

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



February 12, 2024  
THIRTY-FOURTH DAY



---

Monday, February 12, 2024

**THIRTY-FOURTH 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 Friday, February 9, 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. 5243, on Third Reading, Special Calendar, had been transferred to the House Calendar; and H. B. 5263, H. B. 5269 and H. B. 5270, on Second 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:

**H. B. 4984**, Relating to repealing tax credit for employing former employees of Colin Anderson Center,

And,

**H. B. 4717**, Relating to terminating the authority of the Director of the Purchasing Division to impose a certain annual fee upon vendors,

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

Delegate Linville, Chair of the Committee on Technology and Infrastructure, submitted the following report, which was received:

Your Committee on Technology and Infrastructure has had under consideration:

**H. B. 5443**, Clarifying that electronic data processing services are to be included in the valuation of specialized high-technology property,

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

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. 4754**, Exempting the processing of beef, pork or lamb by a slaughterhouse for an individual owner of the product processed from the Consumer Sales and Service Tax,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4754** - "A Bill to amend and reenact §11-15-9 of the Code of West Virginia, 1931, as amended, relating to exempting the processing of beef, pork or lamb by a slaughterhouse from the Consumer Sales and Service Tax,"

And,

**H. B. 5354**, Relating to the Grant Transparency and Accountability Act,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 5354** - "A Bill to amend and reenact §12-4-14 of the Code of West Virginia, 1931, as amended, related to clarifying what grants are subject to reporting requirements of the Grant Transparency and Accountability Act, defining the terms used throughout the Act, and making other technical clarifications,"

With the recommendation that the committee substitutes each do pass.

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. 4381**, Enact the West Virginia Consumer Financial Privacy Act of 2023,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4381** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-9-1, §46A-9-2, and §46A-9-3, all relating to the enactment of the West Virginia Consumer Privacy Act of 2024; providing definitions; providing prohibitions on disclosures or sales of certain consumer financial information; authorizing a customer to opt-in to certain disclosure; requiring certain information to be provided to consumers; providing for civil remedies; and providing for enforcement actions of the Attorney General,"

**H. B. 4399**, Creating the equitable right to expungement,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4399** - "A Bill to amend and reenact §61-11-25 of the Code of West Virginia, 1931, as amended, relating to general provisions concerning crimes; expungement of criminal records; and when a civil action may be filed to expunge criminal records for cases where charges have been dismissed following a full and successful completion of a pretrial diversion or deferred adjudication; relating to exceptions to the allowance to file a civil action for expungement,"

And,

**H. B. 5318**, Clarifying that elected municipal police chiefs shall be certified law-enforcement officers,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 5318** - "A Bill to amend and reenact §30-29-13 of the Code of West Virginia, 1931, as amended, relating to municipal chief executive requirements; and clarifying that persons elected as municipal police chiefs shall be certified law-enforcement officers, or to be certifiable as such, according to the requirements set forth in other applicable provisions of this code; and providing that chief executives elected prior to the effective date are exempt from the requirement,"

With the recommendation that the committee substitutes each do pass.

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. 4297**, Law Enforcement Officers Safety Act,

And,

**H. B. 4700**, Banning certain persons from sport wagering activities,

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

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. 4110, H. B. 4085, H. B. 4111, H. B. 4112, H. B. 4113, H. B. 4114, H. B. 4115, H. B. 4116, H. B. 4117, H. B. 4118, H. B. 4119, H. B. 4120, H. B. 4121, H. B. 4122, H. B. 4123, H. B. 4124, H. B. 4125, H. B. 4126, H. B. 4127, H. B. 4128, H. B. 4129, H. B. 4130, H. B. 4131, H. B. 4132, H. B. 4133, H. B. 4134, H. B. 4135, H. B. 4136, H. B. 4137, H. B. 4138, H. B. 4139, H. B. 4140, H. B. 4141, H. B. 4142, H. B. 4143, H. B. 4144, H. B. 4145, H. B. 4146, H. B. 4147, H. B. 4148, H. B. 4149, H. B. 4150, H. B. 4151, H. B. 4152, H. B. 4153, H. B. 4154, H. B. 4155, H. B. 4156, H. B. 4157, H. B. 4158, H. B. 4159, H. B. 4160, H. B. 4161, H. B. 4162, H. B. 4163, H. B. 4164, H. B. 4165 and H. B. 4166.**

**H. B. 4110**, Authorizing the West Virginia Board of Accountancy to promulgate a legislative rule relating to board rules and rules of professional conduct,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4110** - "A Bill to amend and reenact §64-9-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating generally to authorizing certain miscellaneous agencies and boards to promulgate legislative rules; authorizing the rules as filed and as modified Legislative Rule-Making Review Committee, and as amended by the Legislature; directing certain miscellaneous agencies and boards to amend current legislative rules; authorizing the West

Virginia Board of Accountancy to promulgate a legislative rule relating to board rules and rules of professional conduct; authorizing the West Virginia Board of Acupuncture to promulgate a legislative rule relating to applications for licensure to practice acupuncture; authorizing the West Virginia Department of Agriculture to promulgate a legislative rule relating to frozen desserts and imitation frozen desserts; authorizing the West Virginia Department of Agriculture to promulgate a legislative rule relating to certified pesticide applicators; authorizing the West Virginia Department of Agriculture to promulgate a legislative rule relating to licensing pesticide businesses; authorizing the West Virginia Department of Agriculture to promulgate a legislative rule relating to West Virginia molluscan shellfish; authorizing the West Virginia Department of Agriculture to promulgate a legislative rule relating to select plant-based derivative products; authorizing the West Virginia Department of Agriculture to promulgate a legislative rule relating to agritourism; authorizing the West Virginia Board of Barbers and Cosmetologists to promulgate a legislative rule relating to procedures, criteria, and curricula for examination and licensure of barbers, cosmetologists, nail technicians, aestheticians, and hair stylists; authorizing the West Virginia Board of Barbers and Cosmetologists to promulgate a legislative rule relating to the application for waiver of initial licensing fees for certain individuals; authorizing the West Virginia Board of Barbers and Cosmetologists to promulgate a legislative rule relating to cosmetology apprenticeships; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to licensing; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to marriage and family therapist licensing; authorizing the West Virginia Board of Dentistry to promulgate a legislative rule relating to practitioner requirements for accessing the West Virginia Controlled Substances Monitoring Program database; authorizing the West Virginia Board of Licensed Dietitians to promulgate a legislative rule relating to licensure and renewal requirements; authorizing the West Virginia Board of Licensed Dietitians to promulgate a legislative rule relating to continuing professional education requirements; authorizing the West Virginia Board of Licensed Dietitians to promulgate a legislative rule relating to telehealth practice, requirements, and definitions; relating to authorizing the West Virginia Department of Economic Development to promulgate a legislative rule relating to the operation of motorsports complexes and events; authorizing the State Election Commission to promulgate a legislative rule relating to corporate and membership organization political activity; authorizing the State Election Commission to promulgate a legislative rule relating to regulation of campaign finance; authorizing the State Election Commission to promulgate a legislative rule relating to the application and approval process for Secretary of State expenditures from the County Assistance Voting Equipment Fund; directing the Board of Funeral Home Service Examiners to amend a legislative rule relating to funeral director, embalmer, apprentice, courtesy card holders, and funeral establishment requirements; authorizing the West Virginia Massage Therapy Licensure Board to promulgate a legislative rule relating to general provisions; authorizing the West Virginia Massage Therapy Licensure Board to promulgate a legislative rule relating to a schedule of fees; authorizing the West Virginia Massage Therapy Licensure Board to promulgate a legislative rule relating to establishment licensure; authorizing the West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners to promulgate a legislative rule relating to medical imaging technologists; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to licensure, practice requirements, disciplinary and complaint procedures, continuing education, and physician assistants; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to continuing education for physicians and podiatric physicians; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to permitting and disciplinary procedures: educational permits for graduate medical interns, residents and fellows; authorizing the West Virginia Nursing Home Administrators Licensing Board to promulgate a legislative rule relating to nursing home administrators; authorizing the Board to promulgate a legislative rule relating to the West Virginia Board of Optometry; authorizing the West Virginia Board of Optometry to promulgate a legislative

