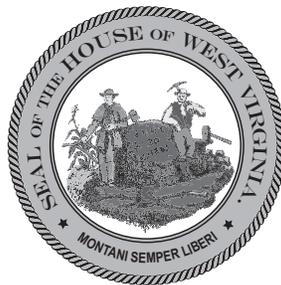


West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Sixth Legislature
Second Regular Session

Held at Charleston
Published by the Clerk of the House



January 23, 2024
FOURTEENTH DAY

Tuesday, January 23, 2024

FOURTEENTH DAY

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

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

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

The Clerk proceeded to read the Journal of Monday, January 22, 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, H. B. 4795, H. B. 4878 and H. B. 4881, on Second Reading, Special Calendar, were transferred to the House Calendar; and H. B. 4429 and Com. Sub. for H. B. 4621, on First Reading, Special Calendar, were 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:

H. B. 4079, Authorizing the West Virginia Tax Department to promulgate a legislative rule relating to aircraft operated under a fractional ownership program,

H. B. 4080, Authorizing the West Virginia Tax Department to promulgate a legislative rule relating to income tax credits for property taxes paid,

H. B. 4081, Authorizing the West Virginia Tax Department to promulgate a legislative rule relating to citizen tax credit for property taxes paid,

H. B. 4082, Authorizing the West Virginia Tax Department to promulgate a legislative rule relating to income tax paid at the entity level by electing pass-through entities,

H. B. 4083, Authorizing the West Virginia Tax Department to promulgate a legislative rule relating to administration of tax on purchases of wine and liquor inside and outside of municipalities,

And,

H. B. 4084, Authorizing the West Virginia Tax Department to promulgate a legislative rule relating to privilege tax on sales of hemp-derived cannabinoid and kratom products,

And reports the same back with the recommendation that they each do pass, but that they first be referred to the Committee on the Judiciary.

In accordance with the former direction of the Speaker, the bills (H. B. 4079, H. B. 4080, H. B. 4081, H. B. 4082, H. B. 4083 and H. B. 4084) were each referred to the Committee on the Judiciary.

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

Your Committee on Education has had under consideration:

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,

H. B. 4814, Relating to extending the reporting and sunset dates of the State Advisory Council on Postsecondary Attainment Goals,

And,

H. B. 4860, Providing that a general education teacher may not be responsible for accommodation logs,

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

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

Your Committee on Education has had under consideration:

H. B. 4851, To allow for public and private schools in West Virginia to employ security personnel,

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

In accordance with the former direction of the Speaker, the bill (H. B. 4851) was referred to the Committee on the Judiciary.

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:

H. B. 4205, Relating to changing the process of election litigation,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4205 - "A Bill to amend and reenact §3-1-45 of the Code of West Virginia, 1931, as amended, relating to legal standing of the West Virginia Legislature in court actions related to unauthorized changes to election laws and rules; and identifying the Legislature as a necessary party,"

H. B. 4315, Providing DMV with certain medical information related to mental or physical disabilities as it relates to the ability of a person to drive safely,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4315 - "A Bill to amend §17B-3-13 of the Code of West Virginia, 1931, as amended, relating to requiring reports on diseases, disorders, disabilities or conditions affecting the ability of a person to competently drive a motor vehicle to the Division of Motor Vehicles; clarifying the persons responsible for reports; providing mandatory time frames for reports; providing that noncompliance or compliance is not evidence of negligence; providing definitions; and providing that the amendments to this section shall be known as "McKayla, Miranda, and Philip's Law","

And,

H. B. 4759, Relating to E-Verify, the federal employment authorization program,

And reports back a committee substitute therefor, as follows:

Com. Sub. for H. B. 4759 - "A Bill to amend and reenact §21-1B-2, §21-1B-3, §21-1B-5, §21-1B-7, and §21-1B-8 of the Code of West Virginia, 1931, and to repeal §21-1B-6, of the Code of West Virginia, 1931, and amends and reenacts §21-5I-4 of the Code of the Code of West Virginia, 1931, all relating to E-Verify, the federal employment authorization program; defining terms; requiring businesses to participate in E-Verify as a condition for receiving state contracts, grants, or incentives; requiring subcontractors to participate in E-Verify prior to working on any project paid for by any state contract, grant, or incentive; providing rules for E-Verify participation for contractors and subcontractors; requiring employers in this state to enroll and participate in E-Verify; listing exceptions to said mandatory participation; providing rules for E-Verify participation for employers; imposing civil penalties; providing defenses; providing for enforcement; and requiring the Division of Labor to propose legislative rules to implement the article's provisions, and relating to the definition of independent contractor,"

With the recommendation that the committee substitutes each do pass.

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:

S. C. R. 16, Urging US Congress enact reforms to federal permitting policies to accelerate deployment of new energy infrastructure,

And,

S. C. R. 17, Reaffirming support of WV Legislature for State of Israel and Jewish people,

And reports the same back with the recommendation that they each be adopted.

Messages from the Senate

A message from the Senate, by

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

S. B. 219 - "A Bill to amend and reenact §60A-4-416 of the Code of West Virginia, 1931, as amended, relating generally to the Uniform Controlled Substances Act; defining and clarifying the phrases 'engaged in the illegal use of a controlled substance with another person' and 'seek medical assistance'; and establishing criminal penalties"; which was referred to the Committee on the Judiciary.

Resolutions Introduced

Resolutions were introduced and severally referred as follows:

By Delegates Nestor, Kelly, Ridenour, Hillenbrand, Akers, Shamblin, Zatezalo, Marple, Mallow, Heckert and Kump:

H. R. 4 - "Urging the United States Congress to provide additional funding for the provision of nutritional services to senior citizens"; to the Committee on Senior, Children, and Family Issues then Rules.

By Delegates Martin, Brooks, Foster, Willis, Nestor, Phillips and Burkhammer:

H. C. R. 47 – "Requesting the Division of Highways name bridge number 49-020/10-000.29 () (49A137), (38.87524, -80.26413) locally known as LAUREL FORK BOX BEAM, carrying CR 20/10 over LAUREL FORK in Upshur County, the 'U. S. Army SGT John Claude Roby Memorial Bridge"; to the Committee on Technology and Infrastructure then Rules.

