) passed.

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

On this question, the yeas and nays were taken (**Roll No. 734**), and there were--yeas 77, nays 12, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Bridges, Conley, Fast, Hanna, Horst, J. Jeffries, Kimes, Longanacre, McGeehan, Paynter, Phillips and Pritt.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2019) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2020 - "A Bill to amend and reenact §60-3A-18 of the Code of West Virginia, 1931, as amended, relating to altering the time frame which retail liquor licensees may sell liquors."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2020) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 735**), and there were--yeas 74, nays 14, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Barnhart, Bruce, Burkhammer, Conley, Fast, Gearheart, Hanna, D. Jeffries, J. Jeffries, Kimes, Mandt, Miller, Toney and B. Ward.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 736**), and there were--yeas 59, nays 29, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Barnhart, Bruce, Burkhammer, Conley, Fast, Gearheart, Hanna, Holstein, Hott, D. Jeffries, J. Jeffries, Jennings, Keaton, D. Kelly, J. Kelly, Kimes, Longanacre, Mandt, Mazzocchi, Miller, J. Pack, L. Pack, Rohrbach, Rowan, Toney, B. Ward, G. Ward, Worrell and Hanshaw (Mr. Speaker).

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 2020) passed.

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

On this question, the yeas and nays were taken (**Roll No. 737**), and there were--yeas 60, nays 28, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Barnhart, Boggs, Bruce, Burkhammer, Conley, Fast, Gearheart, Hanna, Hott, D. Jeffries, J. Jeffries, Jennings, Keaton, D. Kelly, J. Kelly, Kimes, Longanacre, Mandt, Maynard, Mazzocchi, Miller, Rohrbach, Rowan, Toney, B. Ward, G. Ward, Worrell and Hanshaw (Mr. Speaker).

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates not having voted in the affirmative, the motion was rejected.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2021 - "A Bill expiring funds to the unappropriated surplus balance of the Treasury in the State Fund, General Revenue, by decreasing existing items of appropriation in the amount of \$397,450 from the Department of Economic Development, fund 0256, fiscal year 2007, organization 0307, appropriation 48000; in the amount of \$305,500 from the Department of Economic Development, fund 0256, fiscal year 2008, organization 0307, appropriation 48000; in the amount of \$136.61 from the Department of Economic Development, fund 0256, fiscal year 2001, organization 0307, appropriation 81900; in the amount of \$3,725.24 from the Department of Economic Development, fund 0256, fiscal year 2002, organization 0307, appropriation 81900; in the amount of \$2,420.04 from the Department of Economic Development, fund 0256, fiscal year 2003, organization 0307, appropriation 81900; in the amount of \$6,488.43 from the Department of Economic Development, fund 0256, fiscal year 2005, organization 0307, appropriation 81900; in the amount of \$6,518.25 from the Department of Economic Development, fund 0256, fiscal year 2006, organization 0307, appropriation 81900; in the amount of \$2,068.61 from the Department of Economic Development, fund 0256, fiscal year 2008, organization 0307, appropriation 81900; in the amount of \$243,027.46 from the Department of Economic Development, fund 0256, fiscal year 2010, organization 0307, appropriation 81900; in the amount of \$93,244.87 from the Department of Economic Development, fund 0256, fiscal year 2011, organization 0307, appropriation 81900; in the amount of \$33,002.10 from the Department of Economic Development, fund 0256, fiscal year 2012, organization 0307, appropriation 81900; in the amount of \$86,438.58 from the Department of Economic Development, fund 0256, fiscal year 2013, organization 0307, appropriation 81900; in the amount of \$23,878.68 from the Department of Economic Development, fund 0256, fiscal year 2014,

organization 0307, appropriation 81900; and in the amount of \$199,262.69 from the Department of Economic Development, fund 0256, fiscal year 2015, organization 0307, appropriation 81900.”

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2021) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 738**), and there were--yeas 87, nays 1, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Kimes.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 739**), and there were--yeas 77, nays 11, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Conley, Dean, Graves, D. Jeffries, J. Jeffries, Kimes, Longanacre, McGeehan, Phillips, Pritt and G. Ward.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2021) passed.

