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FIFTY-SEVENTH DAY

Wednesday, March 6, 2024

FIFTY-SEVENTH DAY

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

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

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

The Clerk proceeded to read the Journal of Tuesday, March 5, 2024, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, Delegate Householder announced that Com. Sub. for H. B. 4025, on Third Reading, Special Calendar, had been transferred to the House Calendar.

Committee Reports

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

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 679, Regulating certain plant-based derivatives, hemp-derived cannabinoid products, and Kratom,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

At the respective requests of Delegate Householder, and by unanimous consent, the bill (Com. Sub. for S. B. 679) was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 152, Displaying official US motto in public schools,

And,

Com. Sub. for S. B. 785, Allowing Foster Care Ombudsman access to child protective records,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

At the respective request of Delegate Householder, and by unanimous consent, Com. Sub. for S. B. 785 was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on the Judiciary has had under consideration:

S. B. 159, Prohibiting persons convicted of certain crimes against minors from holding positions on boards of education,

Com. Sub. for S. B. 548, Clarifying appellate jurisdiction of Intermediate Court of Appeals,

Com. Sub. for S. B. 778, Amending certain qualifying offenses to enhance sentences of repeat offenders,

And,

S. B. 837, Reorganizing offices of Public Defender Corporations to conform to circuit reconfiguration,

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

At the respective requests of Delegate Householder, and by unanimous consent, the bills (S. B. 159, Com. Sub. for S. B. 548, Com. Sub. for S. B. 778 and S. B. 837) were taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 730, Clarifying compensation for county tax collector,

And reports the same back with the recommendation that it do pass.

At the respective requests of Delegate Householder, and by unanimous consent, the bill (Com. Sub. for S. B. 730) was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 819, Modifying requirements for public water systems or businesses having backflow preventers,

And reports the same back, with amendment, with the recommendation that it do pass, as amended.

At the respective requests of Delegate Householder, and by unanimous consent, the bill (Com. Sub. for S. B. 819) was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 716, Relating to child support,

S. B. 768, Providing exception for sharing of confidential child welfare records,

And,

S. B. 858, Clarifying filing requirements and deadlines in property tax cases,

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

At the respective requests of Delegate Householder, and by unanimous consent, the bills (Com. Sub. for S. B. 716, S. B. 768 and S. B. 858) were taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 475, Relating to recovery residences,

And,

Com. Sub. for S. B. 766, Relieving railroad companies of liability during parades,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

At the respective requests of Delegate Householder, and by unanimous consent, the bills (Com. Sub. for S. B. 475 and Com. Sub. for S. B. 766) were taken up for immediate consideration, read a first time, and ordered to second reading.

Mr. Speaker (Mr. Hanshaw), Chair of the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration:

Com. Sub. for H. C. R. 57, Resolution demanding Congress call a Convention of States to propose amendments to the Constitution of the United States to create fiscal responsibility by and within the federal government,

And reports the same back with the recommendation that it be adopted.

Messages from the Executive

And Other Communications

A communication from His Excellency, the Governor, advised that on March 5, 2024, he approved **Com. Sub. for S. B. 603**.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendment to

S. B. 219, Relating to Uniform Controlled Substances Act.

On motion of Delegate Jeffries, the House of Delegates refused to recede from its amendments and requested the Senate to agree to the appointment of a committee of conference of three from each House on the disagreeing votes of the two houses.

Whereupon,

Unanimous consent was obtained and the Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Kelly, Steele and Garcia.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendment to

Com. Sub. for S. B. 451, Directing Prosecuting Attorneys Institute to make training available to certain new prosecuting attorneys.

Delegate Jeffries moved that the House recede.

On this motion, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 485**), and there were-- yeas 66, nays 31, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Adkins, Akers, Brooks, T. Clark, Criss, Dean, Dillon, Fehrenbacher, Foggin, Foster, Garcia, Gearheart, Green, Griffith, Hansen, Hardy, Heckert, Hornbuckle, Horst, Kump, Lewis, Mazzocchi, E. Pritt, Pushkin, Ridenour, Ross, Rowe, Street, Vance, Worrell and Young.

Absent and Not Voting: Bridges, Fluharty and Howell.

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

The House having receded from its position, the bill was then put upon its passage.

On this question, the yeas and nays were taken (**Roll No. 486**), and there were--yeas 93, nays 4, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Adkins, Foster, Horst and Kump.

Absent and Not Voting: Bridges, Fluharty and Howell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 451) passed.

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

On this question, the yeas and nays were taken (**Roll No. 487**), and there were--yeas 96, nays 1, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Kump.

Absent and Not Voting: Bridges, Fluharty and Howell.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 451) 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, and requested the concurrence of the House of Delegates in the passage, of

Com. Sub. for S. B. 601 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, and §16-67-5, relating only to statutory construction creating the Women's Bill of Rights; providing a short title and statement of purpose; defining terms; establishing rules of construction for statutes and ordinances addressing sex discrimination, sex equality, and sex specific benefits or services; declaring state interest in single sex environments; establishing rules of construction in statutes and ordinances related to the sex of a person or persons; and creating protocols for data collection."

Delegate Householder asked unanimous consent that the bill be taken up for immediate consideration, reference to a committee be dispensed with, and the bill be read a first time, objection being heard.

Delegate Garcia moved to refer the bill to the Committee on the Judiciary.

On this motion, the yeas and nays were demanded, which demand was sustained.

On the question of reopening debate, objection was heard.

On the question of referring the bill to the Committee on the Judiciary, the yeas and nays having been ordered, they were taken (**Roll No. 488**), and there were--yeas 10, nays 87, absent and not voting 3, with the yeas and the absent and not voting being as follows:

Yeas: Garcia, Griffith, Hamilton, Hansen, Hornbuckle, Lewis, Pushkin, Rowe, Williams and Young.

Absent and Not Voting: Bridges, Fluharty and Howell.

So, a majority of the members present not having voted in the affirmative, the motion was rejected.

Delegate Householder asked unanimous consent that the bill be taken up for immediate consideration and that the bill be read the first time.

Unanimous consent having previously been rejected, the Speaker put the question "Shall the bill be taken up for immediate consideration and read a first time?"

On this question, the yeas and nays were demanded, which demand was sustained.

Having been ordered, the yeas and nays were taken (**Roll No. 489**), and there were--yeas 87, nays 10, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Garcia, Griffith, Hamilton, Hansen, Hornbuckle, Lewis, Pushkin, Rowe, Williams and Young.

Absent and Not Voting: Bridges, Fluharty and Howell.

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

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

A message from the Senate, by

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

Com. Sub. for H. B. 4845, To prohibit swatting.

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

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

"ARTICLE 6. CRIMES AGAINST THE PEACE.

§61-6-20. Falsely reporting an emergency incident.

(a) A person is guilty of reporting a false emergency incident when knowing the information reported, conveyed, or circulated is false or baseless, he or she:

(1) Initiates or circulates a false report or warning of or impending occurrence of a fire, explosion, crime, catastrophe, accident, illness, or other emergency under circumstances in which it is likely that public alarm or inconvenience will result or that firefighting apparatus, ambulance apparatus, one or more rescue vehicles or other emergency apparatus might be summoned; or

(2) Reports, by word or action, to any official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged occurrence or impending occurrence of a fire, explosion, crime, catastrophe, accident, illness, or other emergency in which it is likely that public alarm or inconvenience will result or that firefighting apparatus, ambulance apparatus, one or more rescue vehicles or other emergency apparatus might be summoned, which did not occur, does not in fact exist; or

(3) Reports to a law-enforcement officer or agency the alleged occurrence of any offense or incident which did not in fact occur, or an allegedly impending occurrence of an offense or incident which is not in fact about to occur, or false information relating to an actual offense or incident or to the alleged implication of some person ~~therein~~; or

(4) Without just cause, calls or summons by telephone, fire alarm system, or otherwise, any firefighting apparatus, ambulance apparatus, rescue vehicles, or other emergency vehicles.

(b) Any person who violates the provisions of subsection(a) of this section is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$500 or confined in ~~the~~ county jail not more than six months, or both fined and confined.

(c) Notwithstanding the provisions of subsection (a) of this section, any person convicted of a second or subsequent violation of the provisions of this section or, of a violation of this section which results in bodily injury to another person is guilty of a felony and, upon conviction thereof, shall be fined not less than \$5,000 nor more than \$10,000, or imprisoned in a state correctional facility for a term of not less than one year nor more than five years, or both fined and imprisoned.

(d) Prior to the sentencing of a person who has been convicted of a violation of this section, the court may enter an order directing any law enforcement agency or emergency service provider involved in the emergency response that wishes to be reimbursed for the costs incurred by the agency or provider during the emergency response, to file with the court within a specified time an itemized statement of those costs. The court may then order the offender to reimburse the agency for all or a portion of those costs.

(e) This section does not apply to any person conducting an authorized emergency drill. "

And,

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

Com. Sub. for H. B. 4845 – “A Bill to amend and reenact §61-6-20 of the Code of West Virginia, 1931, as amended, relating to increasing the penalties for certain instances of false

reporting of an emergency incident, clarifying the applicability of this section; and establishing a protocol for restitution.”

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 490**), and there were--yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty and Howell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4845) passed.

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

Com. Sub. for H. B. 4940, A squatter cannot be considered a tenant in WV..

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

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

“CHAPTER 37. REAL PROPERTY.

ARTICLE 6. LANDLORD AND TENANT.

§37-6-31. Exclusions from application of this article.

(a) For purposes of this Article, “squatter” means a person occupying a dwelling unit who is not so entitled under a rental agreement or who is not authorized by the tenant to occupy that dwelling unit. “Squatter” does not include a tenant who holds over in a periodic tenancy as described in §37-6-5 of this code.

(b) Occupancy by a squatter is not governed by the provisions of this article.

(c) No Court of this state shall require the utilization of eviction, or a similar procedure such as those found under the provisions of this chapter, by an owner in any instance involving the removal of a squatter from possession of a property, and such removal shall not be unduly hindered.

ARTICLE 3C. REMEDIES FOR SQUATTING.

§55-3C-1. Squatting defined; squatting synonymous with trespass.

(a) "Squatter" means a person occupying a dwelling unit or other structure who is not so entitled under a rental agreement or who is not authorized by the tenant to occupy that dwelling unit or structure. "Squatter" does not include a tenant who holds over in a periodic tenancy as described in §37-6-5 of this code.

(b) "Squatting" means the act of being a squatter."

§55-3C-2. Squatters not tenants; squatting constitutes criminal trespass; petition and eviction not appropriate remedies for squatters; remedy is arrest for trespass.

(a) Squatters are not considered tenants for purposes of this code.

(b) Squatting is synonymous with trespass, and is a criminal act under §61-3B-2 or §61-3B-3 of this Code.

(c) No Court of this state shall require the utilization of eviction, or a similar procedure such as those found under §55-3A-1, et. seq. or §55-3B-1, et. seq. of this Code, by an owner in any instance involving the removal of a squatter from possession of a property."

And,

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

Com. Sub. for H. B. 4940 – "A Bill to amend the Code of West Virginia, 1931, as amended; by adding thereto a new section, designated as §37-6-31; and to amend said Code by adding thereto a new article, designated as §55-3C-1 and §55-3C-2; all relating to squatting and the remedies therefor; defining a term; clarifying that squatting is a wrongful occupation of property; excluding squatting from the provisions of certain sections of Code; providing that petition and eviction are not appropriate remedies to remove squatters from property; defining terms; providing that squatters are not tenants; noting that squatting is the same as trespass; and providing that petition and eviction are not appropriate remedies to remove squatters from property."

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 491**), and there were--yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty and Howell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4940) passed.

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

Com. Sub. for H. B. 5178, Requiring car dealerships in this state to utilize a search engine to determine if buyers of vehicles have valid motor vehicle insurance.

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

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

“ARTICLE 2A. SECURITY UPON MOTOR VEHICLES.

§17D-2A-6a. Determining if required security is in effect.

(a) The commissioner may make a determination that the required security on a motor vehicle is not in effect based upon crash reports required under the provisions of §17C-4-1 *et seq.* of this code, reports or citations from law-enforcement agencies, citations or abstracts of conviction from courts, or from information from an ~~on-line~~ online electronic insurance verification program.

(b) The commissioner is authorized to develop and implement an electronic insurance verification program based upon a model established by the Insurance Industry Committee on Motor Vehicle Administration (IICMVA) to electronically verify evidence of insurance coverage with insurance companies.

(c) The commissioner may contract with a third-party vendor to act as his or her agent to develop the program, conduct the electronic verification process with insurance companies, and to operate the program.