By Delegates Vance, Adkins, Akers, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, Campbell, Cannon, Chiarelli, W. Clark, T Clark, Cooper, Coop-Gonzalez, Criss, Crouse, Dean, DeVault, Dillon, Dittman, Ellington, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Foggin, Forsht, Foster, Garcia, Gearheart, Griffith, W. Hall, Hamilton, Hansen, Hardy, Heckert, Hillenbrand, Hite, Holstein, Hornbuckle, Hornby, Horst, Hott, Householder, Howell, Jeffries, Jennings, Kelly, Kimble, Kirby, Kump, Lewis, Linville, Longanacre, Lucas, Mallow, Marple, Martin, Maynor, Mazzocchi, Miller, Moore, Nestor, Petitto, Phillips, Pinson, C. Pritt, E. Pritt, Ridenour, Riley, Rohrbach, Ross, Shamblin, Sheedy, Smith, Statler, Steele, Stephens, Street, Summers, Toney, Tully, Ward, Warner, Westfall, Williams, Willis, Winzenreid, Worrell, Young and Zatezalo:

H. C. R. 48 – "Proclaiming November 7th to be designated annually as "Pastor Appreciation Day" in West Virginia in tribute to those who, through their unwavering commitment to service and faith in God, strive to enrich the lives of the people in their congregations and communities"; to the Committee on Rules.

On motions for leave, Joint Resolutions were introduced and severally referred as follows:

By Delegates Howell, W. Clark, E. Pritt, Campbell, Hite, Householder, Adkins, Crouse, Horst, Thorne and Willis:

H. J. R. 18 - "Proposing an amendment to the Constitution of the State of West Virginia section 5, article 10, relating to the power of taxation by the legislature; providing that personal income rates may not be increased; and that when the personal income tax is eliminated by the legislature, it may not be reestablished; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

By Delegate Foster:

H. J. R. 19 - "Proposing an amendment to the Constitution of the State of West Virginia, amending article X thereof, by adding thereto a new section, designated section one-d, relating

to exempting from ad valorem taxation personal property in the form of manufacturing inventory and manufacturing equipment; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Finance then the Judiciary.

By Delegates Kump, Horst and Hite:

H. J. R. 20 - "Proposing an amendment to the Constitution of the State of West Virginia, amending article VI thereof, by adding thereto a new section, designated section 58, relating to the creation of single member senatorial districts; the numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on Political Subdivisions then the Judiciary.

And,

By Delegates Heckert, Zatezalo, Foggin, Smith, Fehrenbacher, McGeehan, Street, Thorne, Maynor, Longanacre and Phillips:

H. J. R. 21 - "Proposing an amendment to the Constitution of the State of West Virginia amending section 1, Article IV thereof to prohibit persons not United States citizens from voting in any election held within this state; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment"; to the Committee on the Judiciary.

Bills Introduced

On motions for leave, bills were introduced and severally referred as follows:

By Delegate Young:

H. B. 5003 - "A Bill to amend and reenact §48-2-301 of the Code of West Virginia, 1931, as amended, relating to the changing the age of consent for marriages"; to the Committee on the Judiciary.

By Delegate Linville:

H. B. 5004 - "A Bill to amend and reenact §24-2-1 and §24-2-3 of the Code of West Virginia, 1931, as amended, all relating to the statutory time frames for public service commission resolution of complaints against locally rate regulated water and wastewater utilities"; to the Committee on Political Subdivisions then Technology and Infrastructure.

By Delegate Linville:

H. B. 5005 - "A Bill to amend and reenact §24-2H-6 and §24-2H-7 of the Code of West Virginia, 1931, as amended, all relating to the authority of the Public Service Commission to order a capable proximate utility to operate a distressed or failing utility pursuant to a contract approved by the commission; establishing that if a capable proximate utility and a distressed or failing utility cannot reach agreement on such a contract then the commission may specify the terms and conditions of the contract and require the parties to enter into the contract; requiring that a hearing in a proceeding under this article be held within the county where the majority of the customers of the potentially distressed or failing utility reside, 25 miles of the utility's service area or at the Commission's headquarters; establishing that the Commission has discretion whether to hold an evidentiary hearing; and establishing that if an evidentiary hearing is held, the parties are to present evidence to the commission on whether a utility is distressed or failing, whether a capable proximate utility should acquire the distressed or failing utility or operate the utility under a commission approved contract, and which of two or more capable proximate utilities should

acquire the distressed or failing utility or operate the utility under a commission approved contract"; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegates Anderson, Zatezalo, Cooper, Heckert, Riley, Fehrenbacher, Barnhart, Hansen and Young:

H. B. 5006 - "A Bill to amend and reenact §22-15A-2 and §22-15A-16 of the Code of West Virginia, 1931, as amended, relating to the administration of the A. James Manchin Rehabilitation Environmental Action Fund to eliminate antiquated recycling goals and to set new criteria for evaluating the State's success in achieving recycling goals; defining terms; and establishing reporting requirements of recycling establishments"; to the Committee on Energy and Manufacturing.

By Delegates Jeffries, Kimble, Householder, Phillips, Hott, Crouse, Horst and Linville:

H. B. 5007 - "A Bill to amend and reenact §61-6-19 of the Code of West Virginia, 1931, as amended, relating to clarifying that there is no restriction on the lawful carrying of a deadly weapon, firearm or pepper spray specifically on sidewalks and streets directly bordering and surrounding the State Capitol Complex grounds"; to the Committee on the Judiciary.

By Delegates Horst, Hornby, Thorne, Heckert, Hite and Dean:

H. B. 5008 - "A Bill to amend and reenact §20-2-35 of the Code of West Virginia, 1931, as amended, relating to the beginning and expiration of hunting and fishing licenses"; to the Committee on Agriculture and Natural Resources then Government Organization.

By Delegate Martin:

H. B. 5009 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-17, relating to creating a process by which voters may recall a county ordinance in a special election"; to the Committee on Political Subdivisions then the Judiciary.