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

On this question, the yeas and nays were taken (**Roll No. 740**), and there were--yeas 80, nays 8, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Conley, J. Jeffries, Kimes, Longanacre, McGeehan, Phillips, Pritt and G. Ward.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2021) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2022 - "A Bill expiring funds to the unappropriated surplus balance of the Treasury in the State Fund, General Revenue, for the fiscal year ending June 30, 2021, in the amount of \$4,514.05 from the Bureau of Senior Services, fund 5405, fiscal year 2010, organization 0508, appropriation 46200; in the amount of \$7,668.74 from the Bureau of Senior Services, fund 5405, fiscal year 2011, organization 0508, appropriation 46200; in the amount of \$13,712.89 from the Bureau of Senior Services, fund 5405, fiscal year 2012, organization 0508, appropriation 46200; in the amount of \$4,544.37 from the Bureau of Senior Services, fund 5405, fiscal year 2013, organization 0508, appropriation 46200; in the amount of \$50,667.70 from the Bureau of Senior Services, fund 5405, fiscal year 2014, organization 0508, appropriation 46200; in the amount of \$512,256 from the Bureau of Senior Services, fund 5405, fiscal year 2015, organization 0508, appropriation 46200; in the amount of \$18,982 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2011, organization 0433, appropriation 62500; in the amount of \$17,999.00 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2012, organization 0433, appropriation 62500; in the amount of \$337,252 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2013, organization 0433, appropriation 62500; in the amount of \$83,183.47 from the State Board of Education, fund 3951, fiscal year 2007, organization 0402, appropriation 09900; in the amount of \$158,044 from the State Board of Education, fund 3951, fiscal year 2008, organization 0402, appropriation 09900; in the amount of \$63,654 from the State Board of Education, fund 3951, fiscal year 2009, organization 0402, appropriation 09900; in the amount of \$15,975 from the State Board of Education, fund 3951, fiscal year 2011, organization 0402, appropriation 09900; in the amount of \$387,842.08 from the State Board of Education, fund 3951, fiscal year 2012, organization 0402, appropriation 09900; in the amount of \$303,375 from the State Board of Education, fund 3951, fiscal year 2014, organization 0402, appropriation 13000 ; and in the amount of \$1,268,175 from the State Board of Education, fund 3951, fiscal year 2015, organization 0402, appropriation 13000."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2022) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 741**), and there were--yeas 85, nays 3, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: J. Jeffries, Kimes and Paynter.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 742**), and there were--yeas 72, nays 16, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Conley, Dean, Foster, Graves, D. Jeffries, J. Jeffries, Kimble, Kimes, Longanacre, McGeehan, Paynter, Phillips, Pritt, B. Ward and G. Ward.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2022) passed.

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

On this question, the yeas and nays were taken (**Roll No. 743**), and there were--yeas 75, nays 12, absent and not voting 13, with the nays and the absent and not voting being as follows:

Nays: Conley, Foster, J. Jeffries, Kimble, Kimes, Longanacre, McGeehan, Paynter, Phillips, Pritt, B. Ward and G. Ward.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Steele, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2022) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2023 - "A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to extending the expiration date of the freeze of the per diem rate to July 1, 2022; and clarifying that the per diem cost for incarcerated inmates in a regional jail is calculated annually and from the previous three fiscal years of actual costs."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2023) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 744**), and there were--yeas 85, nays 2, absent and not voting 13, with the nays and the absent and not voting being as follows:

Nays: J. Jeffries and Kimes.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Steele, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 745**), and there were--yeas 84, nays 4, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Foster, Graves, J. Jeffries and Kimes.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 2023) passed.

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

On this question, the yeas and nays were taken (**Roll No. 746**), and there were--yeas 85, nays 3, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Foster, J. Jeffries and Kimes.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2023) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 2024 - "A Bill supplementing and amending by increasing an existing item of appropriation of federal funds out of the Treasury to the Miscellaneous Boards and Commissions, National Coal Heritage Authority, fund 8869, fiscal year 2022, organization 0941, by supplementing and amending an appropriation for the fiscal year ending June 30, 2022."