(d) If developed and implemented by the commissioner, the ~~on-line~~ online insurance verification program shall:

(1) Be able to verify, on an on-demand basis minus reasonable down time for system maintenance as agreed upon by the division or its agent and the insurance carrier, the liability insurance status as of the time of the inquiry or at other times not exceeding six months prior unless otherwise agreed upon by the division or its agent and the insurance carrier or via other similar electronic system that is consistent with insurance industry and IICMVA recommendations and the specifications and standards of the IICMVA model;

(2) Be able to make insurance verification inquiries to insurers by using multiple data elements for greater matching accuracy including: National Association of Insurance ~~Commissioner's~~ Commissioners' (NAIC) code specific to each licensed insurance company, vehicle identification numbers, and policy number or other data elements as otherwise agreed to by the division or its agent and the insurer;

(3) Provide sufficient measures for the security and integrity of data including a requirement that the information obtained through the operation of the program be only used for the sole use of the Division of Motor Vehicles or its agent, law enforcement, new and used motor vehicle dealerships, and the judiciary to effectuate the provisions of this article; and

(4) Utilize open and agreed upon data and data transmission standards and standard SML extensible markup language schema.

(e) If the commissioner develops and implements an ~~on-line~~ online insurance verification program, each insurer shall:

(1) Cooperate with the Division of Motor Vehicles or its agent in establishing and operating the program;

(2) Maintain the data necessary to verify the existence of mandatory liability insurance coverage provided to its customers pursuant to the required time period established for the ~~on-line~~ online insurance verification program;

(3) Maintain the internet web service, pursuant to the requirements established under the online insurance verification program, through which online insurance verification can take place that includes the ability to respond to authorized inquiries on whether the vehicle is insured or the policy in effect on the requested date through the insurer's ~~national insurance commissioners association~~ NAIC code, vehicle identification number, insurance policy number, or other data key or keys as otherwise agreed to by the division or its agent and the insurer;

(4) Provide security consistent with accepted insurance industry and United States motor vehicle agency standards pertinent to the transmission of personal data;

(5) Be immune from civil and administrative liability for good faith efforts to comply with the terms of the verification program; and

(6) As a condition of writing motor vehicle liability insurance in this state, insurance carriers shall cooperate with the division or its agent and the insurance commission in establishing and maintaining an insurance verification system. Nothing prohibits an insurer from using the services of a third-party vendor for facilitating the insurance verification program required by this section.

(f) If the commissioner develops and implements an ~~on-line~~ online insurance verification program, the Division of Motor Vehicles or its agent, as applicable, shall:

(1) Consult and cooperate with insurers in establishing and operating the ~~on-line~~ online insurance verification system;

(2) Designate and maintain a contact person for insurers during the establishment and implementation of the ~~on-line~~ online insurance verification system;

(3) Conduct a pilot project to test the insurance verification system no less than 18 months prior to final implementation;

(4) Establish and maintain the systems necessary to make verification requests to insurers using the data elements that the Division of Motor Vehicles or its agent and the insurer have agreed upon and are necessary to receive accurate responses from insurers;

(5) For all information transmitted and received, implement and maintain strict system and data security measures consistent with applicable standards. Data secured via the ~~reporting~~ verification system by either the division or its agent may not be shared by any person who accesses the verification system with any party other than those permitted by state or federal privacy laws;

(6) Be responsible for keeping all interested state agencies informed on the implementation status, functionality, and planned or unplanned service interruptions; and

(7) Provide alternative methods of reporting for small insurers writing less than 500 non-commercial motor vehicle policies in the state as determined by the Division of Motor Vehicles or its agent.

(g) Any information obtained by the division or its agent under the provisions of an electronic insurance system is for the sole use of the Division of Motor Vehicles or its agent, law enforcement, new and used motor vehicle dealerships, and the judiciary to effectuate the provisions of this article and is exempt from disclosure under the provisions of §29B-1-1 *et seq.* of this code and may not be considered a public record as defined in §29B-1-2 of this code.

(h) Not more than two years after the establishment of an ~~on-line~~ online insurance verification program, the Division of Motor Vehicles, after consultation with insurers, shall report to the Legislature as to the costs of the program incurred by the division, insurers, and the public and the effectiveness of the program in reducing the number of uninsured motor vehicles.

(i) The online insurance verification system authorized in this section may be accessed by new and used motor vehicle dealerships in this state to verify if a prospective purchaser has valid motor vehicle insurance.”

And,

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

Com. Sub. for H. B. 5178 – “A Bill to amend and reenact §17D-2A-6a of the Code of West Virginia, 1931, as amended, relating to allowing new and used motor vehicle dealerships in this state to access an online electronic insurance verification system to verify if prospective buyers have valid motor vehicle insurance; and correcting terminology and an incorrect reference to a national insurance commissioners association to the National Association of Insurance Commissioners.”

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 492**), and there were--yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty and Howell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 5178) passed.

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

H. B. 5237, Prohibiting driving slow in left lane except under certain circumstances.

On motion of Delegate Hott, the House refused to concur in the following amendment of the bill by the Senate, and requested the Senate to recede therefrom:

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

“ARTICLE 7. DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND PASSING, ETC.

§17C-7-1. Driving on right side of roadway; vehicles not to be driven on left side of roadway; exceptions; penalty.

(a) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

(2) When an obstruction exists that makes it necessary to drive to the left of the center of the highway: *Provided*, That any person doing so shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;

~~(2)~~(3) When the right half of a roadway is closed to traffic while under construction or repair;

~~(3)~~(4) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or

~~(4)~~(5) Upon a roadway designated and signposted for one-way traffic.

(b) Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

(c) Upon all roadways having two or more lanes for traffic moving in the same direction, a vehicle shall not be driven in the left-most lane except:

(1) When passing another vehicle;

(2) When traffic conditions and congestion make it impractical to drive in the right lane; *Provided*, That driving in the left lane does not impede the normal and reasonable movement of traffic in the left lane;

(3) When snow or other inclement weather conditions make it unsafe to drive in the right half of the roadway;

(4) When obstructions or hazards exist in the right lane;

(5) When all other lanes for traveling in the same direction are in disrepair or are in an otherwise undrivable or unsafe condition;

(6) When compliance with a law, rule, ordinance, or traffic control device makes it necessary to operate a vehicle in the leftmost lane;

(7) When a driver of a vehicle requiring a commercial motor vehicle license to operate is unable to move into the right lane safely due to a highway grade or another vehicle overtaking or passing such commercial motor vehicle on the right;

(8) When paying a toll or user fee at a toll collection facility; or

(9) When moving left to allow traffic to merge.

(10) When, because of highway design, a vehicle must be driven in the left lane when preparing to exit;

(11) When approaching a stationary authorized emergency vehicle as provided in §17C-14-9a of this code.

(d) The provisions of section shall not apply to law-enforcement vehicles, ambulances, or other emergency vehicles engaged in official duties, and vehicles engaged in highway maintenance and construction operations.

(e) Nothing in this section limits the Department of Transportation's ability to establish and delineate lane restrictions for certain types of vehicles or prohibit operation of the specified vehicles in the designated lanes.

~~(e)~~(f) Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$100 ~~\$25~~; upon a second conviction within one year thereafter, shall be fined not more than \$200; and upon a third or subsequent conviction, shall be fined not more than \$500. “

And,

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

H. B. 5237 – “A Bill to amend and reenact §17C-7-1 of the Code of West Virginia, 1931, as amended, relating to requiring operators of vehicles to drive in rightmost portion or lane of roads or highways and exceptions thereto; clarifying authority of Department of Transportation to establish further lane restrictions; and modifying criminal penalties.”

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

A message from the Senate, by

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

Com. Sub. for H. B. 5432, To move the essential functions of the Information Services and Communications Division into the Office of Technology..

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

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

“ARTICLE 6. OFFICE OF TECHNOLOGY.

§5A-6-1. Findings and purposes.

~~The Legislature finds and declares that information technology is essential to finding practical solutions to the everyday problems of government and that the management goals and purposes of government are furthered by the development of compatible, linked information systems across government. Therefore, it is the purpose of this article to create~~ The Office of Technology is hereby continued as an integral part of the Department of Administration ~~the Office of Technology for the purpose of establishing and developing information technology services for state agencies and promulgating information technology standards, with the authority~~ The Office of Technology is authorized to advise and make recommendations to all state spending units on their state information systems and to have the authority to oversee coordination of the state's technical infrastructure. Beginning July 1, 2024, the Information Services and Communications Division created under the Department of Administration is hereby dissolved and its functions assumed by the West Virginia Office of Technology.

§5A-6-3. Office of Technology; Chief Information Officer; appointment and qualifications; continuation of special fund funds.

(a) ~~The Office of Technology is created~~ continued within the Department of Administration, to be led by a Chief Information Officer, who shall be appointed by and serve at the will and pleasure of the Governor. The Chief Information Officer shall have knowledge in the field of information technology, experience in the design and management of information systems, and an understanding of the special demands upon government with respect to budgetary constraints, the protection of privacy interests, and federal and state standards of accountability.

~~(b) There is hereby continued in the State Treasury a special account to be known as the Chief Technology Officer Administration Fund. All fees collected by the Chief Information Officer pursuant to this article shall be deposited into the fund. Expenditures from the fund shall be made by the Chief Information Officer for the purposes set forth in this article and are not authorized from collections but are to be made only in accordance with appropriation by the Legislature and in accordance with the provisions of §12-3-1 et seq. of this code and upon the fulfillment of the provisions set forth in §11B-2-1 et seq. of this code: *Provided*, That the provisions of §11B-2-18 of this code do not operate to permit expenditures in excess of the spending authority provided by the Legislature.~~

(b) On July 1, 2024, the Department of Administration - Information Services and Communications - Information Services and Communication Fund, created in the State Treasury by the former provision of §5A-7-10 of this code shall be transferred to the Department of Administration - Office of Technology. The Department of Administration - Information Services and Communications - Information Services and Communications Fund shall be a special revolving fund, consisting of funds received for services provided pursuant to this article, §5A-6B-1 et seq., and §5A-6C-1 et seq. of this code. Expenditures from the fund shall be made from collections by the Chief Information Officer for the purposes set forth in this article. Any balance remaining in the special revenue account at the end of any fiscal year shall be reappropriated to the next fiscal year.

(c) On July 1, 2024, the Department of Administration - Chief Technology Officer - Chief Technology Officer Administration Fund, created in the State Treasury by this section shall be closed, and any unexpended balance remaining shall be transferred to the Department of Administration - Office of Technology - Information Services and Communications Fund.

(d) On July 1, 2024, the Telecommunications Services Payment and Reserve Fund, created in §5A-7-4a of this code, shall be closed and any unexpended balance shall be transferred to the Department of Administration - Office of Technology - Information Services and Communications Fund.

§5A-6-4. Powers and duties of the Chief Information Officer generally.

(a) With respect to all state spending units the Chief Information Officer may:

(1) Establish information technology governance to align technology management with departmental and agency business goals, including, but not limited to:

(A) Standards necessary to support a unified approach to information technology across the totality of state government, thereby assuring that the citizens and businesses of the state receive the greatest possible security, value, and user experience from investments made in technology;

(B) Standards relating to the exchange, acquisition, storage, use, sharing, and distribution of data;

(C) Standards for the connectivity, interoperability, and continuity of technology for government operations in times of disaster or emergency;

(2) Evaluate all information technology requisitions for compatibility with established information technology governance, including evaluation of the economic justification, system design, and suitability;

~~(2)~~ (3) Develop a mechanism for identifying those instances where information systems should be linked and information shared, while providing for appropriate limitations on access and the security of data;

(4) Broker contracts for or deliver directly information technology and technology services in support of state spending units: *Provided*, That other public bodies may utilize information technology and technology services offered by the Chief Information Officer with approval;

~~(3)~~ (5) Create new technologies to be used in government, convene conferences, and develop incentive packages to encourage the utilization of technology;

(4) (6) Charge a fee to the state spending units and other public bodies for services provided under the provisions of this article, §5A-6B-1 *et seq.*, or §5A-6C-1 *et seq.* of this code;

~~(5)~~ (7) Periodically evaluate the feasibility of subcontracting information technology resources and services, and to subcontract only those resources that are feasible and beneficial to the state;

~~(6)~~ (8) Develop job descriptions and qualifications necessary to perform duties related to information technology as outlined in this article;

~~(7)~~ (9) Provide information technology related training to facilitate efficient use of state technology resources;

~~(8)~~ (10) Submit resource and support requests to the federal government to support technology or cyber security initiatives or programs;

~~(9)~~ (11) Engage in any other activities as directed by the Governor; and

~~(40)~~ (12) Promulgate legislative rules, in accordance with the provisions of §29A-3-1 *et seq.* of this code as may be necessary to standardize and make effective the administration of the provisions of this article.