By Delegates Householder, Horst, Phillips, Chiarelli, Dittman, Hardy, Mallow, Kelly, Smith, McGeehan and Espinosa:

H. B. 5010 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-16-1, §15-16-2, §15-16-3, §15-16-4, and §15-16-5, all relating to the Firearms Industry Nondiscrimination Act; establishing short title; defining terms; establishing application of act to certain government contracts; providing exceptions; and providing the Attorney General the authority to review contracts for compliance with the Act"; to the Committee on the Judiciary.

By Delegates Ferrell, Rohrbach, Hanshaw (Mr. Speaker), Campbell, DeVault, Gearheart, Barnhart, W. Hall, Heckert, Westfall and Sheedy:

H. B. 5011 - "A Bill to amend and reenact §18-2-25e of the Code of West Virginia, 1931, as amended, relating to remove the one-time free transfer for high school student-athletes and to create a new system for transferring high school student-athletes in general"; to the Committee on Education.

By Delegates Coop-Gonzalez, Dillon, Vance, Kirby, Pinson, Burkhammer and Butler:

H. B. 5012 - "A Bill to amend and reenact §60-7-8e of the Code of West Virginia, 1931, as amended; and to amend and reenact §60-8-6c and §60-8-6d of said code; all relating to removing references to the sale or distribution of alcohol as being in the best interest of the state"; to the Committee on Government Organization.

By Delegates Hillenbrand, Thorne, Miller, Horst, Hornby, Adkins, Mazzocchi, Dittman, Ward, Lucas and Hott:

H. B. 5013 - "A Bill to amend and reenact §11-1C-2 of the Code of West Virginia, 1931, as amended, relating to amending the definition of managed timberland"; to the Committee on Energy and Manufacturing.

By Delegate Hanshaw (Mr. Speaker):

H. B. 5014 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Higher Education Policy Commission, West Virginia University, General Administration Fund, fund 0344, fiscal year 2024, organization 0463 by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"; to the Committee on Finance.

By Delegate Longanacre:

H. B. 5015 - "A Bill to amend and reenact §15A-11-9 of the Code of West Virginia, 1931, as amended, relating to the Rural Area Fire Department Volunteer Incentive Act of 2024, requiring the State Fire Commission to review and revise certain rules for training of rural area volunteer fire firefighters and certification of rural area volunteer fire departments; removing provision for a pilot program to implement proposed changes to such requirements; and requiring the State Fire Commission to consider separate standards to fit the character and level of development of a rural area volunteer fire department"; to the Committee on Fire Departments and Emergency Medical Services then Government Organization.

By Delegate Martin:

H. B. 5016 - "A Bill to amend and reenact §17-5-1 of the Code of West Virginia, 1931, as amended, relating to making all inmates, regardless of gender, eligible to work on a state convict road force"; to the Committee on the Judiciary.

By Delegates Dittman, Tully and Petitto:

H. B. 5017 - "A Bill to amend and reenact §16-2-18 of the Code of West Virginia, 1931, as amended, relating to mobile food establishment reciprocity"; to the Committee on Government Organization.

By Delegates Anderson, Zatezalo, Street, Barnhart, Fehrenbacher, Kelly, Riley, Heckert and Foggin:

H. B. 5018 - "A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22-5-21, related to providing for Department of Environmental Protection regulatory oversight and authority governing community air monitoring programs to ensure proper standards for data collection and evaluation through accurate scientific methods in order to help citizens protect State communities from air pollution; providing definitions; and limiting the use of said data by the Department"; to the Committee on Energy and Manufacturing.

By Delegate Linville:

H. B. 5019 - "A Bill to amend and reenact §17B-3-9 of the Code of West Virginia, 1931, as amended, relating to surrender and return of license not required for disqualifying or downgrading a driver's license"; to the Committee on Technology and Infrastructure.

By Delegate Linville:

H. B. 5020 - "A Bill to amend and reenact §17C-5-2b of the Code of West Virginia, 1931, as amended, relating to deferred adjudication and pre-trial diversions for first offense DUI cases"; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegates Summers and Tully:

H. B. 5021 - "A Bill to repeal §16-57-1, §16-57-2, §16-57-3, and §16-57-4 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18-5-22e; all relating to cardiac response plans"; to the Committee on Health and Human Resources.

By Delegate Summers:

H. B. 5022 - "A Bill to amend and reenact §60A-10-4 of the Code of West Virginia, 1931, as amended, relating to increasing the amount of ephedrine, pseudoephedrine or phenylpropanolamine a person may purchase annually"; to the Committee on Health and Human Resources.

By Delegates Vance, Cooper, Heckert, Dean, Bridges, Sheedy, Dillon, Toney, Brooks, Kirby and Foggin:

H. B. 5023 - "A Bill to amend and reenact §22A-2-8 of the Code of West Virginia, 1931, all relating to requiring that a qualified person accompany a certified person to conduct measurements of underground air currents when the work exceeds two hours, airways must be walked, there is no established communication, and manual tracking is required"; to the Committee on Energy and Manufacturing.

By Delegate Criss:

H. B. 5024 - "A Bill to amend and reenact §11-21-3, §11-21-4g, §11-21-18, §11-21-30, §11-21-40, §11-21-51, and §11-21-71a of the Code of West Virginia, 1931, as amended; and to amend and reenact §44D-1-108 of said code; all relating to the personal income tax by exempting non-granter trusts administered in this state from the personal income tax"; to the Committee on Finance.

By Delegates Criss and Hardy:

H. B. 5025 - "A Bill to amend and reenact §11-10-17 of the Code of West Virginia, 1931, as amended, to eliminate the additional one and one-half percent interest rate for underpayments and specify an effective date"; to the Committee on Finance.

By Delegate Steele:

H. B. 5026 - "A Bill to amend and reenact §49-4-112 of the Code of West Virginia, 1931, as amended, and by adding thereto a new section, designated §49-4-112a, all relating to adoption and legal guardianship proceedings arising from abuse or neglect proceeding; requiring department pay attorney's fees for representing adoptive parents; providing process for adoption of juveniles resulting to an underlying abuse or neglect complaint; and providing effective date"; to the Committee on the Judiciary.