At the respective requests of Delegate Summers, and by unanimous consent, reference of the bill (S. B. 2024) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Summers moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 747**), and there were--yeas 86, nays 2, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: J. Jeffries and Kimes.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was then read a second time and ordered to third reading.

The bill was read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 748**), and there were--yeas 86, nays 2, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: J. Jeffries and Kimes.

Absent and Not Voting: Bates, Clark, Cooper, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 2024) passed.

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

On this question, the yeas and nays were taken (**Roll No. 749**), and there were--yeas 85, nays 2, absent and not voting 13, with the nays and the absent and not voting being as follows:

Nays: J. Jeffries and Kimes.

Absent and Not Voting: Bates, Clark, Cooper, Diserio, Evans, Ferrell, Griffith, Mallow, Pinson, Queen, Rowe, Williams and Young.

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

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was reported by the Clerk:

S. C. R. 201 - "Requesting the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II."

Whereas, Only 473 Americans were awarded the Congressional Medal of Honor, the nation's highest decoration of valor during World War II, and, as of today, only one of those Americans, West Virginia's own son, Hershel "Woody" Williams, is living; and

Whereas, The time is approaching for a final salute to the Medal of Honor recipients from World War II; and

Whereas, A single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II would be the perfect vehicle to do so, and it would also provide national recognition to honor all 16 million soldiers, sailors, and airmen who served in our armed forces from 1941 to 1945; and

Whereas, General Douglas MacArthur, Supreme Allied Commander in the Pacific theatre, and General Dwight Eisenhower, Supreme Allied Commander of the European theatre, were each honored by the nation with state funerals; and

Whereas, The selfless, brave men and women who served under them deserve the honor of special recognition at a state funeral to be held upon the death of the last living Medal of Honor recipient from World War II; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby requests the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II; and, be it

Further Resolved, That the Legislature hereby requests the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from each succeeding American war, so that the memory of their deeds may be perpetuated; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the President of the United States, the Clerk of the United States Senate, the Clerk of the United States House of Representatives, all members of West Virginia's congressional delegation, and the Governor of West Virginia.

At the respective requests of Delegate Summers, and by unanimous consent, reference of the resolution (S. C. R. 201) to a committee was dispensed with, and it was taken up for immediate consideration and put upon its adoption.

The resolution was then adopted.

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was reported by the Clerk:

S. C. R. 202 – “Urging the federal government to allocate \$8 billion for coal mine reclamation funding to the State of West Virginia to reclaim forfeited mine sites and to revitalize struggling West Virginia coal communities, workers, and their families.”

Whereas, West Virginia has a storied history of being a nationwide leader in coal production for the United States, helping power the country through such events as World War II and beyond; and

Whereas, West Virginia coal miners and their families have endured many struggles and hardships in their endeavors to produce power for the country; and

Whereas, Some West Virginia miners paid the ultimate sacrifice in tragic coal mine accidents such as the Sago Mine disaster, the Farmington Mine disaster, the Monongah Mine disaster, the Aracoma Alma Mine accident, and others; and

Whereas, The State of West Virginia recognizes the current national shift towards alternative energy sources, but continues to recognize the need for coal production; and

Whereas, Keeping workers in West Virginia employed and maintaining a tax base for the State of West Virginia is integral for its very survival, while also having a positive environmental and economic impact on these forfeited mine sites; and

Whereas, There is no “one size fits all” solution for the State of West Virginia, and by having federal moneys available for the reclamation of forfeited mines in West Virginia, local solutions for particularized mine sites can best benefit the surrounding communities as a whole; and

Whereas, Retraining coal miners for the purpose of reclaiming abandoned and/or forfeited coal mines can be easily done with minimal retraining costs, as many miners are intimately familiar with the abandoned mines from their previous years of work there; and

Whereas, West Virginia coal miners have an average age of 30 to 40 years old, while the average age of an unemployed coal miner in West Virginia is 47, and by working in these reclaimed mine sites for an expected span of 10 to 15 years, this would allow many unemployed coal mine workers in an aging workforce to get to retirement age; and

Whereas, There have been problems with coal companies in the State of West Virginia with being able to obtain loans for working capital in the banking and insurance industry because of federal regulations and restrictions, and pressure to reduce carbon emissions, this reclamation money could help ease this process; and