(b) With respect to executive agencies, the Chief Information Officer may:

(1) Develop a unified and integrated structure for information systems for all executive agencies;

(2) Establish, based on need and opportunity, priorities and timelines for addressing the information technology requirements of executive agencies;

(3) Draw upon staff of other executive agencies for advice and assistance in the formulation and implementation of administrative and operational plans and policies;

(4) Recommend to the Governor transfers of equipment and human resources from any executive agency for the most effective and efficient uses of the fiscal resources of executive agencies to modernize information technology investments;

(5) Provide guidance and services where feasible to support proper cleansing of electronic data; ~~and~~

(6) Develop an information technology recycling program to redistribute or reuse properly cleansed technology equipment. Transfers and disposal of information technology equipment are specifically exempt from the surplus property requirements enumerated in §5A-3-43, §5A-3-44, §5A-3-45, and §5A-3-46 of this code; and

(7) Provide guidance and services to support data retention and electronic discovery of executive agency data in compliance with agency data retention policies and directives: *Provided*, That executive agencies communicate such requirements.

(c) The Chief Information Officer may employ the personnel necessary to carry out the work of the Office of Technology and may approve reimbursement of costs incurred by employees to obtain education and training.

(d) The Chief Information Officer may oversee telecommunications services used by state spending units for the purpose of maximizing efficiency to the fullest possible extent including auditing telecommunications services and usage and negotiation of telecommunications contracts.

(e) The Chief Information Officer shall provide central mail services during regular business hours for state spending units. All state spending units having their offices in the capitol, except the legislative branch of government, shall dispatch all mail through the central mailing office:

Provided, That mail prepared after gathering time and mail for special handling may be posted without utilizing the central mailing office upon approval of the Chief Information Officer. The Chief Information Officer is authorized to make such expenditures as necessary to process and presort all outgoing mail or to enter contracts to supply the service.

(e) (f) The Chief Information Officer may convene and chair an advisory committee made up of a representative from each of the departments as identified in §5F-1-2 of this code, and any other members deemed necessary by the Chief Information Officer to provide advice and recommendations on technology issues for state agencies.

ARTICLE 7. INFORMATION SERVICES AND COMMUNICATIONS DIVISION.

§5A-7-1. Definitions.

[Repealed.]

§5A-7-2. Division created; purpose; use of facilities; rules and regulations.

[Repealed.]

§5A-7-3. Director; appointment and qualifications.

[Repealed.]

§5A-7-4. Powers and duties of division generally; professional staff; telephone service.

[Repealed.]

§5A-7-4a. Payment of legitimate uncontested invoices for telecommunications services; procedures and powers of the Information and Communications Division and Secretary of Administration.

[Repealed.]

§5A-7-5. Control over central mailing office.

[Repealed.]

§5A-7-6. Central mailing office employees.

[Repealed.]

§5A-7-7. Central mailing office responsibilities.

[Repealed.]

§5A-7-8. Use of the central mailing office.

[Repealed.]

§5A-7-9. Preparation of mail for special rates.

[Repealed.]

§5A-7-10. Special fund created; payments into fund; charges for services; disbursements from fund.

[Repealed.]

§5A-7-11. Confidential records.

[Repealed.]”

And,

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

Com. Sub. for H. B. 5432 – “A Bill to amend and reenact §5A-6-1, §5A-6-3, and §5A-6-4 of the Code of West Virginia, 1931, as amended; and to repeal §5A-7-1, §5A-7-2, §5A-7-3, §5A-7-4, §5A-7-4a, §5A-7-5, §5A-7-6, §5A-7-7, §5A-7-8, §5A-7-9, §5A-7-10, and §5A-7-11 of said code, all relating to combining Information Services and Communications Division with the West Virginia Office of Technology; transferring funds from the Information Systems and Communications Division to the Office of Technology; closing funds and transferring unexpended balances; authorizing the Chief Information Officer to conduct requisition reviews; authorizing the Chief Information Officer to collect a fee for services provided to other public bodies; authorizing the Chief Information Officer to provide guidance and technology to support data retention and electronic discovery of executive agency data in compliance with agency data retention policies and directives; and requiring the Chief Information Officer to provide mail service for state spending units.”

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 493**), and there were--yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty and Howell.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 5432) passed.

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

Special Calendar

Third Reading

S. B. 146, Creating adult education taskforce; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 494**), and there were--yeas 94, nays 2, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Cooper and Steele.

Absent and Not Voting: Bridges, Fluharty, Garcia and Howell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 146) passed.

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

S. B. 147, Adding definition of "ammunition" for purposes of obtaining state license to carry concealed deadly weapon; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 495**), and there were--yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty, Garcia and Howell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 147) passed.

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

S. B. 147 - "A Bill to amend and reenact §61-7-4 and §61-7-4a of the Code of West Virginia, 1931, as amended, all relating to concealed deadly weapons licenses; adding definition of "ammunition" for purposes of the live fire requirement for obtaining a license to carry a deadly weapon; adding definition of "ammunition" for purposes of the live fire requirement for obtaining a provisional license to carry a deadly weapon; clarifying that ammunition designed for training including marking rounds and simulated ammunition may be used in the required training course; and removing the requirement that an applicant for a concealed deadly weapon license or a provisional concealed deadly weapon license must provide a Social Security number."

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

S. B. 148, Establishing auto-renewal program for wildlife licenses; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 496**), and there were--yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty, Howell and Linville.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 148) passed.

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

S. B. 160, Updating language and increasing penalties for indecent exposure; on third reading, coming up in regular order, with the right to amend, was reported by the Clerk.

At the request of Delegate Householder, and by unanimous consent, the bill was postponed one day.

S. B. 173, Modifying certain guidelines for motor vehicle dealers, distributors, wholesalers, and manufacturers on second reading, coming up in regular order, with the right to amend, was reported by the Clerk.

Delegate Householder asked unanimous consent, that the bill was postponed one day, objection being heard.

Delegate Householder then so moved.

On this motion, the yeas and nays were demanded, which demand was sustained.

Having been ordered, the yeas and nays were taken (**Roll No. 497**), and there were--yeas 61, nays 36, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Adkins, Brooks, Burkhammer, Butler, Cannon, Chiarelli, Cooper, Coop-Gonzalez, Dean, Devault, Dillon, Ellington, Foster, Gearheart, Green, Hillenbrand, Holstein, Hornby, Horst, Kirby, Kump, Linville, Longanacre, Lucas, Mallow, Marple, Mazzocchi, Ridenour, Ross, Smith, Steele, Street, Tully, Vance, Ward and Willis.

Absent and Not Voting: Bridges, Fluharty and Howell.

So, a majority of the members present having voted in the affirmative, the motion was adopted, and the bill was postponed one day.

S. B. 438, Modifying roster requirements of authorizing entities; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 498**), and there were--yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty, Howell and Young.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 438) passed.

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

On this question, the yeas and nays were taken (**Roll No. 499**), and there were--yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty, Howell 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. 438) takes effect from its passage.

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

Com. Sub. for S. B. 477, Prohibiting public disclosure of personal information on internet; on third reading, coming up in regular order, was read a third time.

Delegate Tully moved to commit the bill to the Committee on Government Organization.

Delegate Gearheart moved to table the motion.

Subsequently, Delegate Gearheart asked and obtained unanimous consent to withdraw the motion.

On the motion to commit the bill to the Committee on Government Organization, the yeas and nays were demanded, which demand was sustained.

Having been ordered, the yeas and nays were taken (**Roll No. 500**), and there were--yeas 6, nays 89, absent and not voting 5, with the yeas and the absent and not voting being as follows:

Yeas: Dillon, Griffith, Horst, Pushkin, Ross and Tully.

Absent and Not Voting: Bridges, Fluharty, Hardy, Howell and Kelly.

So, a majority of the members present not having voted in the affirmative, the motion was rejected.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 501**), and there were--yeas 93, nays 2, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Dillon and Tully.

Absent and Not Voting: Bridges, Fluharty, Heckert, Howell and Kelly.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 477) passed.

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

S. B. 487, Requiring periodic review of professional development for teachers and education staff; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 502**), and there were--yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty, Heckert, Howell, Kelly, Kump and Westfall.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 487) passed.

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

Com. Sub. for S. B. 540, Updating WV coordinate systems; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 503**), and there were--yeas 90, nays none, absent and not voting 10, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty, Garcia, Hamilton, Heckert, Howell, Kelly, Kump, Westfall and Willis.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 540) passed.

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

S. B. 653, Supplementing and amending appropriations to School Building Authority, School Construction Fund; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 504**), and there were--yeas 92, nays 1, absent and not voting 7, with the nays and the absent and not voting being as follows:

Nays: Gearheart.

Absent and Not Voting: Bridges, Fluharty, Garcia, Howell, Kelly, Kump and Willis.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 653) passed.

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

On this question, the yeas and nays were taken (**Roll No. 505**), and there were--yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, Fluharty, Garcia, Howell, Kelly, Kump and E. Pritt.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 653) takes effect from its passage.

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

S. B. 657, Expiring funds from Excess Lottery Revenue Fund to General Revenue; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 506**), and there were--yeas 91, nays 1, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays: Gearheart.

Absent and Not Voting: Bridges, T. Clark, Fluharty, Garcia, Howell, Kelly, Kump and E. Pritt.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 657) passed.

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

On this question, the yeas and nays were taken (**Roll No. 507**), and there were--yeas 92, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, T. Clark, Fluharty, Garcia, Howell, Kelly, Kump and E. Pritt.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 657) takes effect from its passage.

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

Com. Sub. for S. B. 675, Establishing accreditation deadline for convention and visitors bureaus; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 508**), and there were--yeas 79, nays 15, absent and not voting 6, with the nays and the absent and not voting being as follows:

Nays: Coop-Gonzalez, Dean, Dillon, Foggin, Gearheart, Kimble, Kirby, Kump, Longanacre, Martin, McGeehan, Pinson, Street, Vance and Ward.

Absent and Not Voting: Bridges, T. Clark, Fluharty, Garcia, Howell and Kelly.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 675) passed.

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

S. B. 806, Removing certain required reports to Legislative Oversight Commission on Education Accountability; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 509**), and there were--yeas 92, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Bridges, T. Clark, W. Clark, Fluharty, Garcia, Howell, Kelly and Ward.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 806) passed.

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

S. B. 806 - "A Bill to amend and reenact §18-2-12 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-5B-7 of said code; to amend and reenact §18-5F-6 of said code; to repeal §18-9A-7a of said code; to repeal §18-9F-8 of said code; and to amend and reenact §18A-3C-3 of said code, all relating to the Legislative Oversight Commission on Education Accountability; removing required submission of plan to implement and update computer science instruction and learning standards in the public schools; removing required submission of annual report on innovation zones and the progress of innovation zone plans; removing required report on all aspects of the program at the end of the first year a virtual instruction program is implemented; removing required report on proposed revisions to the calculation of the allowance for service personnel to provide additional funded service personnel positions for lower-population density districts covering a large geographic areas; revising School Building Authority reporting on the school access safety and crisis response article to require the authority to report annually on its duties under the article; and removing requirement for review of the progress of the implementation of the comprehensive systems of support for teacher and leader induction and professional growth."

Com. Sub. for S. B. 844, Redesignating Educational Broadcasting Authority as Educational Broadcasting Commission; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 510**), and there were--yeas 79, nays 13, absent and not voting 8, with the nays and the absent and not voting being as follows:

Nays*: Fast, Griffith, Hamilton, Hansen, Hornbuckle, Kump, Lewis, E. Pritt, Pushkin, Rowe, Steele, Williams and Young.

Absent and Not Voting*: Bridges, Fluharty, Garcia, Hillenbrand, Howell, Kelly, Mallow and Ward.

*Note: Delegate Young announced that her vote did not register and is recorded as "Nay".

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 844) passed.

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

On this question, the yeas and nays were taken (**Roll No. 511**), and there were--yeas 80, nays 11, absent and not voting 9, with the nays and the absent and not voting being as follows:

Nays: Griffith, Hamilton, Hansen, Hornbuckle, Kump, Lewis, E. Pritt, Pushkin, Rowe, Steele and Young.

Absent and Not Voting: Bridges, Fluharty, Garcia, Hillenbrand, Howell, Kelly, Mallow, Ward and Williams.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 844) takes effect from its passage.

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

Com. Sub. for S. B. 865, Changing reference to Curator of Department of Arts, Culture, and History to secretary; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 512**), and there were--yeas 84, nays 5, absent and not voting 11, with the nays and the absent and not voting being as follows:

Nays: Kump, Pushkin, Rowe, Steele and Young.

Absent and Not Voting: Bridges, Ferrell, Fluharty, Garcia, Howell, Kelly, Mallow, Miller, Ross, Ward and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 865) passed.

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

On this question, the yeas and nays were taken (**Roll No. 513**), and there were--yeas 83, nays 5, absent and not voting 12, with the nays and the absent and not voting being as follows:

Nays: Kump, Pushkin, Rowe, Steele and Young.

Absent and Not Voting: Bridges, Fast, Ferrell, Fluharty, Garcia, Howell, Kelly, Mallow, Ross, Ward, Williams and Zatezalo.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 865) takes effect from its passage.