By Delegates Hornby, Burkhammer, Chiarelli, McGeehan, Phillips and Foggin:

H. B. 5027 - "A Bill to amend and reenact §19-37-2 of the Code of West Virginia, 1931, as amended, relating to increasing the minimum amount of food purchased from in-state producers; and creating penalties for noncompliance and breach of contract"; to the Committee on Government Organization then Finance.

By Delegates Jeffries, Pinson, Burkhammer, Kimble, Crouse, Worrell and Vance:

H. B. 5028 - "A Bill to amend and reenact §49-4-604 of the Code of West Virginia, 1931, as amended, relating to requiring that final orders be prepared and signed within 10 days of the disposition hearing"; to the Committee on the Judiciary.

By Delegates Brooks, Chiarelli, Kirby, Foggin, Vance and Kump:

H. B. 5029 - "A Bill to amend and reenact §18B-10-7e of the Code of West Virginia, 1931, as amended, relating to providing for tuition reimbursement for corrections officers"; to the Committee on Education then Finance.

By Delegates Ridenour, Foster, C. Pritt, Ward, Kirby, Steele, Hillenbrand, Barnhart, Householder, Mallow and Martin:

H. B. 5030 - "A Bill to amend and reenact §3-9-24 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §3-9-25, all relating to modifying the penalties for election interference"; to the Committee on the Judiciary.

By Delegates Ridenour, Kirby, Phillips, Steele, Foster, Kimble, Hillenbrand, Householder, Gearheart, Mallow and Martin:

H. B. 5031 - "A Bill to amend and reenact §61-14-1 and §61-14-7 of the Code of West Virginia, 1931, as amended, all relating to human trafficking, adding a definition for 'illegal alien'; general provisions and penalties; and providing that illegal aliens are not eligible for restitution"; to the Committee on the Judiciary.

By Delegates Burkhammer, Jeffries and Coop-Gonzalez:

H. B. 5032 - "A Bill to amend and reenact §16-2D-3 of the Code of West Virginia, 1931, as amended, relating to requiring health care facilities not exempt from certificates of need to provide health care services to persons who are under the public employees insurance act"; to the Committee on Banking and Insurance then Health and Human Resources.

By Delegates Vance, Toney, Dean and Bridges:

H. B. 5033 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-65, relating to the creation of a three-year pilot program for the stocking of F1 largemouth bass fingerlings, otherwise known as 'tiger bass"; to the Committee on Agriculture and Natural Resources then Government Organization.

By Delegates Vance, Martin, Toney, Dean, Brooks and Bridges:

H. B. 5034 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-13-32, relating to providing a reduction of the business and occupation tax rate for companies who have 75% or more of their workforce as West Virginia residents"; to the Committee on Finance.

By Delegates Vance, Martin, Longanacre, Brooks, Nestor, Hornby, Hite, Bridges, Dean, Chiarelli and DeVault:

H. B. 5035 - "A Bill to amend and reenact §3-2-1 and §3-2-5 of the Code of West Virginia, 1931, as amended, relating to requiring all voter registration cards to be photo ID cards that are updated as frequently as all identification issued by the Department of Motor Vehicles, listing where and how these cards can be obtained, and providing that these shall be produced free of charge to eligible voters"; to the Committee on the Judiciary.

By Delegate Heckert:

H. B. 5036 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §49-11-1, §49-11-2, and §49-11-3, all relating to codifying the Parents' Bill of Rights"; to the Committee on Senior, Children, and Family Issues then the Judiciary.

By Delegates W. Clark, Howell, Heckert, Ward, Tully, Mazzocchi, E. Pritt, Ferrell and Ellington:

H. B. 5037 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §16-9H-1, §16-9H-2, §16-9H-3, §16-9H-4, §16-9H-5, §16-9H-6, and §16-9H-7, all relating to the creation of an e-cigarette and e-cigarette liquid directory; regulating the distribution and sale of e-cigarettes and e-cigarette liquid; requiring manufacturers to obtain market authorization from the United States Food and Drug Administration prior to the sale of e-cigarettes or e-cigarette liquids; providing manufacturers notice and the opportunity to be heard before removal from the directory; prohibiting the sale of e-cigarettes or e-cigarette liquid not listed on the directory; requiring unannounced compliance checks for retailers and wholesalers of electronic cigarettes; prescribing fines and penalties; requiring foreign manufacturers to designate an agent for service of process; designating the Secretary of State as an agent for service of process for resident manufacturers; and providing enforcement and rulemaking authority to the Tax Commissioner and the Alcohol Beverage Control Administration Commissioner"; to the Committee on Government Organization then the Judiciary.

By Delegates Rohrbach, Linville, Lucas, Hornbuckle, Riley, Ellington and Worrell:

H. B. 5038 - "A Bill to amend and reenact §18B-12-3, §18B-12-4, and §18B-12-10 of the Code of West Virginia, 1931, as amended, all relating to research and economic development agreements for state institutions of higher education; and clarifying that the governing boards of state institutions of higher education are authorized to enter into agreements and contractual relationship with corporations formed with respect to such state institutions of higher education for purposes of fostering economic development efforts"; to the Committee on Education.

By Delegate Linville:

H. B. 5039 - "A Bill to amend and reenact §17C-5-7 and §17C-5-7a of the Code of West Virginia, 1931, as amended, relating to authorizing the West Virginia Division of Motor Vehicles to enforce administrative penalties for the civil offense of refusing a secondary chemical test"; to the Committee on Technology and Infrastructure then the Judiciary.

By Delegate Dillon:

H. B. 5040 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-43, relating to the creation of the Fast Track for Agriculture Education Endorsement Program"; to the Committee on Education.

By Delegate Dillon:

H. B. 5041 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-2S-1, §16-2S-2, §16-2S-3, and §16-2S-4, all relating to the creation of the Life at Conception Act of 2024; providing for the right to life to be guaranteed to all human beings; creating a short title; establishing the right to life; providing for definitions, and providing for certain additional provisions"; to the Committee on Health and Human Resources then the Judiciary.