rule relating to continuing education; authorizing the West Virginia Board of Optometry to promulgate a legislative rule relating to injectable pharmaceutical agents certificates; authorizing the West Virginia Board of Optometry to promulgate a legislative rule relating to eyelid procedures; authorizing the West Virginia Board of Osteopathic Medicine to promulgate a legislative rule relating to licensing procedures for osteopathic physicians; to authorizing the West Virginia Board of Osteopathic Medicine to promulgate a legislative rule relating to osteopathic physician assistants; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to continuing education for licensure for pharmacists; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to registration of pharmacy technicians; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to immunizations administered by pharmacists, pharmacy interns, and pharmacy technicians; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to centralized prescription processing; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to pharmacy permits; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to substitution of biological pharmaceuticals; authorizing the Board of Professional Surveyors to promulgate a legislative rule relating to the examination and licensing of professional surveyors in West Virginia; authorizing the Board of Examiners of Psychologists to promulgate a legislative rule relating to disciplinary and complaint procedures for psychologists; authorizing the Board of Examiners of Psychologists to promulgate a legislative rule relating to contested case hearing procedure; authorizing the West Virginia Real Estate Commission to promulgate a legislative rule relating to licensing real estate brokers, associate brokers, and salespersons and the conduct of brokerage businesses; authorizing the West Virginia Real Estate Commission to promulgate a legislative rule relating to a schedule of fees; authorizing the West Virginia Real Estate Commission to promulgate a legislative rule relating to requirements for real estate courses, course providers, and instructors; authorizing the West Virginia Board of Registered Nurses to promulgate a legislative rule relating to policies, standards and criteria for the evaluation, approval and national nursing accreditation of prelicensure nursing education programs; authorizing the West Virginia Board of Registered Nurses to promulgate a legislative rule relating to requirements for registration and licensure and conduct constituting professional misconduct; authorizing the West Virginia Board of Registered Nurses to promulgate a legislative rule relating to advanced practice registered nurse licensure requirements; authorizing the West Virginia Board of Registered Nurses to promulgate a legislative rule relating to fees for services rendered by the board; authorizing the West Virginia Board of Respiratory Care to promulgate a legislative rule relating to student temporary permits; authorizing the Secretary of State to promulgate a legislative rule relating to guidelines for the use of nicknames and other designations on the ballot; authorizing the Secretary of State to promulgate a legislative rule relating to Combined Voter Registration and Driver Licensing Fund; authorizing the Secretary of State to promulgate a legislative rule relating to minimum standards for election administration, infrastructure, and security; authorizing the West Virginia State Treasurer to promulgate a legislative rule relating to enforcement of the Uniform Unclaimed Property Act; and authorizing the West Virginia State Treasurer to promulgate a legislative rule relating to the Jumpstart Savings Program,"

With the recommendation that the committee substitute 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:

**H. J. R. 28**, Protection from medically-assisted suicide or euthanasia in West Virginia Amendment,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. J. R. 28** - "Proposing an amendment to the Constitution of the State of West Virginia amending Article III thereof by adding thereto a new section, designated section twenty-three, relating to the protection from medically-assisted suicide or euthanasia in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment,"

With the recommendation that the committee substitute be adopted.

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:

**H. C. R. 24**, To create a study resolution to examine the school aid formula,

**H. C. R. 71**, Requesting the Division of Highways to place at least 10 additional signs along highways entering West Virginia honoring fallen veterans and Gold Star Families,

And,

**H. R. 6**, A resolution reaffirming support for the town of Thurmond, the historic buildings within the community, and the strong coal mining history associated with it,

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

**Com. Sub. for S. B. 441** - "A Bill to amend and reenact §17C-7-1 of the Code of West Virginia, 1931, as amended, relating to the regulation of driving on the right side of roadways and restricting driving in the left lane of multilane highways; adding exemptions from the requirement of driving upon the right half of the roadway; specifying when a vehicle may not be driven in the left lane of a multilane highway and providing exemptions; and requiring the Division of Highways to erect signs."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (Com. Sub. for S. B. 441) 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, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 548** - "A Bill to amend and reenact §51-11-4 of the Code of West Virginia, 1931, as amended, relating to clarifying the appellate jurisdiction of the Intermediate Court of Appeals"; which was referred to the Committee on the Judiciary.

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. 595** - "A Bill to amend and reenact §30-6-3 and §30-6-8 of the Code of West Virginia, 1931, as amended, relating to amending the embalmer licensing requirements to permit a certain number of years of active military duty to substitute for college credit hours to qualify for licensure"; which was referred to the Committee on Government Organization.

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. 600** - "A Bill to amend and reenact §15-1B-25 of the Code of West Virginia, 1931, as amended, relating generally to readiness enhancement and commission bonuses"; which was referred to the Committee on Veterans' Affairs and Homeland Security then Finance.

### **Resolutions Introduced**

Resolutions were introduced and severally referred as follows:

**By Delegate Dillon:**

**H. R. 11** - "To urge and request that the Public Service Commission establish a framework that supports responsible competition between West Virginia Electrical Utilities"; to the Committee on Technology and Infrastructure then Rules.