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

Second Reading

Com. Sub. for S. B. 2, Authorizing DEP to promulgate rules; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Fast, the bill was amended on page 1, section 1, line 5, after the word "authorized" striking out the period and inserting in lieu thereof the following:

"with the following amendments:

On page 1, subsection 1.6., by striking the word "The" and inserting in lieu thereof the words "This rule applies to the";

On page 1, subsection 1.6. after the word "limitations" by inserting the words "imposed by those rules";

And,

On page 5, section 1, line 69, by striking out "\$22-11-7a" and inserting in lieu thereof "\$22-11B-7".

The bill was then ordered to third reading.

Com. Sub. for S. B. 36, Authorizing Department of Homeland Security to promulgate legislative rules; on second reading, coming up in regular order, was read a second time,

An amendment was recommended by the Committee on the Judiciary, and adopted, on page 2, section 1, line 13 by striking subsection (c) in its entirety and inserting in lieu thereof the following:

“(c) The legislative rule filed in the State Register on September 8, 2023, authorized under the authority of §15-9B-4 of this code, modified by the Governor's Committee on Crime, Delinquency, and Correction to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 9, 2023, relating to the Governor's Committee on Crime, Delinquency, and Correction (sexual assault forensic examinations, 149 CSR 11), is authorized with the following amendment:

On page 7, subsection 7.1, following the word “maintained” by inserting the words “at no cost to the victim”

The bill was then ordered to third reading.

Com. Sub. for S. B. 50, Authorizing Department of Revenue to promulgate legislative rules; on second reading, coming up in regular order, was read a second time.

An amendment recommended by the Committee on the Judiciary was reported by the Clerk, by striking everything after the enacting clause and inserting, in lieu thereof, the following language:

“ARTICLE 7. AUTHORIZATION FOR THE DEPARTMENT OF REVENUE TO PROMULGATE LEGISLATIVE RULES.

§64-7-1. Alcohol Beverage Control Commissioner.

The Legislature directs the Alcohol Beverage Control Commissioner to amend the legislative rule filed in the State Register on July 1, 2022, authorized under the authority of §60-2-16 of this code, relating to the Alcohol Beverage Control (private club licensing, 175 CSR 02), with the amendments set forth below:

On page 1, section 1, subsection 1.5, by striking the word “2032” and inserting in lieu thereof the word “2029”.

On page 6, striking out the entirety of subdivision 2.22.3. and inserting, in lieu thereof, a new subdivision 2.22.3. to read as follows:

“2.22.3. Maintains a fresh food inventory capable of being prepared in the private club restaurant’s full kitchen.”

On page 7, by striking out the entirety of subdivision 2.23.3. and inserting, in lieu thereof, a new subdivision 2.23.3. to read as follows:

“2.23.3. Have one or more members operating who maintain a fresh food inventory capable of being prepared for events conducted at the private farmers market in the private club restaurant’s full kitchen.”

On page 30, section 4, by striking out all of subsections 4.8 and 4.9 and inserting in lieu thereof a new subsection 4.8, to read as follows:

“4.8. Hours of operation. - The licensed premises of all private clubs shall be closed for operation and cleared of all members and guests 30 minutes after the hours of sale of alcoholic liquors and nonintoxicating beer have expired, except for: (i) a private resort hotel holding a license issued pursuant to W. Va. Code §60-7-1 *et seq.* may sell, tender, or dispense nonintoxicating beer, wine, or alcoholic liquors in or on the licensed premises when also licensed under W. Va. Code §29-22A-1 *et seq.* and W. Va. Code §29-22C-1 *et seq.* or W. Va. Code §29-25-1 *et seq.*; (ii) members and guests staying at a private resort hotel, but the members and guests must clear any bar and restaurant areas 30 minutes after the hours of sale of alcoholic liquors and nonintoxicating beer have expired; and (iii) members and guests staying at a private hotel, but the members and guests must clear any bar and restaurant areas 30 minutes after the hours of sale of alcoholic liquors and nonintoxicating beer have expired. Employees of the licensee shall leave the licensed premises no later than one hour after the premises are closed for operation. Licensed premises shall not be occupied by members and guests any sooner than 30 minutes prior to the hours of sale of alcoholic liquors and nonintoxicating beer, except for: (i) a private resort hotel holding a license issued pursuant to W. Va. Code §60-7-1 *et seq.* may sell, tender, or dispense nonintoxicating beer, wine, or alcoholic liquors in or on the licensed premises when also licensed under W. Va. Code §29-22A-1 *et seq.* and W. Va. Code §29-22C-1 *et seq.* or W. Va. Code §29-25-1 *et seq.*; (ii) members and guests staying at a private resort hotel where the members and guests may not enter any bar and restaurant areas until 30 minutes before the hours of sale of alcoholic liquors and nonintoxicating beer; and (iii) members and guests staying at a private hotel where the members and guests may not enter any bar and restaurant areas until 30 minutes before the hours of sale of alcoholic liquors and nonintoxicating beer. Employees may not enter any bar and restaurant serving areas until one hour before the hours of sale of alcoholic liquors and nonintoxicating beer.”

And,

By renumbering the remaining subsections.

§64-7-2. Alcohol Beverage Control Commissioner - Beer.

The Legislature directs the Alcohol Beverage Control Commissioner - Beer to amend the legislative rule filed in the State Register on July 1, 2022, authorized under the authority of §60-2-16 of this code, relating to the Alcohol Beverage Control - Beer (nonintoxicating beer licensing and operations procedures, 176 CSR 01), with the amendments set forth below:

On page 3, by adding a new subsection designated 2.18 to read as follows:

““Delivery day” means any day that the distributor is open for business.”;

And,

By renumbering the remaining subsections;

And,

On page 33, by striking out all of paragraph 6.3.d.3. and inserting in lieu thereof a new paragraph 6.3.d.3. to read as follows:

“6.3.d.3. A distributor or a resident brewer acting in a limited capacity as a distributor may rotate, stock, merchandise, price, and presell nonintoxicating beer in a licensed nonintoxicating beer retail establishment only on nonintoxicating beer or nonintoxicating craft beer delivery day.”

§64-7-3. West Virginia Insurance Commissioner.

(a) The legislative rule filed in the State Register on March 29, 2023, authorized under the authority of §33-2-10 of this code, relating to the Insurance Commissioner (AIDS regulations, 114 CSR 27), is authorized.

(b) The legislative rule filed in the State Register on July 12, 2023, authorized under the authority of §33-55-9 of this code, modified by the West Virginia Insurance Commissioner to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 14, 2023, relating to the West Virginia Insurance Commissioner (health benefit plan network access and adequacy, 114 CSR 100), is authorized.

(c) The legislative rule filed in the State Register on July 11, 2023, authorized under the authority of §51-10-8 of this code, modified by the West Virginia Insurance Commissioner to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 14, 2023, relating to the West Virginia Insurance Commissioner (bail bondsmen in criminal cases, 114 CSR 103), is authorized with the amendments set forth below:

“On page 3, paragraph 3.2.1.h., following the words "felony crime", by striking out the remainder of the paragraph and inserting a semi-colon.

And,

On page 6, after subsection 3.11., by adding a new subsection 3.12. to read as follows:

“3.12. Any person who has been convicted of a felony is not qualified to be licensed as a bail bondsman and the Commissioner shall not license any such person. The Commissioner shall revoke or not renew the license of a bail bondsman who is convicted of a felony, after licensure, and shall not renew the license of a bail bondsman who was previously convicted of a felony, and who was issued a license prior to the enactment of this subsection.”

§64-7-4. West Virginia Racing Commission.

The legislative rule filed in the State Register on July 26, 2023, authorized under the authority of §19-23-6 of this code, relating to the West Virginia Racing Commission (thoroughbred racing, 178 CSR 01), is authorized with the amendment set forth below:

On page 67, subdivision 41.2.g., by striking out the words "Entry of a" and inserting in lieu thereof the word: "A".

§64-7-5. West Virginia Tax Department.

(a) The legislative rule filed in the State Register on March 28, 2023, authorized under the authority of §11-15-9p of this code, relating to the West Virginia Tax Department (aircraft operated under a fractional ownership program, 110 CSR 15K), is authorized.

(b) The legislative rule filed in the State Register on December 30, 2022, authorized under the authority of §29A-3-19 of this code, modified by the West Virginia Tax Department to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on August 21, 2023, relating to the West Virginia Tax Department (citizen tax credit for property taxes paid, 110 CSR 21B), is authorized.

(c) The legislative rule filed in the State Register on July 28, 2023, authorized under the authority of §11-21-3a of this code, relating to the West Virginia Tax Department (income tax paid at the entity level by electing pass-through entities, 110 CSR 21G), is authorized.

(d) The legislative rule filed in the State Register on July 25, 2023, authorized under the authority of §11-13MM-6 of this code, relating to the West Virginia Tax Department (income tax credits for property taxes paid, 110 CSR 21H), is authorized.

(e) The legislative rule filed in the State Register on December 30, 2022, authorized under the authority of §60-3-9d of this code, modified by the West Virginia Tax Department to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on August 21, 2023, relating to the West Virginia Tax Department (administration of tax on purchases of wine and liquor inside and outside of municipalities, 110 CSR 49), is authorized.

(f) The legislative rule filed in the State Register on July 25, 2023, authorized under the authority of §19-12E-12 of this code, relating to the West Virginia Tax Department (privilege tax on sales of hemp-derived cannabinoid and kratom products, 110 CSR 99), is authorized.”

On motion of Delegate Steele, the committee amendment was amended on page 1, section 1, at the end of line 15, by inserting the following language:

On page 11, by striking out the entirety of subdivision 2.28.4 and inserting, in lieu thereof, the following:

“Maintains a fresh food inventory capable of being prepared in the private manufacturer club’s full kitchen.”

The committee amendment, as amended, was then adopted.

The bill was then ordered to third reading.

Com. Sub. for S. B. 60, Authorizing DOT to promulgate legislative rules; on second reading, coming up in regular order, was read a second time.

An amendment recommended by the Committee on the Judiciary was reported by the Clerk, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“Be it enacted by the Legislature of West Virginia:

ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF TRANSPORTATION TO PROMULGATE LEGISLATIVE RULES.

§64-8-1. Division of Motor Vehicles.

(a) The legislative rule filed in the State Register on July 26, 2023, authorized under the authority of §11-15-3C of this code, modified by the Division of Motor Vehicles to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 7, 2023, relating to the Division of Motor Vehicles (motor vehicle titling, 91 CSR 03), is authorized with the following amendments:

On page 1, by striking out all of subsection 2.1 and inserting in lieu thereof a new subsection 2.1. to read as follows:

“2.1. Application. An application for a certificate of title must be accompanied by the appropriate fees:

2.1.1 Proof of Insurance;

2.1.2. Photo identification and identity validation and verification developed by the Division of Motor Vehicles;

2.1.3. If the vehicle was previously titled in another state or jurisdiction, that title;

2.1.4. If a registration plate is also being transferred, appropriate registration information;

2.1.5. If the vehicle requires registration, the appropriate fee for the registration plate; and,

2.1.6. Sales tax as calculated in subsection 2.2 of this section.”:

On page 1, after subsection 2.1 by adding a new subsection 2.2 to read as follows:

“2.2. Application for non-resident businesses. An application by a non-resident business for a title through the Title Clearinghouse must be accompanied by any documents prescribed by the Commissioner.”;

And,

By renumbering the remaining subsections.

(b) The legislative rule filed in the State Register on July 26, 2023, authorized under the authority of §17A-2-9 of this code, modified by the Division of Motor Vehicles to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 7, 2023, relating to the Division of Motor Vehicles (dealer licensing, 91 CSR 06), is authorized.

(c) The legislative rule filed in the State Register on July 13, 2023, authorized under the authority of §17C-13-6 of this code, modified by the Division of Motor Vehicles to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 7, 2023, relating to the Division of Motor Vehicles (handicapped parking permits, 91 CSR 10), is authorized.

§64-8-2. Division of Highways.

(a) The legislative rule filed in the State Register on July 31, 2023, authorized under the authority of §17-2A-8 of this code, modified by the Division of Highways to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 7, 2023, relating to the Division of Highways (construction and reconstruction of state roads, 157 CSR 03), is authorized.

(b) The legislative rule filed in the State Register on July 26, 2023, authorized under the authority of §17-2A-8 of this code, modified by the Division of Highways to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 8, 2023, relating to the Division of Highways (traffic and safety rules, 157 CSR 05), is authorized with the amendments set forth below:

On page 14, Subdivision 7.4.h. by striking out the words “Vehicle speed shall not exceed 35 miles per hour” and inserting the following:

“Vehicle speed shall not exceed the posted or statutory speed limit in effect and shall not exceed the recommended speed on all warning signs when passing through the area of concern (curve, intersection, etc.).”;

On page 14, Subdivision 7.4.j. by striking out the words “or main highway”;

And,

On page 14, Subdivision 7.4.j., after the word “measures.”, by inserting the following:

“When approaching an intersecting roadway, vehicles shall obey any traffic control devices such as stop signs, yield signs, and traffic lights.”