By Delegate Dillon:

H. B. 5042 - "A Bill to repeal §17C-16-1, §17C-16-2, §17C-16-3, §17C-16-4, §17C-16-5, §17C-16-6, §17C-16-7, §17C-16-8, and §17C-16-9 of the Code of West Virginia, 1931, as

amended, relating to the elimination of mandatory state inspections of motor vehicles"; to the Committee on Technology and Infrastructure then Finance.

By Delegates Ridenour, Martin, C. Pritt, Kirby, Steele, Householder, Mallow, Marple, Burkhammer, Phillips and Hillenbrand:

H. B. 5043 - "A Bill amend §6B-3-1, §6B-3-2, §6B-3-4, §6B-3-6, and §6B-3-7 of the Code of West Virginia, 1931, as amended, and by adding thereto a new article, designated §6B-3A-1, §6B-3A-2, §6B-3A-3, §6B-3A-4, §6B-3A-5, §6B-3A-6, §6B-3A-7, §6B-3A-8, §6B-3A-9, §6B-3A-10, and §6B-3A-11, all relating to the requirements, prohibitions, and regulation of foreign principals or agents of foreign principals, lobbying by or on behalf of such foreign principals or their agents, and establishing criminal liabilities and fines for violations of the requirements applicable to such foreign principals or their agents"; to the Committee on the Judiciary.

By Delegate Williams:

H. B. 5044 - "A Bill to amend and reenact §61-8-19 of the Code of West Virginia, 1931, as amended, relating to cruelty to animals; defining food, water, shelter, and treatment; providing specifics for tethering an animal; providing for seizure of an animal for violations; increasing criminal penalties; and providing that a person in violation of this statute for a second time shall be added to a state-wide, publicly available, do not adopt or sell, registry"; to the Committee on the Judiciary.

By Delegates Anderson, Zatezalo and Heckert:

H. B. 5045 - "A Bill to amend and reenact §22-11-4, §22-11-22, §22-11-22a, §22-11-24, and §22-11-25 of the Code of West Virginia, 1931, as amended; and to amend §22-11B-3 and §22-11B-12 of said code, all related to the administration of the West Virginia Water Pollution Control Act, and Underground Carbon Dioxide Sequestration and Storage, and to provide further assurances to the United States Environmental Protection Agency regarding the State of West Virginia's application for primary enforcement authority over underground carbon dioxide sequestration programs in the State of West Virginia"; to the Committee on Energy and Manufacturing.

By Delegate Dillon:

H. B. 5046 - "A Bill to amend and reenact §18-8-1 of the Code of West Virginia, 1931, as amended, relating to removing the reporting of assessments and portfolio reviews to county boards of home schooled children"; to the Committee on Education.

By Delegates Hansen, Pushkin, Hamilton and Young:

H. B. 5047 - "A Bill to amend and reenact §22-1-17 of the Code of West Virginia, 1931, as amended, and to amend and reenact §22-3-11 of said code, all relating to revising surface mining reclamation requirements; revising requirements for special reclamation fund account reviews; revising mining bonding requirements to require the bond be set for actual reclamation costs; creating conditions and limitations upon certain bonding companies to assure viability of the special reclamation fund; requiring coordination between the tax department and the department of environmental protection to assure accuracy in reporting and correct payments into the surface mining special reclamation fund; and requiring that mining operations keep payments to the special reclamation fund current as a condition for receiving and retaining a mining permit"; to the Committee on Energy and Manufacturing then Finance.

By Delegates Hansen, Hamilton, Pushkin and Young:

H. B. 5048 - "A Bill to amend §22-6-2 of the Code of West Virginia, 1931, as amended; relating to bonding for wells used for extraction or placement of certain liquids or gas; and removing cap

on numbers of wells operators required to pay annual oversight fee"; to the Committee on Energy and Manufacturing then Finance.

By Delegates Hillenbrand, Hott, Fehrenbacher, Willis, Ridenour, Crouse, Moore, Kump, Sheedy, T Clark and Hardy:

H. B. 5049 - "A Bill to amend and reenact §11-22-1 of the Code of West Virginia, 1931, as amended, relating to exemptions from excise taxes; amending definitions; removing the exemption from excise taxes for certain transfers; adding an exemption for transfers between siblings; removing exemptions for certain gifts; and removing the excise-tax exemption for quitclaim deeds"; to the Committee on Finance.

By Delegates Ellington, Toney, Willis, Hornby, W. Clark, Lucas and Longanacre:

H. B. 5050 - "A Bill to amend and reenact §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as amended, all relating to authorizing legislative rules regarding higher education; authorizing legislative rules for the Higher Education Policy Commission regarding Guidelines for Employing and Evaluating Presidents; Higher Education Adult Part-Time Student (HEAPS) Grant Program; West Virginia Providing Real Opportunities for Maximizing In-State Student Excellence (PROMISE) Scholarship Program; Dual Enrollment Pilot Program; West Virginia Science, Technology, Engineering, and Math (STEM) Scholarship Program; West Virginia Higher Education Grant Program; and Nursing Scholarship Program; authorizing legislative rules for the Council for Community and Technical College Education regarding Higher Education Accountability System; Dual Enrollment Pilot Program; Initial Authorization of Degree-Granting Institutions; and Tuition and Fees; and repealing the Council for Community and Technical College Education's rule regarding Accountability System"; to the Committee on Education.

By Delegates Fehrenbacher, Espinosa, Crouse, Young, Barnhart, Howell, Householder, W. Hall and Hornbuckle:

H. B. 5051 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-98; and to amend said code by adding thereto a new section, designated §11-24-45, all relating to providing a tax credit against the state corporate net income tax and the state personal income tax for expenditures related to the operation of existing employer-provided or sponsored childcare facilities; defining terms; providing for rulemaking; setting the amount of the credit; providing for limitation of the credit; providing for transferrable credit available to non-profit corporations; and providing for a recapture process"; to the Committee on Senior, Children, and Family Issues then Finance.

By Delegates Fehrenbacher, Espinosa, Crouse, Young, Barnhart, Riley, Howell, Householder, W. Hall and Hornbuckle:

H. B. 5052 - "A Bill to amend and reenact §11-21-97 of the Code of West Virginia, 1931, as amended, and to amend and reenact §11-24-44 of said code, all relating to increasing tax credit for employers providing child care for employees"; to the Committee on Senior, Children, and Family Issues then Finance.