**By Delegates McGeehan, Phillips, Ridenour, Smith and Winzenreid:**

**H. C. R. 74** --"Defending Life by Rejecting Euthanasia"; to the Committee on Rules

**By Delegates Howell, Adkins, Akers, Brooks, W. Clark, Criss, DeVault, Dittman, Foster, Gearheart, Hardy, Hillenbrand, Jeffries, Green, Kump, Longanacre, Lucas, Mallow, Martin, Maynor, Miller, Moore, Nestor, Phillips, E. Pritt, Riley, Rohrbach, Shamblyn, Sheedy, Smith, Statler, Thorne, Toney, Tully and Hanshaw (Mr. Speaker):**

**H. C. R. 75** - "Requesting the United States Army Corps of Engineers adopt rules allowing licensed private side by sides to access all roads"; to the Committee on Rules.

**By Delegates Dittman, Petitto, Statler, Sheedy, Ferrell, T Clark, Tully, Barnhart, Brooks, Chiarelli, W. Clark, DeVault, Hillenbrand, Hite, Holstein, Horst, Jennings, Green, Kimble, Mallow, Martin, Mazzocchi, Miller, Nestor, Phillips, C. Pritt, E. Pritt, Riley, Stephens, Summers, Toney, Vance, Warner, Westfall and Willis:**

**H. C. R. 76** --"Requesting the Joint Committee on Government and Finance study adding the state's baccalaureate institutions to the "Earn and Learn Program"; to the Committee on Rules.

**By Delegates E. Pritt, Dittman, Hornby, Statler, Toney and Campbell:**

**H. C. R. 77** - "To request that the Joint Committee on Government and Finance study the costs associated with establishing an alternative education program in each county that does not yet provide that option"; to the Committee on Education then Rules.

**By Delegates Lewis, Hansen, Hamilton, Stephens, Willis, Hornbuckle, Rowe, Akers and Young:**

**H. C. R. 78** --"Honoring the leadership and achievements of West Virginia's African Americans and urging the recognition of Black History Month"; to the Committee on Rules

**By Delegate E. Pritt:**

**H. C. R. 79** --"Requesting repairs for Plum Orchard Lake in Fayette County, West Virginia as a cherished natural resource and recreational haven for the community"; to the Committee on Rules.

**By Delegate Dillon:**

**H. C. R. 80** - "Requesting that Governor Justice intervene on behalf of the Mingo County Redevelopment Authority (MCRA) and the Mingo County Commission (MCC) to help save the Twin Branch Motorsports Complex by securing forgiveness of a lien on the complex from the Office of Economic Development"; to the Committee on Economic Development and Tourism then Rules.

**By Delegates Dillon, Vance, Dean and Bridges:**

**H. C. R. 81** - "Requesting the Director of the Division of Natural Resources to reinstate Laurel Lake State Park with full financial and operational support"; to the Committee on Agriculture and Natural Resources then Rules.

### **Bills Introduced**

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

**By Delegates Kimble, Jeffries, Worrell, Phillips, McGeehan, C. Pritt, Mazzocchi, Holstein, Pinson, Heckert and Brooks:**

**H. B. 5210** - "A Bill to amend and reenact §16-3-4 of the Code of West Virginia, 1931, as amended; and to amend and reenact §18-28-2 and §18-28-6 of said code, all relating to allowing students in private schools to be immunized on a voluntary basis"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Campbell:**

**H. B. 5545** - "A Bill to amend and reenact §15-2A-2 of the Code of West Virginia, 1931, as amended, and to amend said code by adding thereto a new section, designated §15-2A-19a, all relating to the West Virginia State Police Retirement System, modifying definition of years of service; and providing partial service credit to retirement system members who have served as a law enforcement officer for a county or municipality"; to the Committee on Pensions and Retirement then Finance.

**By Delegate Campbell:**

**H. B. 5556** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §49-12-1, §49-12-2, §49-12-3, §49-12-4, §49-12-5, §49-12-6, §49-12-7, §49-12-8, §49-12-9, §49-12-10, §49-12-11, and §49-12-12, all relating to creating the Comprehensive Services Act, a collaborative system of services and funding that is child-centered, family-focused and community-based when addressing the strengths and needs of troubled and at-risk youths and their families in this state; intent purpose and definitions; and establishing state and local advisory teams; establishing Community policy and management teams"; to the Committee on Senior, Children, and Family Issues then Health and Human Resources.

**By Delegates Jeffries, Barnhart, Phillips, Hott and Heckert:**

**H. B. 5557** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9-4F-1, §9-4F-2, §9-4F-3, §9-4F-4, §9-4F-5, §9-4F-6, §9-4F-7, §9-4F-8, §9-4F-9, §9-4F-10, and §9-4F-11, all relating to the creation of the Medicaid Sustainability Act of 2024; providing for a short title; providing for a purpose; providing for hospital presumptive eligibility; creating a fraud lockout; creating automatic renewal and prepopulated forms; providing for biannual and quarterly redeterminations; providing for a mandatory job search; creating work requirements; providing for state plan amendments and waivers; providing for severability; and creating an effective date"; to the Committee on Health and Human Resources then Finance.

**By Delegates Jeffries, Kimble, Phillips, Hott, Pinson and Burkhammer:**

**H. B. 5558** - "A Bill to amend and reenact §16-66-2 of the Code of West Virginia, 1931, as amended, relating to providing management agencies receiving funds from the West Virginia Mothers and Babies Pregnancy Support Program the ability, in coordination with the Bureau for Public Health, to promulgate rules, requirements, and procedures for expending funds"; to the Committee on Health and Human Resources then Finance.

**By Delegates Bridges, Winzenreid, Dean, Ward, Pinson, Zatezalo, Vance, Mazzocchi, Holstein, Maynor and Foggin:**

**H. B. 5559** - "A Bill to amend and reenact §5-10-20 of the Code of West Virginia, 1931, as amended, authorizing sheriffs who are members of the public retirement system to retire upon attaining the age of 62 with eight or more years of service"; to the Committee on Pensions and Retirement then Finance.

**By Delegates Foster and Kirby:**

**H. B. 5560** - "A Bill to amend and reenact §48-9-201 of the Code of West Virginia, 1931, as amended, all relating to prohibiting child custody exchanges after 8:00 p.m. for children under the age of ten unless the parents agree"; to the Committee on the Judiciary.

**By Delegates Barnhart, Criss, Anderson, Zatezalo, Westfall and Hott:**

**H. B. 5561** - "A Bill to amend and reenact §44D-1-103, §44D-4-402, §44D-5-503c, §44D-7-701, §44D-7-704, §44D-7-705, §44D-8B-2, and §44D-10-1011 of the Code of West Virginia, 1931, as amended, all relating to permitting the electronic execution of trusts"; to the Committee on the Judiciary.

**By Delegates Barnhart, Criss, Anderson, Zatezalo, Westfall and Hott:**

**H. B. 5562** - "A Bill to amend and reenact §36-1A-1, §36-1A-2, §36-1A-5, §36-1A-6, and §36-1A-7 of the Code of West Virginia, 1931, as amended, all relating to the repeal of the common law rule against perpetuities by extending it to 1,000 years for all trusts"; to the Committee on the Judiciary.