§64-8-3. Division of Multimodal Transportation Facilities.

The legislative rule filed in the State Register on July 28, 2023, authorized under the authority of §17-16F-5 of this code, modified by the Division of Multimodal Transportation ~~Facilities~~ Facilities to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 29, 2023, relating to the Division of Multimodal Transportation ~~Facilities~~ Facilities (valuation of used rolling stock and equipment, 220 CSR 01), is authorized.”

On motion of Delegate Fast, the amendment was amended by striking out everything after the enacting clause and inserting in lieu thereof the following:

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. AUTHORIZATION FOR DEPARTMENT OF TRANSPORTATION TO PROMULGATE LEGISLATIVE RULES.**§64-8-1. Division of Motor Vehicles.**

(d) The legislative rule filed in the State Register on July 26, 2023, authorized under the authority of §11-15-3C of this code, modified by the Division of Motor Vehicles to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on

November 7, 2023, relating to the Division of Motor Vehicles (motor vehicle titling, 91 CSR 03), is authorized with the following amendments:

On page 1, by striking out all of subsection 2.1 and inserting in lieu thereof a new subsection 2.1. to read as follows:

“2.1. Application. An application for a certificate of title must be accompanied by the appropriate fees:

21.1 Proof of Insurance;

2.1.2. Photo identification and identity validation and verification developed by the Division of Motor Vehicles;

2.1.3. If the vehicle was previously titled in another state or jurisdiction, that title;

2.1.4. If a registration plate is also being transferred, appropriate registration information;

2.1.5. If the vehicle requires registration, the appropriate fee for the registration plate; and,

2.1.6. Sales tax as calculated in subsection 2.2 of this section.”:

On page 1, after subsection 2.1 by adding a new subsection 2.2 to read as follows:

“2.2. Application for non-resident businesses. An application by a non-resident business for a title through the Title Clearinghouse must be accompanied by any documents prescribed by the Commissioner.”;

And,

By renumbering the remaining subsections.

(e) The legislative rule filed in the State Register on July 26, 2023, authorized under the authority of §17A-2-9 of this code, modified by the Division of Motor Vehicles to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 7, 2023, relating to the Division of Motor Vehicles (dealer licensing, 91 CSR 06), is authorized.

(f) The legislative rule filed in the State Register on July 13, 2023, authorized under the authority of §17C-13-6 of this code, modified by the Division of Motor Vehicles to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 7, 2023, relating to the Division of Motor Vehicles (handicapped parking permits, 91 CSR 10), is authorized.

§64-8-2. Division of Highways.

(a) The legislative rule filed in the State Register on July 31, 2023, authorized under the authority of §17-2A-8 of this code, modified by the Division of Highways to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 7, 2023, relating to the Division of Highways (construction and reconstruction of state roads, 157 CSR 03), is authorized with the amendment set forth below:

On pages 15 and 16, by striking out all of subdivision 5.5.a. and inserting in lieu thereof a new subdivision 5.5.a. to read as follows:

“5.5.a. The successful bidder has the option of submission of the bond in an amount equivalent to either 102 percent or 100 percent of the contract price.”;

And,

On page 16, by adding 4 new subdivisions, designated 5.5.b., 5.5.c., 5.5.d., and 5.5.e., all to read as follows:

“5.5.b. The submission of the aforementioned bond in an amount equivalent to 102 percent of the contract price by the successful bidder is the standard expectation of the division in order to comply with the current special provision for subcontractor prompt payment and does not necessitate the withholding of retainage by the division from monies due on future progress voucher estimates payable under the terms of the contract. Further, the decision by a particular contractor to submit a bond in an amount equivalent to 102 percent of the contract price shall be consistent and applicable throughout the duration of the contract for which the bond is being submitted and shall be consistent and applicable to all contracts executed between the Division and that particular contractor.

5.5.c. If the successful bidder elects to submit the bond in an amount equivalent to 100 percent of the contract price, it is necessary that the bidder notify the Contract Administration Division in writing prior to the submission of the bond. Submission of a bond in an amount equivalent to 100 percent of the contract price requires the withholding of retainage by the Division from monies due on future progress voucher estimates payable under the terms of the contract and as set forth in 11.6 of this rule. Further, the decision by a particular contractor to submit a bond in an amount equivalent to 100 percent of the contract price shall be consistent and applicable throughout the duration of the contract for which the bond is being submitted and shall be consistent and applicable to all contracts executed between the division and that particular contractor.

5.5.d. As an alternate, the successful bidder may deposit with the State Treasurer cash bond, United States Treasury Bonds, United States Treasury Certificates of Indebtedness, United States Treasury Bills or West Virginia Road Bonds in the amount of either 102 percent or 100 percent of the contract amount. A safe keeping receipt from a bank located in the State of West Virginia may be deposited with the State Treasurer in lieu of any of the definitive securities.

5.5.e. The State Treasurer shall, on a regular basis, collect all interest or income on the obligations so deposited and pay same, when and if collected, to the contractor who deposited the obligations. If the deposit is in the form of coupon bonds, the State Treasurer shall deliver each coupon as it matures to the contractor.”

(b) The legislative rule filed in the State Register on July 26, 2023, authorized under the authority of §17-2A-8 of this code, modified by the Division of Highways to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 8, 2023, relating to the Division of Highways (traffic and safety rules, 157 CSR 05), is authorized with the amendments set forth below:

On page 14, Subdivision 7.4.h. by striking out the words “Vehicle speed shall not exceed 35 miles per hour” and inserting the following:

“Vehicle speed shall not exceed the posted or statutory speed limit in effect and shall not exceed the recommended speed on all warning signs when passing through the area of concern (curve, intersection, etc.).”;

On page 14, Subdivision 7.4.j. by striking out the words “or main highway”;

And,

On page 14, Subdivision 7.4.j., after the word “measures.”, by inserting the following:

“When approaching an intersecting roadway, vehicles shall obey any traffic control devices such as stop signs, yield signs, and traffic lights.”

§64-8-3. Division of Multimodal Transportation Facilities.

The legislative rule filed in the State Register on July 28, 2023, authorized under the authority of §17-16F-5 of this code, modified by the Division of Multimodal Transportation ~~Faculties~~ Facilities to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 29, 2023, relating to the Division of Multimodal Transportation ~~Faculties~~ Facilities (valuation of used rolling stock and equipment, 220 CSR 01), is authorized.”

The committee amendment, as amended, was then adopted.

The bill was then ordered to third reading.

S. B. 142, Clarifying deadline to file annual report for companies authorized to do business in WV; on second reading, coming up in regular order, was read a second time and ordered to third reading.,

S. B. 149, Relating to municipalities required to be represented on county authority boards; on second reading, coming up in regular order, was read a second time.

An amendment recommended by the Committee on Government Organization was reported by the Clerk, and adopted, on page 1, after the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

“ARTICLE 12. COUNTY AND MUNICIPAL DEVELOPMENT AUTHORITIES.

§7-12-3. Management and control of county authority vested in board; appointment and terms of members; vacancies; removal of members.

The management and control of a county authority, its property, operations, business, and affairs shall be lodged in a board of not fewer than 12 nor more than 21 persons who shall be appointed by the county commission and be known as members of the authority. The county commission shall appoint one member to represent the county commission on the board. ~~and, for each municipality located within the county, the county commission shall appoint one member to represent the municipality. The city and town council of each municipality located within the county shall submit to the county commission the names of three persons, one of whom the county commission shall appoint to be the municipality's representative on the board. Other members~~ Members of the board shall be appointed by the county commission ~~and shall include representatives of business, industry and labor.~~ The members of the authority first appointed shall

serve respectively for terms of one year, two years and three years, divided equally or as nearly equal as possible between these terms. Thereafter, members shall be appointed for terms of three years each. A member may be reappointed for such additional term or terms as the county commission may deem proper. If a member resigns, is removed or for any other reason his or her membership terminates during his or her term of office, a successor shall be appointed by the county commission to fill out the remainder of his or her term. Members in office at the expiration of their respective terms shall continue to serve until their successors have been appointed and have qualified. The county commission may at any time remove any member of the board by an order duly entered of record and may appoint a successor member for any member so removed.

Other persons, firms, unincorporated associations, and corporations, who reside, maintain offices, or have economic interests, ~~as the case may be,~~ in the county, ~~shall be~~ are eligible to participate in and request the county commission to appoint members to the development authority as the said authority shall by its bylaws provide.”

The bill was then ordered to third reading.

S. B. 155, Creating Violent Crime Prevention Act; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Horst, the bill was amended on page 1, section 61-7-18, line 8-9, by striking the words "a charge brought upon" and inserting "the conviction of" in lieu thereof.

The bill was then ordered to third reading.

S. B. 166, Updating contested elections procedures; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 170, Relating to compensable diseases of certain firefighters covered by workers' compensation; on second reading, coming up in regular order, was read a second time.

An amendment was recommended by the Committee on Finance, and adopted, on page one, section one, line two, following the words "shall be paid", by striking out the words "from the Workers' Compensation Fund" and the comma;

And,

On page four, section one, line eighty-nine, following the words "by rule of the", by striking out the words "board of managers" and inserting in lieu thereof the words "Insurance Commissioner and Industrial Council".

The bill was then ordered to third reading.

Com. Sub. for S. B. 261, WV Veterans' Home Loan Mortgage Program of 2024; on second reading, coming up in regular order, was read a second time.

An amendment was recommended by the Committee on Finance, and adopted, on page 1, following the enacting clause, by striking the remainder of the bill in its entirety and inserting in lieu thereof the following:

“CHAPTER 31. CORPORATIONS.

ARTICLE 18F. THE WEST VIRGINIA VETERANS' HOME LOAN MORTGAGE PROGRAM OF 2024.

§31-18F-1. Short title.

This article shall be known as the West Virginia Veterans' Home Loan Mortgage Program Act of 2024.

§31-18F-2. Definitions.

As used in this section, the following definitions apply:

(1) "Eligible veteran" means any veteran as defined in this section who:

(A) is a West Virginia resident;

(B) is a first-time home buyer; and

(C) is establishing his or her primary residence in West Virginia.

(2) "Fund" means the West Virginia Veterans' Home Loan Mortgage Fund created pursuant to the provisions of §31-18F-5 of this code.

(3) "Mortgage loan" means a loan for the purchase of real property, and any improvements thereon, located within this state that is to be used for primary residential purposes by the eligible veteran and that is based upon a written instrument evidenced by a promissory note, and that is secured by a deed of trust.

(4) "Participating financial institution" means a corporate lender or other loan originator approved by the West Virginia Housing Development Fund for originating loans pursuant to the provisions this article.

(5) "Resident" or "West Virginia resident" means an individual who maintains, or will maintain after receiving a mortgage loan, a primary residence within West Virginia, and who has not established a residence elsewhere even though the individual may be temporarily absent from the state.

(6) "Under honorable conditions" means a discharge or separation from military duty characterized by the armed forces as under honorable conditions. The term includes honorable discharge and general discharge. The term does not include a dishonorable discharge, or another administrative discharge characterized by military regulation as other than honorable.

(7) "Veteran" means a person who satisfies one of the following requirements:

(A) is a member of the West Virginia National Guard;

(B) is a member of the federal reserve forces of the armed forces of the United States, serving pursuant to Title 10 of the United States Code;

(C) is a person serving on federal active duty pursuant to Title 10 of the United States Code;

(D) is the unmarried spouse or child of an individual who otherwise met the requirements of paragraphs (A), (B), or (C) of this subdivision, but was killed in the line of duty;

(E) is a person who previously met the requirements of paragraphs (A), (B), or (C) of this subdivision, but has since been discharged under honorable conditions; or

(F) a person defined as a veteran by rule promulgated by the West Virginia Housing Development Fund pursuant to the provisions of this article.

(8) "Veterans' Home Loan Mortgage Program" or "program" means the program created pursuant to the provisions of this article.

(9) "West Virginia Housing Development Fund" or "Housing Development Fund" means the West Virginia Housing Development Fund created and established by §31-18-4 of this code.

§31-18F-3. Veterans' Home Loan Mortgage Program created.

(a) There is hereby created the West Virginia Veterans' Home Loan Mortgage Program of 2024 to be administered by the West Virginia Housing Development Fund for eligible veterans who are first-time home buyers.

(b) The West Virginia Housing Development Fund is authorized to make or purchase mortgage loans from participating financial institutions or through direct origination.

§31-18F-4. Terms of program.

(a) *Interest.* Interest on a home mortgage loan made pursuant to the provisions of this article shall be 1 percent less than the federal national mortgage association's delivery rate or 1 percent less than the interest rate applicable to loans provided by the West Virginia Housing Development Fund's Homeownership Program, whichever is less. If the federal national mortgage association's delivery rate becomes unavailable, the Housing Development Fund shall provide another similar rate to use for the purposes of this section by rule promulgated pursuant to the provisions of this article.