By Delegate Williams:

H. B. 5053 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §48-10A-101, §48-10A-102, §48-10A-201, §48-10A-202, §48-10A-203, §48-10A-204, §48-10A-301, §48-10A-401, §48-10A-402, §48-10A-403, §48-10A-501, §48-10A-502, §48-10A-601, §48-10A-602, §48-10A-701, §48-10A-702, §48-10A-801, §48-10A-802, §48-10A-901, §48-10A-902, §48-10A-1001, §48-10A-1002, §48-10A-1101, and §48-10A-1201; and to amend and reenact §51-2A-2 of said code, all relating to the creation of a statutory right to

petition circuit and family courts in West Virginia for sibling visitation with minor children"; to the Committee on the Judiciary.

By Delegates Summers and Tully:

H. B. 5054 - "A Bill to amend and reenact §16-2E-1, §16-2E-2, §16-2E-3, §16-2E-4, and §16-2E-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto six new sections, designated §16-2E-6, §16-2E-7, §16-2E-8, §16-2E-9, §16-2E-10, and §16-2E-11, all relating to the licensure of birthing centers; defining terms; creating license types for birthing centers; updating the procedure for application for and obtaining a license; updating license fees; providing for regulation by the Office of Health Facility Licensure and Certification; designating the necessity for a governing body and administrator and prescribing the duties and responsibilities for the same; setting certain minimum standards in any birthing center; setting certain minimum required services and prohibited services in any birthing center; restricting the location of birthing centers; allowing for variances and waivers from licensure standards; providing for inspections and inspection warrants; designating license limitations; providing procedure for denial, suspension, or revocation of a license; allowing civil money penalties; providing for administrative review and appeal rights; prescribing advertisement disclosure; and permitting the Inspector General to promulgate rules, including emergency rules"; to the Committee on Health and Human Resources then Government Organization.

By Delegates Ridenour, Foster, Gearheart, Kirby, Marple, Martin, Burkhammer, Phillips, C. Pritt, Kump and Hillenbrand:

H. B. 5055 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-17-1, §15-17-2, §15-17-3, §15-17-4, §15-17-5, §15-17-6, §15-17-7, §15-17-8, and §15-17-9, all relating to the creation of the Anti-Federal Commandeering Act; providing for a short title; providing for legislative findings and intent; creating definitions; prohibiting federal commandeering; creating prohibitions on police activity; defining permitted activities; allowing the Attorney General to challenge unconstitutional federal actions; allowing the Attorney General to publish model policies; and providing law enforcement immunity"; to the Committee on the Judiciary.

By Delegates Toney, Statler and Ellington:

H. B. 5056 - "A Bill to amend and reenact §18A-4-8h of the Code of West Virginia, 1931, as amended, relating to allowing for service personnel to serve as substitute workers under certain conditions"; to the Committee on Education.

Special Calendar

Third Reading

Com. Sub. for H. B. 4431, Permitting the cremation of unidentified remains; 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. 18**), and there were—yeas 83, nays 13, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Cannon, Chiarelli, Coop-Gonzalez, Crouse, Dillon, Foster, Holstein, Kimble, Kirby, Lewis, McGeehan, E. Pritt and Ridenour.

Absent and Not Voting: Espinosa, Linville and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4431) passed.

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

H. B. 4432, Relating to midlevel practitioners; 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. 19**), and there were—yeas 70, nays 26, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Anderson, Cannon, Chiarelli, Coop-Gonzalez, Criss, Ellington, Fehrenbacher, Foggin, Griffith, Hamilton, Hansen, Hardy, Heckert, Horst, Householder, Jennings, Kelly, Petitto, Riley, Statler, Stephens, Toney, Ward, Westfall, Williams and Zatezalo.

Absent and Not Voting: Espinosa, Linville and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4432) passed.

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

On this question, the yeas and nays were taken (**Roll No. 20**), and there were—yeas 89, nays 7, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Fehrenbacher, Griffith, Hamilton, Hansen, Heckert, Jennings and Statler.

Absent and Not Voting: Espinosa, Linville and Vance.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 4432) 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.

H. B. 4594, Relating to extending managed care; 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. 21**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Espinosa, Linville and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 4594) 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 H. B. 4620, Removing the expiration date from the food handler card; on third reading, coming up in regular order, was reported by the Clerk.

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

Second Reading

H. B. 4026, Authorizing the Department of Administration to promulgate a legislative rule relating to state owned vehicles; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4595, Relating to the Legislative Oversight Commission on Health and Human Resources Accountability; on second reading, coming up in regular order, was reported by the Clerk.

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

Com. Sub. for H. B. 4627, Relating to DNA data maintained for law enforcement purposes; on second reading, coming up in regular order, was reported by the Clerk.

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

Com. Sub. for H. B. 4666, Relating to establishing criminal penalties for human trafficking; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4683, Requiring parents or guardians to participate in programs for juveniles in an out-of-home placement; on second reading, coming up in regular order, was read a second time.

On motion of Delegate McGeehan, the bill was amended on page 3, line 54, after subsection §49-4-712(g), by inserting a new section, to read as follows:

§49-4-712a. Parents mandated to participate in outside-the-home treatment programs.

A parent, guardian, or custodian shall be required to participate in programs designed for out-of-home placement including family therapy sessions offered by the treatment provider unless there is a finding by the court that participation by any parent, guardian, or custodian is not in the best interest of the juvenile or that participation would place an undue hardship upon any parent, guardian, or custodian.

The bill was then ordered to engrossment and third reading.

Com. Sub. for H. B. 4756, Creating a state Alzheimer's plan task force; on second reading, coming up in regular order, was reported by the Clerk.

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

H. B. 4768, Relating to increasing the number of out-of-state medical students receiving in-state tuition rates who agree to practice for a specific time within West Virginia; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

H. B. 4769, Clarifying appropriate and inappropriate duties for school counselors while also providing the definition of a school counselor; on second reading, coming up in regular order, was read a second time.

An amendment was recommended by the Committee on Education, 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 5. COUNTY BOARD OF EDUCATION.