**By Delegates Tully, W. Clark, Crouse, Cannon, Willis, Maynor, Bridges and Holstein:**

**H. B. 5563** - "A Bill to amend and reenact §18-5-16 of the Code of West Virginia, 1931, as amended, all relating to open attendance zones; requiring that a county board that establishes an open attendance zone and transportation arrangements may not terminate that zone for current and future students"; to the Committee on Education.

**By Delegates W. Clark, Espinosa, Hardy, Ferrell, Hite and C. Pritt:**

**H. B. 5564** - "A Bill amend and reenact §16-2D-11 of the Code of West Virginia, as amended, all relating to certificate of need; providing that small format, micro hospitals are exempt from certificate of need review"; to the Committee on Health and Human Resources.

**By Delegates Summers, Hanshaw (Mr. Speaker) and Tully:**

**H. B. 5565** - "A Bill to amend and reenact §17B-2-1c of the Code of West Virginia, 1931, as amended; relating to requiring the Division of Motor Vehicles to provide an identification card for eligible released inmates"; to the Committee on Technology and Infrastructure.

**By Delegate Foster:**

**H. B. 5566** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-27A-1, §30-27A-2, §30-27A-3, §30-27A-4, §30-27A-5, §30-27A-6, §30-27A-7, §30-27A-8, §30-27A-9, §30-27A-10, §30-27A-11, §30-27A-12, §30-27A-13, §30-27A-14, and §30-27A-15, all relating to establishing the Interstate Cosmetology Licensure Compact, defining terms, providing requirements for membership, establishing data process, providing regulations for multistate licensures, establishing the Interstate Cosmetology Licensure Compact Commission, establishing an effective date, providing for oversight, dispute resolution, and enforcement powers, granting rulemaking authority, establishing construction and severability, and providing for disputes with other states' laws"; to the Committee on Government Organization.

**By Delegate Lewis:**

**H. B. 5567** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §62-12-30, relating to allowing medical or geriatric parole for certain inmates"; to the Committee on Jails and Prisons then the Judiciary.

**By Delegate Young:**

**H. B. 5568** - "A Bill to amend and reenact §5-5-4b of the Code of West Virginia, 1931, as amended, relating to salary increases for employees of the Division of Corrections, Division of Juvenile Services and the West Virginia Regional Jail and Correctional Facility Authority"; to the Committee on Jails and Prisons then Finance.

**By Delegate Phillips:**

**H. B. 5569** - "A Bill to amend and reenact §30-38A-15 of the Code of West Virginia, 1931, as amended, relating to prohibiting the requirement that appraisers pay for background checks"; to the Committee on Government Organization.

**By Delegate Young:**

**H. B. 5570** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15A-10-26, related to providing cancer prevention programs for firefighters"; to the Committee on Health and Human Resources then Finance.

**By Delegate Coop-Gonzalez:**

**H. B. 5571** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §62-1A-12, relating to requiring a warrant to access video surveillance in private business or other facilities"; to the Committee on the Judiciary.

**By Delegates Burkhammer, Kimble, Pinson and Tully:**

**H. B. 5572** - "A Bill to amend and reenact §49-2-128 of the Code of West Virginia, 1931, as amended, relating to prohibiting cameras in bedrooms and bathrooms of foster homes; exemptions"; to the Committee on the Judiciary.

**By Delegate Young:**

**H. B. 5573** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-98, relating to authorizing a child or childcare tax credit"; to the Committee on Senior, Children, and Family Issues then Finance.

**By Delegate Young:**

**H. B. 5574** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-21-26, relating to authorizing a child or childcare tax credit"; to the Committee on Senior, Children, and Family Issues then Finance.

**By Delegate Young:**

**H. B. 5575** - "A Bill to amend and reenact §29-3A-4 of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-2-10b of said code, relating to doubling the penalties associated with civilians attacking law enforcement, firefighters, and other emergency services personnel"; to the Committee on the Judiciary.

**By Delegate Young:**

**H. B. 5576** - "A Bill to amend and reenact §17A-3-23 of the Code of West Virginia, 1931, as amended, relating to authorizing municipal fire departments specialized license plates"; to the Committee on Technology and Infrastructure.

**By Delegate Young:**

**H. B. 5577** - "A Bill to amend and reenact §5-16-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §5-16B-6e of said code; to amend and reenact §33-16-3v of said code; to amend and reenact §33-24-7k of said code; and to amend and reenact §33-25A-8j of said code, all relating to increasing the required insurance coverage for autism spectrum disorders"; to the Committee on Health and Human Resources then Finance.

**By Delegate Young:**

**H. B. 5578** - "A Bill to amend and reenact §61-8B-1 of the Code of West Virginia, 1931, as amended, relating to modifying the definition of 'sexual contact' by removing the element of the parties not being married to each other from the definition"; to the Committee on the Judiciary.

**By Delegate Young:**

**H. B. 5579** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9A-1-10a, relating to paying a monthly allotment to certain veterans"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

**By Delegate Young:**

**H. B. 5580** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9-4F-1, §9-4F-2, §9-4F-3, §9-4F-4, §9-4F-5, §9-4F-6, §9-4F-7, §9-4F-8, and §9-4F-9, all relating to creating the Affordable Medicaid Buy-In Program; requiring the Department of Health Services to develop and administer the Affordable Medicaid Buy-In Plan; setting eligibility criteria and coverage requirements; specifying role and duties of the Department of Health Services; establishing an advisory council to the Affordable Medicaid Buy-In Program; defining terms; setting limitations of employers; requiring a full-cost option be available for individuals who do not meet financial qualifications; requiring rule-making; and mandating application for necessary federal Medicaid options and innovation waivers to maximize federal funding of the Program"; to the Committee on Health and Human Resources then Finance.

**By Delegate Young:**

**H. B. 5581** - "A Bill to amend and reenact §29-21-13a of the Code of West Virginia, 1931, as amended; to amend and reenact §44-10-14 of said code; and to amend and reenact §49-4-601 of said code; relating to compensation of a guardian ad litem in cases involving the West Virginia Public Defender Services; relating to requirements and rates of compensation for a guardian ad

litem in a minor settlement proceeding; and relating to continuing education requirements of Guardians Ad Litem"; to the Committee on the Judiciary then Finance.

**By Delegate Phillips:**

**H. B. 5582** - "A Bill to amend and reenact §30-38-1, §30-38-3, §30-38-6, §30-38-7, §30-38-11 of the Code of West Virginia, 1931, as amended, relating to updating the requirements regarding real estate appraisal licenses"; to the Committee on Government Organization.