(b) *Loan amount.* The maximum amount of a loan made pursuant to the provisions of this article is 100 percent of the value of the statewide allowable purchase price.

(c) *Required education program.* The West Virginia Housing Development Fund shall require, as a condition for a loan, that an eligible veteran participate in a first-time home buyer education program approved by the West Virginia Housing Development Fund.

(d) *Government guaranty.* A loan made by the West Virginia Housing Development Fund must be secured by a government guaranty, unless the West Virginia Housing Development Fund makes a determination that the use of conventional mortgage insurance requirements and coverage will satisfy security requirements.

(e) *Minimum amount of veteran monetary payment.* An eligible veteran shall participate in a loan by paying a minimum amount of \$2,500, unless the West Virginia Housing Development Fund provides, by legislative rule promulgated pursuant to the provisions of this section, circumstances under which a smaller minimum amount may be allowed. An eligible veteran may

use this minimum payment toward paying closing costs and may borrow from the program the maximum loan amount allowed by the mortgage insurer for the loan.

(f) *Income limitations.* There is no limit on the maximum amount of income that may be earned by an eligible veteran in order to qualify for the program.

(g) In order to allow small financial institutions to participate equitably in the program along with large financial institutions, the West Virginia Housing Development Fund may adopt rules to specify the maximum amount of mortgage loans that may be made by any one participating financial institution.

(h) The Legislative Auditor shall have access to all documentation used for the purpose of the program.

(i) The West Virginia Housing Development Fund shall annually submit to the Joint Committee on Government and Finance a report describing, at a minimum, the operation and use of this program. This report shall be due no later than December 1 of each year and may be combined with other reports submitted by the West Virginia Housing Development Fund to the Legislature.

§31-18F-5. West Virginia Veterans' Home Loan Mortgage Fund.

(a) The board of directors of the West Virginia Housing Development Fund shall create and establish the West Virginia Veterans' Home Loan Mortgage Fund. The fund shall be a special revolving fund of moneys made available by contribution or loan, and to be governed, administered and accounted for by the directors, officers and managerial staff of the Housing Development Fund as a public purpose trust account separate and distinct from any other moneys, funds or funds owned and managed by the Housing Development Fund. The purpose for organizing and operating the fund shall be to provide a source from which the Housing Development Fund may implement the provisions of this article.

(b) The Housing Development Fund shall administer the West Virginia Veterans' Home Loan Mortgage Fund and service the mortgage loans made pursuant to the program.

(c) The West Virginia Housing Development Fund shall receive all moneys transferred to the fund pursuant to §36-8-13(f) of this code, any other moneys to be deposited into the fund, and any repayments and interest paid to the fund.

(d) As a loan pursuant to this article is repaid, the principal payments on the loan must be redeposited in the fund until all the principal of the loan is repaid. In the event of foreclosure, the proceeds from the sale of the foreclosed property must be deposited to the fund. The fund may be used to cover the initial purchase of the mortgage loans from participating lenders as well as amounts determined by the Housing Development Fund, to pay for the origination and servicing release fees of a loan by a participating financial institution and to cover the holding costs of any foreclosed properties. Interest received on the loans may be used by the Housing Development Fund to pay the reasonable costs for the administration of the program and servicing of the loans. Remaining interest received on the loan must be deposited into the fund.

(e) Following the initial origination of loans, loan repayments and any interest earnings of the fund may be used by the Housing Development Fund to originate additional program loans or to assist in the development of affordable housing units for the benefit of veterans.

(f) The West Virginia Housing Development Fund may invest and reinvest all moneys in the Veterans' Home Loan Mortgage Fund in any investments authorized under §31-18-6 of this code pending the disbursement thereof in connection with the Veterans' Home Loan Mortgage Fund.

(g) The West Virginia Housing Development Fund will operate the Veterans' Home Loan Mortgage Fund in accordance with customary practices of mortgage lending and loan servicing, including originating loans through qualified lending institutions, industry standard underwriting, minimum down payments, house purchase prices, mortgage lien position, loan origination, and loan servicing fees like the West Virginia Housing Development Fund's Homeownership Program or similar program.

§31-18F-6. Rules to be adopted by fund.

The fund shall promulgate rules, including emergency rules, if necessary, in accordance with §29A-3-1 et seq. of this code, including rules:

(1) Specifying qualifications for financial institutions to participate in the program;

(2) Specifying underwriting criteria for a program loan, such as minimum down payment, credit score, ratios of housing expense and of all reoccurring debt as a percentage of income of the borrower, and any exceptions to those criteria;

(3) Specifying the statewide allowable purchase price of a home for the purposes of the program;

(4) Specifying the security required for a mortgage loan financed by the program;

(5) Specifying the qualifications of a first-time homebuyer;

(6) Providing the Legislative Auditor with access to records of participating financial institutions regarding loans made pursuant to this program;

(7) Governing the loan application process;

(8) Specifying the maximum origination fee that may be charged by a participating financial institution;

(9) Specifying the maximum servicing fees that may be charged by the fund; and

(10) Other loan conditions determined to be necessary by the fund.

CHAPTER 36. ESTATES AND PROPERTY.

ARTICLE 8. UNIFORM UNCLAIMED PROPERTY ACT.

§36-8-13. Deposit of funds.

(a) The administrator shall record the name and last known address of each person appearing from the holders reports to be entitled to the property, and the name and last known address of each insured person or annuitant and beneficiary and with respect to each policy or annuity listed in the report of an insurance company, its number, the name of the company, and the amount due.

(b) The Unclaimed Property Fund is continued. The administrator shall deposit all funds received pursuant to this article in the Unclaimed Property Fund, including the proceeds from the sale of abandoned property under §36-8-12 of this code. The administrator may invest the Unclaimed Property Fund with the West Virginia Board of Treasury Investments, or the Investment Management Board, and all earnings shall accrue to the fund and are available for expenditure in accordance with the article. In addition to paying claims of unclaimed property duly allowed, the administrator may deduct the following expenses from the Unclaimed Property Fund:

(1) Expenses of the sale of abandoned property;

(2) Expenses incurred in returning the property to owners, including without limitation the costs of mailing and publication to locate owners;

(3) Reasonable service charge; and

(4) Expenses incurred in examining records of holders of property and in collecting the property from those holders.

(c) The Unclaimed Property Trust Fund is continued within the State Treasury. The administrator may invest the Unclaimed Property Trust Fund with the West Virginia Board of Treasury Investments and all earnings shall accrue to the fund and are available for expenditure in accordance with this article. After deducting the expenses specified in subsection (b) of this section and maintaining a sum of money from which to pay claims duly allowed, the administrator shall transfer the remaining moneys in the Unclaimed Property Fund to the Unclaimed Property Trust Fund.

(d) On or before December 15 of each year, notwithstanding any provision of this code to the contrary, the administrator may transfer the sum of \$1 million from the Unclaimed Property Trust Fund to the Jumpstart Savings Trust Fund, until an actuary certifies there are sufficient funds to satisfy all obligations and administrative expenses of the Jumpstart Savings Program.

(e) Subject to a liquidity determination and cash availability, effective July 1, 2022, the unclaimed property administrator may transfer an amount in any fiscal year from the Unclaimed Property Trust Fund to the Military Authority Reimbursable Expenditure Fund: *Provided*, That the aggregate amount that may be transferred under this subsection may not exceed \$10,000,000.

(f) Subject to cash availability, on or before July 15, 2024, the unclaimed property administrator may transfer up to \$8 million from the Unclaimed Property Trust Fund to the West Virginia Veterans' Home Loan Mortgage Fund, as provided in §31-18F-5 of this code.

~~(f)~~(g) After transferring any money required by subsections (e) and (f) of this section, the administrator shall transfer moneys remaining in the Unclaimed Property Trust Fund to the General Revenue Fund.”

The bill was then ordered to third reading.

S. B. 262, Clarifying procedure for administrative dissolution of corporations by Secretary of State; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 378, Prohibiting smoking in vehicle when minor 16 or under is present; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 430, WV Rent-to-Own Act; on second reading, coming up in regular order, was read a second time.

An amendment was recommended by the Committee on Government Organization , and adopted, on page on page 2, section 46B-3-7, line 22, after the words "required by" by striking out the words "subdivision (1), subsection (c) of this section" and inserting in lieu thereof the words "§46B-3-7(c)(1) of this code".

On page 2, section 46B-3-7, line 27, after the words "required under" by striking out the words "subsection (b) of this section" and inserting in lieu thereof the words "§46B-3-7(b) of this code".

On page 2, section 46B-3-7, line 28, after the words "described under" by striking out the words "subsection (d) of this section" and inserting in lieu thereof "§46B-3-7(d) of this code".

And,

On page 2, section 46B-3-7, line 29, by striking out the words "subdivision (1), subsection (c) of this section" and inserting in lieu thereof the words "§46B-3-7(c)(1) of this code".

The bill was then ordered to third reading.

Com. Sub. for S. B. 445, Reducing certification periods and renewal fees for EMS personnel; on second reading, coming up in regular order, was read a second time

An amendment was recommended by the Committee on Government Organization , and adopted, on page 2, section 8, line 31, by striking "\$50" and inserting in lieu thereof "\$25";

And,

On page 7, section 16-4C-9, line 59 inserting after "electronically" the language "via the Board's website".

The bill was then ordered to third reading.

S. B. 530, Removing requirement for counties to draft and adopt zoning ordinances; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 542, Amending procedure for filling vacancies in certain county offices having more than three commissioners; on second reading, coming up in regular order, was read a second time,

An amendment was recommended by the Committee on the Judiciary, and adopted, on page 1 by striking everything after the enacting clause and inserting in lieu thereof the following:

"Be it enacted by the Legislature of West Virginia:

ARTICLE 10. FILLING VACANCIES.

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

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

(b) If a quorum of the county commission or council fails to make an appointment within 30 days, the county executive committee of the same political party with which the person holding the office preceding the vacancy was affiliated at the time the vacancy occurred of the previous election for that office shall submit a list of three legally qualified persons to fill the vacancy for a county having three elected commissioners, or shall submit a list of five legally qualified persons to fill the vacancy for a county having five elected commissioners or councilors. Within 15 days from the date on which the list is received, the county commission or council shall appoint a candidate from the list to fill the vacancy.

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

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

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

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

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

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

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

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

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

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

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

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

The bill was then ordered to third reading.

Com. Sub. for S. B. 557, Relating to compensation for firefighters required to work holidays; on second reading, coming up in regular order, was read a second time,

An amendment was recommended by the Committee on Government Organization, and adopted, on page 1 by striking out everything after the enacting clause and inserting in lieu thereof the following:

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

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

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

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

The bill was then ordered to third reading.

Com. Sub. for S. B. 587, Enabling State Fire Commission to propose legislative rules; on second reading, coming up in regular order, was read a second time and ordered to third reading,

S. B. 610, Clarifying authority of Water Development Authority in certain circumstances; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 632, Relating to Dangerousness Assessment Advisory Board multi-disciplinary study group; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Hite, the bill was amended on page 5, line 93 by striking, "upon a requisition upon" and inserting in lieu thereof, "upon a requisition of";

And,

On page 5, line 95, by striking, "(g) The study group steering committee comprised of the Chairman of the Dangerousness Assessment Advisory Board, the Statewide Forensic Clinical Director, and the Statewide Forensic Coordinator may:" and inserting in lieu thereof the following, "(g) The study group steering committee comprised of members as selected by Commissioner for the Bureau of Behavioral Health may:"

The bill was then ordered to third reading.

S. B. 643, Supplementing and amending appropriations to Department of Education, School Building Authority; on second reading, coming up in regular order, was read a second time and ordered to third reading

Com. Sub. for S. B. 649, Clarifying per diem compensation for certain judges recalled to service; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Com. Sub. for S. B. 652, Supplementing and amending appropriations to DHHR, Health Facilities; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 661, Expiring funds from Lottery Net Profits to General Revenue Surplus; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 663, Supplementing and amending appropriations to Division of Administrative Services, Criminal Justice Fund; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 687, Clarifying Legislative Auditor's scope of authority; on second reading, coming up in regular order, was read a second time.

At the request of Delegate Householder, and by unanimous consent, the bill was advanced to third reading with the right to amend, and the rule was suspended to permit the offering and consideration of the amendments on that reading.

Com. Sub. for S. B. 690, Establishing WV Agritourism Commission; on second reading, coming up in regular order, was read a second time and ordered to third reading, The bill was then ordered to third reading.