§18-5-18b. School counselors in public schools.

(a) A school counselor means a professional ~~educator~~ school counselor who holds a valid school counselor’s certificate in accordance with §18A-1-1 ~~(d) (2)~~ of this code.

(b) Each county board shall provide counseling services for each pupil enrolled in the public schools of the county.

(c) The school counselor shall work with individual pupils and groups of pupils in providing developmental, preventive and remedial guidance and counseling programs to meet academic, social, emotional, and physical needs; including programs to identify and address the problem of potential school dropouts. The school counselor also may provide consultant services for parents, teachers, and administrators and may use outside referral services, when appropriate, if no additional cost is incurred by the county board.

(d) The state board may adopt rules consistent with the provisions of this section that define the role of a school counselor based on the ‘National Standards for School Counseling Programs’ of the American School Counselor Association. A school counselor is authorized to perform such services as are not inconsistent with the provisions of the rule as adopted by the state board. To the extent that any funds are made available for this purpose, county boards shall provide training for counselors and administrators to implement the rule as adopted by the state board.

(e) Each county board shall develop a comprehensive drop-out prevention program utilizing the expertise of school counselors and any other appropriate resources available.

(f) School counselors shall be full-time professional personnel, shall spend at least 80 percent of work time in a direct counseling relationship with pupils, and shall devote no more than 20 percent of the ~~work-day~~ workday to administrative activities: *Provided*, That such activities are ~~counselor-related~~ directly related to their counseling duties: *Provided, further*, That school counselors may not perform the following duties:

(1) Build the master schedule;

(2) Administer cognitive, aptitude, and achievement testing programs; *Provided*, That school counselors may administer make up test and any test that are required for virtual students, should no other person be available to administer the test.

(3) Routinely sign excuses for students who are tardy or absent;

(4) Perform disciplinary actions or assign discipline consequences;

(5) Provide more than 8 sessions of counseling in schools to address psychological disorders; Provided, That students who have experienced an emergency situation such as, but not limited to, CPS investigations, death, abuse, or home removal may be addressed regardless of how many sessions have previously been utilized;

(6) Cover classes when teachers are absent or to create teacher planning time;

(7) The counselor may have access but may not maintain student records;

(8) Compute grade-point averages;

(9) Supervise classrooms or common areas;

(10) May access but not keep clerical records;

(11) Coordinate schoolwide plans including:

(A) Individual Education Plans;

(B) 504 Plans;

(C) Student Study Teams;

(D) Response to Intervention Plans;

(E) Multi-Tiered System of Support; and

(F) May access attendance records but may not oversee School Attendance Review Boards.

(g) Nothing in this section prohibits a county board from exceeding the provisions of this section, or requires any specific level of funding by the Legislature.

ARTICLE 1. GENERAL PROVISIONS.

§18A-1-1. Definitions.

The definitions contained in §18-1-1 of this code apply to this chapter. In addition, the following words used in this chapter and in any proceedings pursuant to this chapter have the meanings ascribed to them unless the context clearly indicates a different meaning:

(a) 'School personnel' means all personnel employed by a county board whether employed on a regular full-time basis, an hourly basis or otherwise. 'School personnel' is comprised of two categories: Professional personnel and service personnel;

(b) 'Professional person' or 'professional personnel' means those persons or employees who meet the certification requirements of the state, licensing requirements of the state, or both, and includes a professional educator and other professional employee;

(c) 'Professional educator' has the same meaning as 'teacher' as defined in section one, article one, chapter eighteen of this code. Professional educators are classified as follows:

(1) 'Classroom teacher' means a professional educator who has a direct instructional or counseling relationship with students and who spends the majority of his or her time in this capacity;

(2) 'Principal' means a professional educator who functions as an agent of the county board and has responsibility for the supervision, management and control of a school or schools within the guidelines established by the county board. The principal's major area of responsibility is the general supervision of all the schools and all school activities involving students, teachers and other school personnel;

(3) 'Supervisor' means a professional educator who is responsible for working primarily in the field with professional and other personnel in instructional and other school improvement. This category includes other appropriate titles or positions with duties that fit within this definition; and

(4) 'Central office administrator' means a superintendent, associate superintendent, assistant superintendent and other professional educators who are charged with administering and supervising the whole or some assigned part of the total program of the countywide school system. This category includes other appropriate titles or positions with duties that fit within this definition;

(d) 'Other professional employee' means a person from another profession who is properly licensed and who is employed to serve the public schools. This definition includes:

(1) a A registered professional nurse, licensed by the West Virginia Board of Examiners for Registered Professional Nurses, who is employed by a county board and has completed either a two-year (64 semester hours) or a three-year (96 semester hours) nursing program;

(2) A certified school counselor who holds a master's degree in school counseling from an accredited university and certification through the state board of education.

(e) 'Service person' or 'service personnel', whether singular or plural, means a nonteaching school employee who is not included in the meaning of 'teacher' as defined in §18-1-1 of this code and who serves the school or schools as a whole, in a nonprofessional capacity, including such areas as secretarial, custodial, maintenance, transportation, school lunch and aides. Any reference to 'service employee' or 'service employees' in this chapter or chapter 18 of this code means service person or service personnel as defined in this section;

(f) 'Principals Academy' or 'academy' means the academy created pursuant to §18A-3a-2b of this code;

(g) 'Center for Professional Development' means the center created pursuant to §18A-3a-1 of this code;

(h) 'Job-sharing arrangement' means a formal, written agreement voluntarily entered into by a county board with two or more of its employees who wish to divide between them the duties and responsibilities of one authorized full-time position;

(i) 'Prospective employable professional person', whether singular or plural, means a certified professional educator who:

(1) Has been recruited on a reserve list of a county board;

(2) Has been recruited at a job fair or as a result of contact made at a job fair;

(3) Has not obtained regular employee status through the job posting process provided in §18A-4-7a of this code; and

(4) Has obtained a baccalaureate degree from an accredited institution of higher education within the past year;

(j) 'Dangerous student' means a student who is substantially likely to cause serious bodily injury to himself, herself or another individual within that student's educational environment, which may include any alternative education environment, as evidenced by a pattern or series of violent behavior exhibited by the student, and documented in writing by the school, with the documentation provided to the student and parent or guardian at the time of any offense;

(k) 'Alternative education' means an authorized departure from the regular school program designed to provide educational and social development for students whose disruptive behavior places them at risk of not succeeding in the traditional school structures and in adult life without positive interventions; and

(l) 'Long-term substitute' means a substitute employee who fills a vacant position:

That the county superintendent expects to extend for at least thirty consecutive days, and is either:

(A) Listed in the job posting as a long-term substitute position of over thirty days; or

(B) Listed in a job posting as a regular, full-time position and:

(i) Is not filled by a regular, full-time employee; and

(ii) Is filled by a substitute employee.