**By Delegates Toney, Howell, Hanshaw (Mr. Speaker) and Adkins:**

**H. B. 5583** - "A Bill to amend and reenact §17C-17-11 of the Code of West Virginia, 1931, as amended, relating to special permits issued pursuant to this section, for a vehicle, that is of a size exceeding the maximum specified in this chapter or otherwise not in conformity with the provisions of this chapter, but has a width of less than 10 feet, a height of less than 15 feet, and is not overweight or in excess of permissible length shall not be subject to any limitations of movement on permit relating to travel during night, holidays, holiday weekends, Saturdays, and Sundays; also relating to what roads are applicable for these allowances"; to the Committee on Technology and Infrastructure.

**By Delegates Dean, Horst, Vance, Dillon, Bridges, Smith, Foster and Kirby:**

**H. B. 5584** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-6a, relating to hunting bag limits and fishing creel limits statewide for the taking of game animals and fish shall be determined solely by biologists from the Division of Wildlife Resources; legislative rules shall be based on this determination"; to the Committee on Agriculture and Natural Resources then Government Organization.

**By Delegate Burkhammer:**

**H. B. 5585** - "A Bill to amend and reenact §9-9-9 of the Code of West Virginia, 1931, as amended, relating to removing the requirement of seeking child support in cases of kinship placements for benefits under the Temporary Assistance for Needy Families program"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegate Coop-Gonzalez:**

**H. B. 5586** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18B-22-1, §18B-22-2, §18B-22-3, and §18B-22-4, all relating to requiring publicly funded medical schools to teach the most current evidence-based, life-saving methods including abortion pill reversal; providing definitions; setting forth consequences for noncompliance of standard education practices; and providing finding that this article is necessary for the immediate preservation of the public peace, health, or safety"; to the Committee on Education then Health and Human Resources.

**By Delegate Dillon:**

**H. B. 5587** - "A Bill to amend and reenact §24-2-18 of the Code of West Virginia, 1931, as amended, relating to ensuring competition among electric service providers in West Virginia and describing expectations for reporting means of production, environmental, subsidy, and reserve power information"; to the Committee on Energy and Manufacturing then Finance.

**By Delegate Dillon:**

**H. B. 5588** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §31-15-7a, relating to requiring the Economic Development Authority to transfer \$9,100,000 to the School Building Authority account assigned to Dingess Elementary

School to be used exclusively to remedy the deferred maintenance deficiency at Dingess Elementary School"; to the Committee on Education then Finance.

**By Delegate Dillon:**

**H. B. 5589** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §31-15-7a, relating to requiring the Economic Development Authority to transfer \$15,000,000 to the Wayne County Commission to be utilized to support the Crum Public Service District in constructing a water treatment plant in southern Wayne County"; to the Committee on Economic Development and Tourism then Finance.

**By Delegates Hanshaw (Mr. Speaker) and Hornbuckle:**

**H. B. 5590** - "A Bill to amend and reenact §29-1-1 of the Code of West Virginia, 1931, as amended; to amend said code by changing reference to the 'Curator' of the Department of Arts, Culture, and History to the 'Secretary' of the Department"; to the Committee on Government Organization.

**By Delegates Jeffries, Westfall, Riley and W. Hall:**

**H. B. 5591** - "A Bill to repeal §11-8-6E, §11-8-6F, and §11-8-6G of the Code of West Virginia, 1931, as amended, relating to required modification of levy rates resulting from increased valuation yield"; to the Committee on Banking and Insurance then the Judiciary.

**By Delegates Hanshaw (Mr. Speaker), Riley, Phillips, Kelly and Cannon:**

**H. B. 5592** - "A Bill to amend and reenact §4-2-3, §4-2-4, §4-2-6, and §4-2-8 of the Code of West Virginia, 1931, as amended; to repeal §4-2-5 of said code; to amend and reenact §4-3-3c of said code; to amend and reenact §4-10-3, §4-10-6, §4-10-7, §4-10-9, and §4-10-10 of said code; and to repeal §4-10-8 of said code, all relating to the Legislative Auditor; establishing that auditor is responsible to Joint Committee on Government and Finance; clarifying that auditor may exercise powers at direction of Senate President or Speaker of House of Delegates; restating authority of auditor to inspect properties, equipment, and records; providing for distribution of copies of reports of examination and audit; prohibiting auditor from using external auditing entities to conduct audits except as directed by Senate President or Speaker; modifying obligations of auditor regarding budgetary matters; providing that committee has authority to hire employees to assist auditor in performance of obligations; clarifying hiring authority of committee; providing that auditor's reviews of departments and agencies are to be conducted at direction of Senate President or Speaker and that department presentations are to be made at Senate President's or Speaker's direction; eliminating requirement that agency and regulatory board reviews be conducted according to certain auditing standards; revising schedule of regulatory board reviews; and providing that regulatory board reviews may be conducted more frequently than statutorily scheduled"; to the Committee on Government Organization.

**By Delegates Hanshaw (Mr. Speaker), Riley, Jeffries, Phillips, Cannon and Kelly:**

**H. B. 5593** - "A Bill to amend and reenact §29-12-3 of the Code of West Virginia, 1931, as amended, relating to the creation, composition, qualifications, and compensation of the State Board of Risk and Insurance Management; continuing the board; providing for voting membership of the board; providing qualifications of citizen members; providing procedures for appointment of citizen members; providing initial appointment terms of citizen members; providing terms of subsequent appointment of citizen members; providing procedures for vacancy, expiration of term, and removal of citizen members; providing end date for term of citizen members appointed prior to the effective date of the reenactment of this section; authorizing reappointment of any qualified citizen member appointed prior to the effective date of the reenactment; providing that

Insurance Commissioner shall serve as non-voting board secretary; and providing for compensation of board members"; to the Committee on Government Organization.

**By Delegates Hanshaw (Mr. Speaker), Chiarelli, Warner and Statler:**

**H. B. 5594** - "A Bill to amend and reenact §5A-3-1 of the Code of West Virginia, 1931, as amended, related to exempting West Virginia University and Marshall University from contracts, agreements, or memorandums of understanding with spending units in state government with exceptions"; to the Committee on Finance.

**By Delegates Hanshaw (Mr. Speaker), Phillips, Cannon and Kelly:**

**H. B. 5595** - "A Bill to amend and reenact §14-2-17a of the Code of West Virginia, as amended, all relating to the shortened procedure for road condition claims; establishing process by which the Clerk of the Claims Commission, the Claims Commission, and the Division of Highways expedite certain road condition claims; and requiring the Division of Highways create a line item in the budget to expediate payment for certain road condition claims"; to the Committee on Finance.

**By Delegate Hanshaw (Mr. Speaker):**

**H. B. 5596** - "A Bill to amend and reenact §20-1-7 of the Code of West Virginia, 1931, as amended, all relating to exempting the Division of Natural Resources from Purchasing Division requirements"; to the Committee on Government Organization.