Com. Sub. for S. B. 695, Supplementing and amending appropriations to Energy Assistance, TANF, and Child Care and Development; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 697, Supplementing and amending appropriations to DHHR, Consolidated Medical Service Fund; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 698, Supplementing and amending appropriations to DHHR, Division of Human Services; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 699, Supplementing and amending appropriations to DHHR, Child Support Enforcement Fund; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 702, Supplementing and amending appropriations to DHHR, Laboratory Services Fund; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 704, Supplementing and amending appropriations to PSC, Motor Carrier Division; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 705, Supplementing and amending appropriations to PSC; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 732, Requiring cooperation between law-enforcement agencies and military authorities; on second reading, coming up in regular order, was read a second time,

An amendment was recommended by the Committee on Government Organization, and adopted, on page 1 by striking out everything after the enacting clause and inserting in lieu thereof as follows:

"ARTICLE 10. COOPERATION BETWEEN LAW-ENFORCEMENT AGENCIES.

§15-10-7. Cooperation with military authorities.

(a) The head of a law-enforcement agency or head of a campus police department, as those positions are defined in §15-10-3 of this code, may assign law-enforcement personnel under his or her command, or a prosecuting attorney of any county within the state, may assign an assistant prosecutor within their office to provide assistance, cooperation, and information to the National Guard of this state or any service component of the armed forces of the United States Department of Defense located in this state upon the written request of the Adjutant General or commanding officer of the unit or facility.

~~(b) The assistance authorized by subsection (a) of this section may be provided for, but not be limited to: A law-enforcement agency, campus police department, or prosecuting attorney shall, within a reasonable time after receiving a written request made by the Adjutant General or commanding officer of a National Guard unit located within the state, disclose all records and information pertaining to the following in which an alleged offender or victim is a member of the National Guard of this state or any service component of the armed forces of the United States located in this state:~~

- (1) Alleged violations of the federal and state Codes of Military Justice;
- (2) Alleged violations of the criminal laws of the United States and the State of West Virginia;
- (3) Investigations and other actions related to reports of sexual assault or sexual harassment, to include any cases of reprisal or retaliation;
- (4) Violations of military directives, regulations, or instruction; and
- (5) Other reasonable requests by the National Guard Notwithstanding the provisions of §61-8B-19 of this code, alleged violations of the offenses enumerated in §61-8A-1 et seq., §61-8B-1 et seq., §61-8C-1 et seq., or §61-14-1 et seq. of this code, or for the offenses included in §61-8D-3a, §61-8D-5, and §61-8D-6 of this code.

(c) The purpose of this section is to support the military by providing it objective, qualified law-enforcement services.

(d) The purpose of the amendments made to this section during the regular session of the Legislature, 2024, are to ensure force readiness of the National Guard and the armed forces by providing objective, relevant, and timely information related to military personnel; protecting members who may be the victims of a crime; and ensuring command awareness of members who may be subject to a criminal investigation."

The bill was then ordered to third reading.

Com. Sub. for S. B. 786, Relating to massage therapy establishments; on second reading, coming up in regular order, was read a second time.

At the request of Delegate Householder, and by unanimous consent, the bill was advanced to third reading with the right to amend, and the rule was suspended to permit the offering and consideration of the amendments on that reading.

Com. Sub. for S. B. 826, Creating exemption from bond or security requirement of banking institutions holding certain funds for county commissions; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 868, Supplementary appropriation to Department of Commerce, Geological and Economic Survey; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 871, Supplementary appropriation to Department of Veterans' Assistance, Veterans' Facilities; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 876, Supplementing and amending appropriations to Department of Health and Human Resources, Health Facilities; on second reading, coming up in regular order, was read a second time and ordered to third reading.

S. B. 877, Supplementing and amending appropriations to Higher Education Policy Commission; on second reading, coming up in regular order, was read a second time and ordered to third reading.

At 1:19 p.m., on motion of Delegate Householder, the House of Delegates recessed until 5:00 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.

Special Calendar

-continued-

First Reading

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

S. J. R. 10, Homestead Exemption for Disabled Veterans Amendment,

Com. Sub. for S. B. 190, Modifying definition of sexual contact,

Com. Sub. for S. B. 217, Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget,

Com. Sub. for S. B. 222, Exempting WV veterans from certain fees and charges at state parks,

Com. Sub. for S. B. 280, Allowing teachers in public schools to discuss scientific theories,

Com. Sub. for S. B. 352, Modifying Unborn Child Protection Act,

Com. Sub. for S. B. 429, WV Farm Use Vehicle Tag Placement Act,

S. B. 439, Authorizing certain 911 personnel to be members of Emergency Medical Services Retirement System under certain circumstances,

S. B. 452, Designating certain water and wastewater facilities as emergency project,

Com. Sub. for S. B. 453, Requiring pricing and payment transparency from pharmacy benefits managers contracting with PEIA,

Com. Sub. for S. B. 482, Relating to rule-making authority of Ethics Commission,

Com. Sub. for S. B. 503, Protecting belief-based student organizations from certain types of discrimination,

Com. Sub. for S. B. 533, Allowing EMS agencies to triage, treat or transport patients to alternate destinations,

S. B. 551, Modifying requirements related to levy of service fees,

Com. Sub. for S. B. 578, Clarifying offense of burglary,

Com. Sub. for S. B. 583, Relating to employer liability and damages in civil actions involving commercial motor vehicles,

Com. Sub. for S. B. 624, Cancelling voter registration records for individuals no longer WV residents,

Com. Sub. for S. B. 628, Declaring certain claims as moral obligations of the state,

Com. Sub. for S. B. 667, Creating Physician Assistant Compact,

S. B. 681, Revising service obligation for certain doctoral medical degree programs,

S. B. 683, Amending definition of "alternative fuel" under motor fuel excise tax,

Com. Sub. for S. B. 722, Revising examination of records relating to limited video lottery,

Com. Sub. for S. B. 738, Authorizing State Fire Marshal to promulgate emergency rules relating to increased fees,

Com. Sub. for S. B. 740, Prohibiting digital manipulation of sexually explicit content to include minors,

Com. Sub. for S. B. 741, Prohibiting creation, production, distribution or possession of artificially generated child pornography,

Com. Sub. for S. B. 751, Creating online charitable raffles,

Com. Sub. for S. B. 755, Providing safeguards for online sales of tobacco products,

Com. Sub. for S. B. 791, Modifying membership requirements of Medical Services Fund Advisory Council,

S. B. 803, Updating definitions for assessment of real property,

Com. Sub. for S. B. 805, Modifying Medicaid reimbursements for services at residential substance abuse treatment facilities,

Com. Sub. for S. B. 820, Requiring automatic enrollment of substance abuse disorder population into managed care,

Com. Sub. for S. B. 824, Increasing membership of WV Motorsport Committee,

S. B. 834, Increasing number of members for Motor Vehicle Dealers Advisory Board,

Com. Sub. for S. B. 841, Setting amount of unemployment taxes and benefits,

Com. Sub. for S. B. 850, Updating Consumer Credit and Protection Act,

S. B. 864, Clarifying reporting requirements of Grant Transparency and Accountability Act,

S. B. 866, Designating State Treasurer as chairperson of WV Investment Management Board,

S. B. 872, Relating to county fire service fees,

S. B. 873, Schedule for tax installment payments,

S. B. 874, Relating to WV Division of Multimodal Transportation,

And,

S. B. 875, Relating to certain insurance coverage provided by BRIM.

At the request of Delegate Householder, and by unanimous consent, the House returned to further consideration of **S. B. 806** for a new title amendment.

At the request of Delegate Householder, unanimous consent was obtained to reconsider the vote by which the House adopted the title amendment.

Unanimous consent was then obtained to withdraw a title amendment sponsored by Delegate Ellington, which was adopted earlier today.

A new title amendment sponsored by Delegate Ellington, was adopted, amending the title of the bill to read as follows:

S. B. 806 - "A Bill to amend and reenact §18-2-12 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-5B-7 of said code; to repeal §18-5F-6 of said code; to repeal §18-9A-7a of said code; to amend and reenact §18-9F-8 of said code; and to amend and reenact §18A-3C-3 of said code, all relating to the Legislative Oversight Commission on Education Accountability; removing required submission of plan to implement and update computer science instruction and learning standards in the public schools; removing required submission of annual report on innovation zones and the progress of innovation zone plans; removing required report on all aspects of the program at the end of the first year a virtual instruction program is implemented; removing required report on proposed revisions to the calculation of the allowance for service personnel to provide additional funded service personnel positions for lower-population density districts covering a large geographic areas; revising School Building Authority reporting on the school access safety and crisis response article to require the authority to report annually on its duties under the article; and removing requirement for review of the progress of the implementation of the comprehensive systems of support for teacher and leader induction and professional growth".

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

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4709, Relating to vocational and technical education programs.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4986, Relating to computer science and cybersecurity instruction for adult learners.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 5056, Relating to substitute service personnel positions.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 5170, Increasing the size of matching grants for local economic development from \$30,000 to \$50,000.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 5617, Authorizing the Public Service Commission to promulgate rules for maintenance, flushing, flow testing, and marking of fire hydrants owned by water utilities.

A message from the Senate, by

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

Com. Sub. for H. B. 5295, Authorizing a private outdoor designated area to simultaneously host multiple qualified permit holders.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates, as follows:

H. B. 5632, Relating generally to West Virginia Real Estate License Act.

A message from the Senate, by

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

Com. Sub. for S. B. 504, Relating to felony offense of sexual intercourse, intrusion, or contact with student.

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

Com. Sub. for S. B. 644 - "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 Forestry, fund 0250, fiscal year 2024, organization 0305, and the Department of Commerce, Geological and Economic Survey, fund 0253, fiscal year 2024, organization 0306, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (S. B. 644) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

A message from the Senate, by

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

Com. Sub. for S. B. 656 - "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 Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2024, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (Com. Sub. for S. B. 656) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

A message from the Senate, by

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

Com. Sub. for S. B. 665 - "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 Health and Human Resources, Division of Health - Central Office, fund 0407, fiscal year 2024, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (Com. Sub. for S. B. 665) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

A message from the Senate, by

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

Com. Sub. for S. B. 714, Transferring duties and licensing from Board of Osteopathic Medicine to Board of Medicine.

A message from the Senate, by

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

S. B. 827, Providing for regional distribution and dismantling centers.

In the absence of objection, the House returned to the Third Order of Business for the purpose of receiving committee reports.

Committee Reports

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

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 614, Relating to elementary behavior intervention and safety,

And,

Com. Sub. for S. B. 727, Revising process for county boards of education to hire support staff,

And reports the same back, with amendment, with the recommendation that they each do pass, as amended.

On the question that the bills be taken up for immediate consideration and read a first time, objection was heard.

Delegate Householder then so moved, and the motion was adopted.

The bills (Com. Sub. for S. B. 614 and Com. Sub. for S. B. 727) were read a first time and ordered to second reading.

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

Your Committee on Education has had under consideration:

Com. Sub. for S. B. 466, Requiring State Board of Education develop Safety While Accessing Technology education program,

Com. Sub. for S. B. 568, Creating multi-tiered system for school absenteeism,

And,

S. B. 859, Limiting requirements for issuance of professional teaching certificate,

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

At the respective requests of Delegate Householder, and by unanimous consent, the bills (Com. Sub. for S. B. 466, Com. Sub. for S. B. 568 and S. B. 859) were taken up for immediate consideration, read a first time and ordered to second reading.

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

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 325, Relating to distribution of drugs to safety net providers and contract pharmacies,

And,

Com. Sub. for S. B. 571, Creating WV Corridor H Advanced Energy and Economic Corridor Authority,

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

At the respective requests of Delegate Householder, and by unanimous consent, the bills (Com. Sub. for S. B. 325 and Com. Sub. for S. B. 571) were taken up for immediate consideration, read a first time and ordered to second reading.

Leaves of Absence

At the request of Delegate Householder, and by unanimous consent, leaves of absence for the day were granted Delegates Bridges, Fluharty and Howell.

Miscellaneous Business

Delegate Hillenbrand asked and obtained unanimous consent to be removed as a cosponsor of Com. Sub. for H. C. R. 57.

At 5:26 p.m., the House of Delegates adjourned until 9:30 a.m., Thursday, March 7, 2024.

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

SPECIAL CALENDAR

Thursday, March 7, 2024

58th Day

9:30 A.M.

UNFINISHED BUSINESS

Com. Sub. for H. C. R. 57 - Resolution demanding Congress call a Convention of States to propose amendments to the Constitution of the United States to create fiscal responsibility by and within the federal government.