For the purposes of §5-16-2 of this code, long-term substitute does not include a retired employee hired to fill the vacant position."

The bill was then ordered to engrossment and third reading.

H. B. 4793, Relating to moonshine; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Com. Sub. for H. B. 4874, Relating to fatality and mortality review team; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Leaves of Absence

At the request of Delegate Householder, and by unanimous consent, leaves of absence for the day were granted Delegates Espinosa, Linville and Vance.

Miscellaneous Business

Delegate Espinosa, who was absent on the passage votes for H. B. 4431, H. B. 4432 and H. B. 4594, noted to the Clerk that he would have voted "Yea" thereon.

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

H. B. 4201: Delegate Hansen;

H. B. 4262: Delegate Adkins;

H. B. 4315: Delegate Brooks;

H. B. 4423: Delegates Burkhammer, Chiarelli, W. Clark, Kimble, Lucas, McGeehan, Moore, Petitto, and Pinson;

H. B. 4465: Delegate Adkins;

H. B. 4471: Delegate Adkins;

H. B. 4767: Delegate Kirby;

H. B. 4829: Delegate Adkins;

H. B. 4875: Delegate Adkins;

H. B. 4899: Delegate Willis;

H. B. 4911: Delegate Foster;

H. B. 4995: Delegate Hansen;

And,

H. C. R. 36: Delegate Hall.

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

H. B. 4804: Delegate Foggin;

And,

H. C. R. 36: Delegate Lucas.

At 12:05 p.m., the House of Delegates adjourned until 11:00 a.m., Wednesday, January 24, 2024.

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

SPECIAL CALENDAR

Wednesday, January 24, 2024

15th Day

11:00 A.M.

UNFINISHED BUSINESS

- S. C. R. 16 - Urging US Congress enact reforms to federal permitting policies to accelerate deployment of new energy infrastructure
- S. C. R. 17 - Reaffirming support of WV Legislature for State of Israel and Jewish people

THIRD READING

- H. B. 4026 - Authorizing the Department of Administration to promulgate a legislative rule relating to state owned vehicles
- Com. Sub. for H. B. 4620 - Removing the expiration date from the food handler card
- Com. Sub. for H. B. 4666 - Relating to establishing criminal penalties for human trafficking
- Com. Sub. for H. B. 4683 - Requiring parents or guardians to participate in programs for juveniles in an out-of-home placement
- H. B. 4768 - Relating to increasing the number of out-of-state medical students receiving in-state tuition rates who agree to practice for a specific time within West Virginia.
- H. B. 4769 - Clarifying appropriate and inappropriate duties for school counselors while also providing the definition of a school counselor.
- H. B. 4793 - Relating to moonshine
- Com. Sub. for H. B. 4874 - Relating to fatality and mortality review team

SECOND READING

- Com. Sub. for H. B. 4595 - Relating to the Legislative Oversight Commission on Health and Human Resources Accountability
- Com. Sub. for H. B. 4627 - Relating to DNA data maintained for law enforcement purposes
- Com. Sub. for H. B. 4756 - Creating a state Alzheimer's plan task force

FIRST READING

- Com. Sub. for H. B. 4205 - Relating to changing the process of election litigation
- Com. Sub. for H. B. 4315 - Providing DMV with certain medical information related to mental or physical disabilities as it relates to the ability of a person to drive safely
- Com. Sub. for H. B. 4759 - Relating to E-Verify, the federal employment authorization program
- 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
- H. B. 4814 - Relating to extending the reporting and sunset dates of the State Advisory Council on Postsecondary Attainment Goals
- H. B. 4860 - Providing that a general education teacher may not be responsible for accommodation logs

HOUSE CALENDAR

Wednesday, January 24, 2024

15th Day

11:00 A.M.

SECOND READING

- 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

FIRST READING

- H. B. 4429 - Relating to excluding test strips from the definition of drug paraphernalia
- Com. Sub. for H. B. 4621 - Relating to the Division of Correction and Rehabilitation posting mug shot photos for an arrest

WEST VIRGINIA HOUSE OF DELEGATES

WEDNESDAY, JANUARY 24, 2024

HOUSE CONVENES AT 11:00 A.M.

PUBLIC HEARING

COMMITTEE ON THE JUDICIARY

8:30 A.M. - HOUSE CHAMBER

H.B. 4654, REMOVING BONA FIDE SCHOOLS, PUBLIC LIBRARIES, AND MUSEUMS FROM THE LIST OF EXEMPTIONS FROM CRIMINAL LIABILITY RELATING TO DISTRIBUTION AND DISPLAY TO MINOR OF OBSCENE MATTER

COMMITTEE ON RULES

10:45 A.M. - BEHIND THE CHAMBER

COMMITTEE ON PREVENTION AND TREATMENT OF SUBSTANCE ABUSE

9:00 A.M. – EAST WING COMMITTEE ROOM

COMMITTEE ON AGRICULTURE OF NATURAL RESOURCES

9:15 A.M. - FINANCE COMMITTEE ROOM

COMMITTEE ON FINANCE

1:00 P.M. - FINANCE COMMITTEE ROOM

COMMITTEE ON JUDICIARY

1:00 P.M. – JUDICIARY COMMITTEE ROOM

COMMITTEE ON EDUCATION

2:00 P.M. - EDUCATION COMMITTEE ROOM

COMMITTEE ON GOVERNMENT ORGANIZATION

2:30 P.M. – EAST WING COMMITTEE ROOM

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