Whereas, West Virginia is a carbon-neutral state because of the vast expanse of trees and forests of the Appalachian Mountains that surround the entire state; and

Whereas, West Virginia land is being leased to out of state companies in the northeastern United States and in California so that they may use this land as a carbon credit, in order for those companies to maintain carbon neutral status, per the American Carbon Registry, and through one California-based project alone, over 281,000 acres have been used for this purpose across seven southern West Virginia counties, with no financial or other benefit to the State of West Virginia; and

Whereas, When the land is leased for this purpose, there are explicit restrictions and conditions placed upon the land, ensuring that leased land cannot be used for recreational, commercial, or residential purposes; and

Whereas, Five of the top 25 Bureau of Land Statistics areas associated with key coal occupations are in West Virginia, including #1 southern West Virginia non-metropolitan area, #3 Wheeling, West Virginia, #11, northern West Virginia non-metropolitan area, #23 Beckley, West Virginia, and #24 Charleston, West Virginia;

Whereas, According to data from the U.S. Energy Information Administration in 2019, 22 counties in West Virginia had active coal mine operations; and

Whereas, According to this same data, there are a total of 231 active and inactive mine sites in West Virginia, with recent data indicating 162 of these mines currently being in operation; and

Whereas, A single mine site may have several mining permits associated with it (i.e. there are just under 1,800 permits currently active for the 162 mines in operation); and

Whereas, There are approximately 3,300 active bonds in West Virginia, and each permit issued to a coal company may have several bonds attached to it; and

Whereas, West Virginia must incentivize mine reclamation, and should not permit company liabilities to be transferred to the State of West Virginia, as is being done now; and

Whereas, There are a total of 30,788.96 current acres of forfeited mine sites in West Virginia, with only a fraction of these sites having already been reclaimed; and

Whereas, If these federal funds are released to the State of West Virginia, there is already a framework in place to spend the money for reclamation-based projects, as opposed to other states who may qualify for similar funding without such a framework; and

Whereas, This opportunity would be a chance to correct federal action and inaction over the years that have disproportionately impacted the State of West Virginia in a negative way; and

Whereas, Mine reclamation is directly linked to helping infrastructure through the cleanup of coal mine sites across West Virginia; and

Whereas, There has been a direct negative effect on the citizens of West Virginia's coalfields and the coal economy due to the dramatic change in federal regulations on coal and coal-fired power plant emissions since 1976; and

Whereas, Due to the dramatic shift in environmental policy of the federal government over the last few decades, it would be fundamentally unfair for the State of West Virginia to bear the burden of the upkeep of these bankrupted coal mine sites; and

Whereas, When the money is released to the State of West Virginia, it then allows the state as a whole to assist with implementing other executive plans, such as the American Rescue Plan, the American Jobs Act, etc.; and

Whereas, The RECLAIM Act, H.R. 2156, would commit \$1 billion to help clean up dangerous and polluting abandoned coal mines on public and private lands, which will spur immediate job creation and create the conditions for longer term, locally driven economic development efforts to build better, brighter futures in coal communities across the country; and

Whereas, Abandoned mine sites have already been leveraged to create jobs through sustained revitalization efforts, wildlife habitat and restoration, and water quality improvement, but frequently, funding is hard to come by, and the RECLAIM Act would alter that landscape; and

Whereas, By reauthorizing the Abandoned Mine Land Program, which is set to expire in September of 2021, money could benefit West Virginia reclamation efforts; and

Whereas, For all of the above reasons, West Virginia communities, workers, and families all stand to benefit greatly by the distribution of federal money to the state for the purposes of mine reclamation; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature hereby urges the federal government to allocate \$8 billion for coal mine reclamation funding to the State of West Virginia to reclaim forfeited mine sites and to revitalize struggling West Virginia coal communities, workers, and their families; and, be it

Further Resolved, That the West Virginia Legislature specifically requests that the federal government pass the RECLAIM Act of 2021, H.R. 2156, which would immediately disburse \$1 billion in the Abandoned Mine Land fund, with about \$200 million of that money being designated for the State of West Virginia; and, be it

Further Resolved, that the West Virginia Legislature hereby urges the federal government to reauthorize the Abandoned Mine Land Program, which is set to expire in September of 2021, with a fee assessed on production of coal to be distributed to the states to fund reclamation projects; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and members of West Virginia's congressional delegation.