**By Delegates Tully, Toney, Burkhammer, Maynor, Holstein, Ferrell, Dittman, Kimble, Summers, Statler and Willis:**

**H. B. 5597** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17C-5-2c, relating to requiring that any school bus driver charged with driving under the influence with students present also be charged with child neglect for each student"; to the Committee on Education then the Judiciary.

**By Delegates Tully, Toney, Maynor, Holstein, Ferrell, Kimble, Summers and Statler:**

**H. B. 5598** - "A Bill to amend and reenact §18A-5-1a of the Code of West Virginia, 1931, as amended, relating to determining if a child is in foster care or otherwise in physical and/or legal custody of Child Protective Services prior to disciplining any child who commits a Level Three or Level Four policy violation"; to the Committee on Education.

**By Delegates Tully, Toney, DeVault, Kimble and Summers:**

**H. B. 5599** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §47-20-32, relating to allowing charitable organizations to get one free bingo license a year"; to the Committee on the Judiciary.

**By Delegates Garcia, Akers, Fluharty, Kirby, Steele, Nestor, Smith, Phillips and C. Pritt:**

**H. B. 5600** - "A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-32, relating to creating a private cause of action for the deprivation of a right granted by the state constitution or by state law"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates E. Pritt and Howell:**

**H. B. 5601** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §19-20-27, all relating to prohibiting a person from taking a dog, cat, or other animal into a grocery store or retail establishment that sells food unless the animal is a registered service animal"; to the Committee on the Judiciary.

**By Delegate Kimble:**

**H. B. 5602** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-32-1, §5-32-2, §5-32-3, §5-32-4, §5-32-5, §5-32-6, §5-32-7 and §5-32-8; all relating to creating Citizen and State Accountability Act; authorizing departments, agencies, and officials of state or local government to apply for major and minor grant agreements; establishing the requirements for applying for the grant agreements; requiring reports; requiring written consent of major grant requests by the Governor; permitting the Governor to prohibit the submission of a minor grant application or prohibit the acceptance of any such grant; repealing all statutes that conflict with the Citizen and State Accountability Act; and defining terms"; to the Committee on Government Organization then Finance.

**By Delegate Linville:**

**H. B. 5603** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-6-8, relating to creating the West Virginia Infrastructure Deployment Clearinghouse"; to the Committee on Technology and Infrastructure.

**By Delegates Householder, Riley, Hanshaw (Mr. Speaker), Cannon, Linville, Maynor, Phillips and Burkhammer:**

**H. B. 5604** - "A Bill to amend and reenact §5A-3-10 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section designated §5A-3-10f, and to amend and reenact §5A-6-2 of said code, and to amend said code by adding thereto a new section, designated §5A-6-4f, all relating to procurement by state spending units"; to the Committee on Finance.

**By Delegates Moore, Dittman and Petitto:**

**H. B. 5605** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §24-2-22; and to amend said code by adding thereto a new section, designated §37-6-31, all relating to clarifying the responsibility of landlords and tenants for payment of water use expenses in leased dwellings after broken water pipes"; to the Committee on Technology and Infrastructure.

**By Delegate Winzenreid:**

**H. B. 5606** - "A Bill to amend and reenact §61-15-1 and §61-15-2 of the Code of West Virginia, 1931, as amended, generally relating to money laundering, providing for a definition; and clarifying the offense of money laundering"; to the Committee on the Judiciary.

**By Delegate Statler:**

**H. B. 5607** - "A Bill to amend and reenact §18-9D-15 of the Code of West Virginia, 1931, as amended, relating to a public charter school's application for funding"; to the Committee on Education then Finance.

**By Delegate Young:**

**H. B. 5608** - "A Bill to amend §5-16-18 of the Code of West Virginia, 1931, as amended, relating to the use of legal cannabis sales profits to offset employee contributions to the Public Employees Insurance program"; to the Committee on Health and Human Resources then the Judiciary then Finance.

**By Delegates Burkhammer and Kimble:**

**H. B. 5609** - "A Bill to amend and reenact §49-5-101 of the Code of West Virginia, 1931, as amended, relating to the confidentiality of records; and providing that the Department of Human Services may provide the Foster Care Ombudsman the identity of a person who made a report of

abuse or neglect related to a child fatality"; to the Committee on Senior, Children, and Family Issues then the Judiciary.

**By Delegate Hansen:**

**H. B. 5610** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-1-17A, relating to requiring certain candidates for county offices to disclose criminal history when filing for office"; to the Committee on the Judiciary.

**By Delegate Cannon:**

**H. B. 5611** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17A-3-15a, relating to disabled veterans and veterans who received the Purple Heart may park free at metered parking spaces at any municipality in the state"; to the Committee on Veterans' Affairs and Homeland Security then Finance.

**By Delegate Garcia:**

**H. B. 5612** - "A Bill to amend and reenact §21-5D-4 of the Code of West Virginia, 1931, as amended, relating to including foster parents under the parental leave act"; to the Committee on Senior, Children, and Family Issues then the Judiciary.

**By Delegates Ridenour and Jennings:**

**H. B. 5613** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-1-31, relating to requiring the Governor to establish crisis preparedness plans"; to the Committee on Government Organization.

**By Delegate Kelly:**

**H. B. 5614** - "A Bill to amend and reenact §61-12-10 of the Code of West Virginia, 1931, as amended, relating to postmortem examinations"; to the Committee on Health and Human Resources.

**By Delegate Ridenour:**

**H. B. 5615** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-32-1, all relating to prohibiting state agencies from contracting with entities that engage in unlawful activities"; to the Committee on Government Organization then the Judiciary.

**By Delegates Ridenour, Martin, C. Pritt, Kirby, Phillips, McGeehan, Foster, Kimble, Steele and Hillenbrand:**

**H. B. 5616** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §5A-1-13, relating to prohibiting state contracts with entities who engage in specific activities found to be inimical to the people of West Virginia; termination of contracts and state employees for failure to comply; and duties of The Secretary of State, in coordination with the Governor, Attorney General, State Treasurer and State Auditor to maintain lists of entities not complying with this prohibition"; to the Committee on Government Organization then the Judiciary.

**By Delegate Linville:**

**H. B. 5617** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §24-2-1r relating to authorizing the Public Service Commission to promulgate rules for maintenance, flushing, flow testing, and marking of fire hydrants owned by water utilities"; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegate Hamilton:**

**H. B. 5618** - "A Bill to amend and reenact the Code of West Virginia, 1931, as amended, adding thereto a new article, designated §33-62-1, relating to cost sharing for diagnostic and supplemental breast examinations; providing definitions; providing that the Commissioner of Insurance may propose legislative rules; providing requirements for insurance and exceptions thereto if the benefit reduces certain federal benefits; and to provide related matters associated with coverage"; to the Committee on Banking and Insurance then Health and Human Resources.