THIRD READING

Com. Sub. for S. B. 2 - Authorizing DEP to promulgate rules

Com. Sub. for S. B. 36 - Authorizing Department of Homeland Security to promulgate legislative rules

Com. Sub. for S. B. 50 - Authorizing Department of Revenue to promulgate legislative rules

Com. Sub. for S. B. 60 - Authorizing DOT to promulgate legislative rules

S. B. 142 - Clarifying deadline to file annual report for companies authorized to do business in WV

S. B. 149 - Relating to municipalities required to be represented on county authority boards

S. B. 155 - Creating Violent Crime Prevention Act

S. B. 160 - Updating language and increasing penalties for indecent exposure [Right to Amend]

S. B. 166 - Updating contested elections procedures

S. B. 170 - Relating to compensable diseases of certain firefighters covered by workers' compensation

S. B. 173 - Modifying certain guidelines for motor vehicle dealers, distributors, wholesalers, and manufacturers [Right to Amend]

Com. Sub. for S. B. 261 - WV Veterans' Home Loan Mortgage Program of 2024

S. B. 262 - Clarifying procedure for administrative dissolution of corporations by Secretary of State

S. B. 378 - Prohibiting smoking in vehicle when minor 16 or under is present

S. B. 430 -	WV Rent-to-Own Act
Com. Sub. for S. B. 445 -	Reducing certification periods and renewal fees for EMS personnel
S. B. 530 -	Removing requirement for counties to draft and adopt zoning ordinances
Com. Sub. for S. B. 542 -	Amending procedure for filling vacancies in certain county offices having more than three commissioners
Com. Sub. for S. B. 557 -	Relating to compensation for firefighters required to work holidays
Com. Sub. for S. B. 587 -	Enabling State Fire Commission to propose legislative rules
S. B. 610 -	Clarifying authority of Water Development Authority in certain circumstances
Com. Sub. for S. B. 632 -	Relating to Dangerousness Assessment Advisory Board multi-disciplinary study group
S. B. 643 -	Supplementing and amending appropriations to Department of Education, School Building Authority
Com. Sub. for S. B. 649 -	Clarifying per diem compensation for certain judges recalled to service
Com. Sub. for S. B. 652 -	Supplementing and amending appropriations to DHHR, Health Facilities
S. B. 661 -	Expiring funds from Lottery Net Profits to General Revenue Surplus
S. B. 663 -	Supplementing and amending appropriations to Division of Administrative Services, Criminal Justice Fund
S. B. 687 -	Clarifying Legislative Auditor's scope of authority [Right to Amend]
Com. Sub. for S. B. 690 -	Establishing WV Agritourism Commission
Com. Sub. for S. B. 695 -	Supplementing and amending appropriations to Energy Assistance, TANF, and Child Care and Development
S. B. 697 -	Supplementing and amending appropriations to DHHR, Consolidated Medical Service Fund
S. B. 698 -	Supplementing and amending appropriations to DHHR, Division of Human Services
S. B. 699 -	Supplementing and amending appropriations to DHHR, Child Support Enforcement Fund
S. B. 702 -	Supplementing and amending appropriations to DHHR, Laboratory Services Fund

- S. B. 704 - Supplementing and amending appropriations to PSC, Motor Carrier Division
- S. B. 705 - Supplementing and amending appropriations to PSC
- S. B. 732 - Requiring cooperation between law-enforcement agencies and military authorities
- Com. Sub. for S. B. 786 - Relating to massage therapy establishments [Right to Amend]
- Com. Sub. for S. B. 826 - Creating exemption from bond or security requirement of banking institutions holding certain funds for county commissions
- S. B. 868 - Supplementary appropriation to Department of Commerce, Geological and Economic Survey
- S. B. 871 - Supplementary appropriation to Department of Veterans' Assistance, Veterans' Facilities
- S. B. 876 - Supplementing and amending appropriations to Department of Health and Human Resources, Health Facilities
- S. B. 877 - Supplementing and amending appropriations to Higher Education Policy Commission

SECOND READING

- S. J. R. 10 - Homestead Exemption for Disabled Veterans Amendment
- Com. Sub. for S. B. 152 - Displaying official US motto in public schools
- S. B. 159 - Prohibiting persons convicted of certain crimes against minors from holding positions on boards of education
- Com. Sub. for S. B. 190 - Modifying definition of sexual contact
- Com. Sub. for S. B. 217 - Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget
- Com. Sub. for S. B. 222 - Exempting WV veterans from certain fees and charges at state parks
- Com. Sub. for S. B. 280 - Allowing teachers in public schools to discuss scientific theories
- Com. Sub. for S. B. 325 - Relating to distribution of drugs to safety net providers and contract pharmacies
- Com. Sub. for S. B. 352 - Modifying Unborn Child Protection Act
- Com. Sub. for S. B. 429 - WV Farm Use Vehicle Tag Placement Act
- S. B. 439 - Authorizing certain 911 personnel to be members of Emergency Medical Services Retirement System under certain circumstances

- S. B. 452 - Designating certain water and wastewater facilities as emergency project
- Com. Sub. for S. B. 453 - Requiring pricing and payment transparency from pharmacy benefits managers contracting with PEIA
- Com. Sub. for S. B. 466 - Requiring State Board of Education develop Safety While Accessing Technology education program
- Com. Sub. for S. B. 475 - Relating to recovery residences
- Com. Sub. for S. B. 482 - Relating to rule-making authority of Ethics Commission
- Com. Sub. for S. B. 503 - Protecting belief-based student organizations from certain types of discrimination
- Com. Sub. for S. B. 533 - Allowing EMS agencies to triage, treat or transport patients to alternate destinations
- Com. Sub. for S. B. 548 - Clarifying appellate jurisdiction of Intermediate Court of Appeals
- S. B. 551 - Modifying requirements related to levy of service fees
- Com. Sub. for S. B. 568 - Creating multi-tiered system for school absenteeism
- Com. Sub. for S. B. 571 - Creating WV Corridor H Advanced Energy and Economic Corridor Authority
- Com. Sub. for S. B. 578 - Clarifying offense of burglary
- Com. Sub. for S. B. 583 - Relating to employer liability and damages in civil actions involving commercial motor vehicles
- Com. Sub. for S. B. 601 - Creating WV Women's Bill of Rights
- Com. Sub. for S. B. 614 - Relating to elementary behavior intervention and safety
- Com. Sub. for S. B. 624 - Cancelling voter registration records for individuals no longer WV residents
- Com. Sub. for S. B. 628 - Declaring certain claims as moral obligations of the state
- Com. Sub. for S. B. 644 - Supplementing and amending appropriations to Department of Commerce, Division of Forestry, and Geological and Economic Survey
- Com. Sub. for S. B. 656 - Supplementing and amending appropriations to DHHR, Division of Human Services
- Com. Sub. for S. B. 665 - Supplementing and amending appropriations to DHHR, Division of Health
- Com. Sub. for S. B. 667 - Creating Physician Assistant Compact
- Com. Sub. for S. B. 679 - Regulating certain plant-based derivatives, hemp-derived cannabinoid products, and Kratom

S. B. 681 -	Revising service obligation for certain doctoral medical degree programs
S. B. 683 -	Amending definition of "alternative fuel" under motor fuel excise tax
Com. Sub. for S. B. 716 -	Relating to child support
Com. Sub. for S. B. 722 -	Revising examination of records relating to limited video lottery
Com. Sub. for S. B. 727 -	Revising process for county boards of education to hire support staff
Com. Sub. for S. B. 730 -	Clarifying compensation for county tax collector
Com. Sub. for S. B. 738 -	Authorizing State Fire Marshal to promulgate emergency rules relating to increased fees
Com. Sub. for S. B. 740 -	Prohibiting digital manipulation of sexually explicit content to include minors
Com. Sub. for S. B. 741 -	Prohibiting creation, production, distribution or possession of artificially generated child pornography
Com. Sub. for S. B. 751 -	Creating online charitable raffles
Com. Sub. for S. B. 755 -	Providing safeguards for online sales of tobacco products
Com. Sub. for S. B. 766 -	Relieving railroad companies of liability during parades
S. B. 768 -	Providing exception for sharing of confidential child welfare records
Com. Sub. for S. B. 778 -	Amending certain qualifying offenses to enhance sentences of repeat offenders
Com. Sub. for S. B. 785 -	Allowing Foster Care Ombudsman access to child protective records
Com. Sub. for S. B. 791 -	Modifying membership requirements of Medical Services Fund Advisory Council
S. B. 803 -	Updating definitions for assessment of real property
Com. Sub. for S. B. 805 -	Modifying Medicaid reimbursements for services at residential substance abuse treatment facilities
Com. Sub. for S. B. 819 -	Modifying requirements for public water systems or businesses having backflow preventers
Com. Sub. for S. B. 820 -	Requiring automatic enrollment of substance abuse disorder population into managed care
Com. Sub. for S. B. 824 -	Increasing membership of WV Motorsport Committee
S. B. 834 -	Increasing number of members for Motor Vehicle Dealers Advisory

Board

- S. B. 837 - Reorganizing offices of Public Defender Corporations to conform to circuit reconfiguration
- Com. Sub. for S. B. 841 - Setting amount of unemployment taxes and benefits
- Com. Sub. for S. B. 850 - Updating Consumer Credit and Protection Act
- S. B. 858 - Clarifying filing requirements and deadlines in property tax cases
- S. B. 859 - Limiting requirements for issuance of professional teaching certificate
- S. B. 864 - Clarifying reporting requirements of Grant Transparency and Accountability Act
- S. B. 866 - Designating State Treasurer as chairperson of WV Investment Management Board
- S. B. 872 - Relating to county fire service fees
- S. B. 873 - Schedule for tax installment payments
- S. B. 874 - Relating to WV Division of Multimodal Transportation
- S. B. 875 - Relating to certain insurance coverage provided by BRIM

HOUSE CALENDAR

Thursday, March 7, 2024

58th Day

9:30 A.M.

THIRD READING

- Com. Sub. for S. B. 754 - Allowing car dealerships to utilize search engines to determine if buyers have valid motor vehicle insurance
- Com. Sub. for H. B. 4025 - Budget Bill
- H. B. 5245 - Supplementing, amending, and increasing existing items of appropriation from the State Road Fund to the Department of Transportation, Division of Highways
- Com. Sub. for H. B. 5331 - Relating to boating safety education certificate
- H. B. 5449 - Supplementing and amending appropriations to Health Facilities, William R. Sharpe Jr. Hospital and Mildred Mitchell-Bateman Hospital
- H. B. 5453 - Supplementing and amending appropriations to the Division of Health, Central Office
- Com. Sub. for H. B. 5457 - Supplementing and amending appropriations to the Division of Human Services
- H. B. 5471 - Supplementing and amending appropriations to the Division of Administrative Services, Criminal Justice Fund

SECOND READING

- Com. Sub. for S. B. 292 - Hunger-Free Campus Act
- S. B. 461 - Relating to county economic opportunity development districts
- H. B. 4795 - Relating to permitting an academic medical center to operate an opioid treatment facility.
- H. B. 4878 - Updating the meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act
- H. B. 4881 - Relating to bringing terms not defined in that act into conformity with the meaning of those terms for federal income tax purposes
- H. B. 4957 - Relating generally to lobbying rules

- Com. Sub. for H. B. 5021 - Relating to cardiac response plans
- H. B. 5038 - Relating to research and economic development agreements for state institutions of higher education
- H. B. 5050 - Relating to authorizing legislative rules regarding higher education.
- H. B. 5263 - Relating to the Consolidated Public Retirement Board and requiring participating public employers to remit retirement contributions and fees by electronic funds transfer
- H. B. 5269 - Relating to the Municipal Police Officers and Firefighters Retirement System
- H. B. 5270 - Relating to the Natural Resources Police Officers Retirement System
- Com. Sub. for H. B. 5351 - To amend the definition of commercial solid waste facility
- Com. Sub. for H. B. 5354 - Relating to the Grant Transparency and Accountability Act
- H. B. 5455 - Supplementing and amending appropriations to the School Building Authority
- H. B. 5470 - Expiring funds from Lottery Net Profits to General Revenue Surplus
- Com. Sub. for H. B. 5606 - Relating generally to money laundering

FIRST READING

- H. B. 4429 - Relating to excluding test strips from the definition of drug paraphernalia
- H. B. 4777 - Allow staff members in public schools to eat lunch for free if there is food left over after every student has been fed
- Com. Sub. for H. B. 4864 - To prohibit municipalities from shutting off water service for the nonpayment of stormwater management fees.
- Com. Sub. for H. B. 4909 - Relating to eliminating the certificate of need program for health services
- H. B. 5022 - Relating to increasing the amount of ephedrine, pseudoephedrine or phenylpropanolamine a person may purchase annually.
- Com. Sub. for H. B. 5067 - To remove the 2 year timeframe for medical malpractice suits to be filed ONLY for individuals who were minors when they had their procedures performed
- Com. Sub. for H. B. 5441 - Relating to raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal public works projects.

- Com. Sub. for H. B. 5445 - Revising the statute to reduce the minimum age for a cadet for the West Virginia State Police from the age of 21 to the age of 18.
- Com. Sub. for H. B. 5536 - Relating to the assessment of interest on overpayments by the Bureau for Medical Services
- H. B. 5590 - Changing reference to the "Curator" of the Department of Arts, Culture, and History to the "Secretary" of the Department
- H. B. 5695 - Relating to Community Enhancement Districts

WEST VIRGINIA HOUSE OF DELEGATES

THURSDAY, MARCH 7, 2024

HOUSE CONVENES AT 9:30 A.M.

**COMMITTEE ON RULES
9:15 A.M. - BEHIND THE CHAMBER**

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