At the respective requests of Delegate Summers, and by unanimous consent, reference of the resolution (S. C. R. 202) to a committee was dispensed with, and it was taken up for immediate consideration and put upon its adoption.

The resolution was then adopted.

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, without amendment, of a concurrent resolution of the House of Delegates as follows:

H. C. R. 201, Requesting the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II.

Leaves of Absence

At the request of Delegate Summers, and by unanimous consent, leaves of absence for the day were granted Delegates Bates, Clark, Evans, Ferrell, Griffith, Mallow, Pinson, Williams and Young.

Committee Reports

In accordance with House Rule 68, Delegate D. Jeffries, Chair of the Joint Committee on Enrolled Bills, filed the following report with the Clerk:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 25th day of June, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

S. B. 2002, Making supplemental appropriation to Division of Natural Resources,

S. B. 2003, Making supplemental appropriations to DHS, Division of Emergency Management and Division of Corrections and Rehabilitation,

S. B. 2005, Making supplemental appropriation to WV Development Office,

S. B. 2006, Making supplemental appropriation to Civil Contingent Fund,

S. B. 2007, Making supplemental appropriation to Division of Culture and History,

S. B. 2008, Making supplemental appropriation to State Rail Authority,

S. B. 2009, Making supplemental appropriation to BOE, State Aid to Schools,

S. B. 2010, Making supplemental appropriation to BOE, School Construction Fund,

S. B. 2011, Making supplemental appropriation to Division of Human Services,

S. B. 2012, Making supplemental appropriation to DHS, Division of Corrections and Rehabilitation and Division of Administrative Services,

S. B. 2014, Making supplemental appropriation to WV Tourism Office,

S. B. 2015, Making supplemental appropriation to Tax Division,

S. B. 2016, Making supplemental appropriation to Rainy Day Fund,

S. B. 2017, Adding new items and increasing existing items of appropriation for various accounts for fiscal year 2021,

S. B. 2018, Supplementing Budget Bill in Title II, Section 9 for fiscal year ending June 30, 2022,

S. B. 2019, Making supplemental appropriations to Office of Technology and State Rail Authority,

S. B. 2020, Altering time frame retail liquor licensees may sell liquors,

S. B. 2021, Decreasing existing items of appropriations to Department of Economic Development,

S. B. 2022, Making supplemental appropriations to Local Economic Development Assistance,

S. B. 2023, Extending expiration date for per diem rate freeze for incarcerated inmates in regional jails,

And,

S. B. 2024, Making supplemental appropriation to National Coal Heritage Area Authority.

Messages from the Executive

Subsequent to the adjournment of the session, a communication was received from His Excellency, the Governor, advising that on June 28, 2021, he approved S. B. 2002, S. B. 2003, S. B. 2005, S. B. 2006, S. B. 2007, S. B. 2008, S. B. 2009, S. B. 2010, S. B. 2011, S. B. 2012, S. B. 2014, S. B. 2015, S. B. 2016, S. B. 2017, S. B. 2018, S. B. 2019, S. B. 2020, S. B. 2021, S. B. 2022, S. B. 2023 and S. B. 2024.

Miscellaneous Business

Pursuant to House Rule 132, consent was obtained to print the following in the Appendix to the Journal:

- Address of Delegate Walker regarding her son

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

H. C. R. 201: Delegate Hornbuckle

During the recess, Senator Grady, on behalf of the committee from the Senate, informed the Clerk that the Senate was ready to adjourn *sine die*.

At 8:55 p.m., on motion of Delegate Summers, the House of Delegates adjourned *sine die*.

We hereby certify that the forgoing record of the proceedings of the House of Delegates, Second Extraordinary Session, 2021, is the Official Journal of the House of Delegates for said session.

Roger Hanshaw
Speaker of the House of Delegates

Stephen J. Harrison
Clerk of the House of Delegates

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

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