**By Delegates Vance, Toney, Rohrbach, Worrell, Nestor, Hornbuckle, Brooks, Dean, Bridges, Mallow and Young:**

**H. B. 5619** - "A Bill to amend and reenact §5-10-22n of the Code of West Virginia, 1931, as amended; and to amend and reenact §18-7A-26y of said code, all relating to the Public Employees Retirement System and the State Teachers Retirement System; and providing a graduated increase in retirement benefits over a three-year period"; to the Committee on Pensions and Retirement then Finance.

**By Delegate Fluharty:**

**H. B. 5620** - "A Bill to amend and reenact §16-5C-3 of the Code of West Virginia, 1931, as amended, relating to authorizing the installation of monitors in long-term care facilities"; to the Committee on Senior, Children, and Family Issues then Health and Human Resources.

**By Delegates Kimble, Jeffries, McGeehan, Worrell, Street, Mazzocchi, Dittman, Heckert, Foggin, Kirby and Moore:**

**H. B. 5621** - "A Bill to amend and reenact §55-7-22 of the Code of West Virginia, 1931, as amended, relating to employment protections for employees who utilize reasonable and proportionate force, including deadly force, in defending themselves or others"; to the Committee on the Judiciary.

**By Delegates Williams, Hansen and Hamilton:**

**H. B. 5622** - "A Bill to amend and reenact §16-5-18 of the Code of West Virginia, 1931, as amended; and to amend and reenact §17B-2-8 and §17B-2-13 of said code; and to further amend said code by adding thereto a new article, designated §48-25B-101, §48-25B-102, §48-25B-103, §48-25B-104, and §48-25B-105, all relating to gender change in government documents"; to the Committee on Health and Human Resources then the Judiciary.

**By Delegates W. Hall, Shamblin, Rohrbach, DeVault, Stephens, Ferrell, Hite, Green, Steele and Forsht:**

**H. B. 5623** - "A Bill to amend and reenact §3-3-12 of the Code of West Virginia, 1931, as amended, relating to codifying existing policy of the Secretary of State regarding the verification of absentee ballots"; to the Committee on the Judiciary.

**By Delegates Anderson, Zatezalo, Dillon, Heckert and Barnhart:**

**H. B. 5624** - "A Bill to amend and reenact §40-1-8 of the Code of West Virginia, 1931, as amended, relating to providing recorded notice to surface owners of potential mineral development surface uses which burden the surface estate"; to the Committee on Energy and Manufacturing then the Judiciary.

**By Delegate Crouse:**

**H. B. 5625** - "A Bill to amend and reenact §3-1-9 of the Code of West Virginia, 1931, as amended, and to amend and reenact §18B-2A-1 of said code, all relating to relating to updating

names of institutions of higher education and nondiscrimination in leadership positions"; to the Committee on Education.

**By Delegate Worrell:**

**H. B. 5626** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §24-2J-1 and §24-2J-2, all relating to establishing a community solar pilot program for subscribers to gain credits against their utility bills; providing legislative findings; defining terms; authorizing subscriber-based solar projects that allow solar power production to be granted credit against electric power costs; providing that an authorized project is not deemed as a utility; providing conditions and terms for operation for a facility; providing for regulation of the pilot program by the Public Service Commission; providing conditions for credits; providing requirements for subscriber organizations; and providing Public Service Commission rulemaking authority and directives"; to the Committee on Energy and Manufacturing then the Judiciary.

**By Delegates Lucas and Linville:**

**H. B. 5627** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5B-1-11, relating to creating the West Virginia Small Business COVID Relief Act to be established under the West Virginia Department of Commerce; providing legislative findings; creating the act and providing qualifications for relief; and providing an effective date"; to the Committee on Economic Development and Tourism then Finance.

**By Delegate Rowe:**

**H. B. 5628** - "A Bill to amend and reenact §17B-2-1c of the Code of West Virginia, 1931, as amended, requiring the Division of Corrections and Rehabilitation to obtain necessary identification and employment documents for an inmate, to provide a photograph and this identifying information to the Division of Motor Vehicles, to require the Division of Motor Vehicles to issue a state identification card or any license that the inmate is qualified to hold, and to require that the Division of Corrections and Rehabilitation provide this identification card or license and all other necessary identification and employment documents to the inmate up the inmate's release"; to the Committee on Technology and Infrastructure then the Judiciary.

**By Delegates Worrell, Shamblin, Dean, Vance, Toney, Sheedy, E. Pritt, Heckert, Foggin, Miller and Ferrell:**

**H. B. 5629** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-3-64, all relating to the requirement that contracts or purchases of certain materials for public buildings or public works be manufactured in the United States; providing exceptions; requiring the Secretary of Administration approve waivers of these requirements; and defining terms"; to the Committee on Government Organization then Finance.

**By Delegates Holstein, Barnhart, Tully, Mallow, Cannon, Foster and E. Pritt:**

**H. B. 5630** - "A Bill to amend and reenact §11-3-2a of the Code of West Virginia, 1931, as amended, relating to notice of increased assessment of real property, if assessed value is more than five percent of the valuation for the last tax year"; to the Committee on Finance.

**By Delegate Rowe:**

**H. B. 5631** - "A Bill to amend and reenact §8-12-26 of the Code of West Virginia, as amended, and to amend and reenact §60-7-8g of said code, all relating to authorizing municipalities to create private outdoor or indoor designated areas; providing that if a municipality has passed an ordinance creating private outdoor or indoor designated areas for the consumption of beer, liquor

and wine shall also be permitted in those areas; and providing that if a municipality has passed an ordinance creating private outdoor or indoor designated areas for the consumption of beer, a special permit designated Class S4 for a qualified permit holder operating in a private outdoor or indoor designated area approved by a municipality shall also permit the consumption of liquor and wine"; to the Committee on Political Subdivisions then the Judiciary.

**By Delegates Lucas, Warner, Howell, Akers, Adkins, Crouse, Dean, Campbell, Maynor and Ross:**

**H. B. 5632** - "A Bill to amend and reenact §30-40-4, §30-40-12, and §30-40-17 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Real Estate License Act; adding a definition for 'property management'; qualifications for broker's license; and obligations of nonresident brokers"; to the Committee on Government Organization.

**By Delegates Adkins, Ridenour, Marple, Vance, Maynor, Toney, DeVault, Mallow and Heckert:**

**H. B. 5633** - "A Bill to amend and reenact §3-5-7 of the Code of West Virginia, 1931, as amended, relating to prohibiting the changing of party affiliation fewer than 12 months prior to running for office"; to the Committee on the Judiciary.

**By Delegates Adkins, Pinson, Ridenour, Marple, DeVault, Maynor, Toney, Heckert and Mallow:**

**H. B. 5634** - "A Bill to amend and reenact §15A-13-1 of the Code of West Virginia, 1931, as amended, relating to authorizing the Office of the Inspector General to oversee and investigate county Metro 911 agencies"; to the Committee on Government Organization.

**By Delegates Griffith and Summers:**

**H. B. 5635** - "A Bill amend and reenact §30-5-21 of the Code of West Virginia, 1931, as amended, relating to allowing patients or subscribers of medications to direct pharmacists to list the illness or condition for which a prescription is being issued be listed on the label of the prescription"; to the Committee on Health and Human Resources.

**By Delegate Lewis:**

**H. B. 5636** - "A Bill to amend and reenact §15A-4A-1, §15A-4A-3, §15A-4A-4, and §15A-4A-5 of the Code of West Virginia, 1931, as amended; and to further amend said code by repealing §15A-4A-7, all relating to facilitating the successful transitioning of offenders back into society; establishing a statewide work release program; and requiring certain offenders to develop and complete a program to facilitate his or her successful transition back into society"; to the Committee on Jails and Prisons then the Judiciary.

**By Delegate Linville:**

**H. B. 5637** - "A Bill to amend and reenact §17A-3-14b of the Code of West Virginia, 1931, as amended, relating to changing the number of applicants for a special plate from 100 to 50"; to the Committee on Technology and Infrastructure then Finance.

**By Delegates Lewis, Hansen, Hamilton, Young, Stephens, Willis, Hornbuckle, Rowe and Akers:**

**H. B. 5638** - "A Bill to amend and reenact §2-2-1 of the Code of West Virginia, 1931, as amended, relating to adding Juneteenth to the list of legal holidays and describing when it should be observed if it falls on a Sunday"; to the Committee on Government Organization.

**By Delegate Householder:**

**H. B. 5639** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §12-10-1 and §12-10-2, all relating to prompt payment of legitimate, uncontested invoices by state agencies providing that registered and qualified vendors shall be entitled to prompt payment upon presentation to a state agency of a legitimate, uncontested invoice; providing the rate of interest and manner of calculation; determining the date an invoice is considered received by a state agency; outlining rights of state agencies to receive updated invoices with interest prior to payment; requiring state agencies to explain and calculate interest on the payment claim at the time it is submitted to the State Auditor; providing the timeline in which state agencies shall process payments; providing the timeline in which state agencies shall process payments for other agencies; providing for the definition of a 'state agency'; and providing for exceptions"; to the Committee on Finance.

**By Delegates Kelly and Hott:**

**H. B. 5640** - "A Bill to amend and reenact §15A-8-2 and §15A-8-3 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Regional Jail and Correctional Facility Authority Board; composition; and scheduled meetings"; to the Committee on Jails and Prisons then the Judiciary.

**By Delegate Pinson:**

**H. B. 5641** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §24-2-1r, relating to the electrical needs of the premises of the United States Armed Forces or the West Virginia National Guard; providing that the provision of electricity from a certified high impact industrial business development district to meet the needs of the premises of the United States Armed Forces or the West Virginia National Guard does not constitute a public service; and providing exemptions from the limitations on power purchase agreements or net metering and interconnections standards as provided in code for a certified high impact industrial business development district which enters into a power purchase agreement with the United States Armed Forces or the West Virginia National Guard to provide electricity only to meet the needs of its premises"; to the Committee on Energy and Manufacturing.

**By Delegates Jeffries, Hott, Barnhart and Heckert:**

**H. B. 5642** - "A Bill to amend the Code of West Virginia 1931, as amended, by adding thereto a new section, designated §9-8-2a, relating to expanding the employment and training requirements necessary to receive SNAP benefits; defining and developing exemptions; clarifying the Secretary's duties when there is a lack of funding or inability to provide employment and training; and identifying when assignments to the employment and training program may not be suspended"; to the Committee on Health and Human Resources.

**By Delegates Hanshaw (Mr. Speaker), Riley, Jeffries, Phillips, Kelly and Cannon:**

**H. B. 5643** - "A Bill to amend and reenact §29-12-5 of the Code of West Virginia, 1931, as amended, relating to actions for damages or attorney's fees in cases involving Board of Risk Management and Insurance; clarifying that no action for damages or attorney's fees under *Shamblin v. Nationwide Mut. Ins. Co.*, 183 W. Va. 585 (1990) shall be awardable or cognizable against the board or any person employed by the board or any entity with which the board has contracted to administer the board's programs; and providing for retrospective application to all pending claims and actions"; to the Committee on the Judiciary.

**Special Calendar****Third Reading**

**S. B. 547**, Authorizing legislative rules for Higher Education Policy 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. 145**), and there were--yeas 95, nays 3, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Dillon, Longanacre and Vance.

Absent and Not Voting: Hardy and Kump.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 547) passed.

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

On this question, the yeas and nays were taken (**Roll No. 146**), and there were--yeas 95, nays 2, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Dillon and Vance.

Absent and Not Voting: Hardy, Kump and C. Pritt.

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 H. B. 4756) 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 H. B. 4786**, Delivery Network Company (DNC) Insurance Model Act; 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. 147**), and there were--yeas 91, nays 7, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Coop-Gonzalez, Dillon, Foster, Martin, Ridenour, Street and Vance.

Absent and Not Voting: Hardy and Kump.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4786) 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. 5161**, To create a "digital wallet" to keep all certifications/licensure accrued by the person in one place; 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. 148**), and there were--yeas 86, nays 12, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Burkhammer, Butler, Dean, Dillon, Gearheart, Longanacre, Miller, Riley, Street, Thorne, Vance and Ward.

Absent and Not Voting: Hardy and Kump.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 5161) 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. 5252**, Requiring certain minimum experience for the director or coordinator of services class title involving school transportation; 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. 149**), and there were--yeas 51, nays 47, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Akers, Bridges, Brooks, Burkhammer, Butler, Cannon, Chiarelli, T. Clark, Coop-Gonzalez, Crouse, Dean, Devault, Dillon, Dittman, Espinosa, Fehrenbacher, Ferrell, Foster, Green, Hillenbrand, Hite, Holstein, Horst, Jeffries, Jennings, Kelly, Kirby, Lewis, Linville, Martin, Maynor, Miller, Moore, Pinson, C. Pritt, Ridenour, Riley, Rowe, Smith, Street, Summers, Thorne, Tully, Westfall, Willis, Winzenreid and Worrell.

Absent and Not Voting: Hardy and Kump.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 5252) passed.

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

**H. B. 5252** - "A Bill to amend and reenact §18A-4-8 of the Code of West Virginia, 1931, as amended, relating generally to service personnel class titles and definitions; providing minimum experience required for director or coordinator of services class title involving school transportation; and removing outdated class title and terms."

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

**H. B. 5268**, Relating to the enhanced recovery of oil and natural gas in horizontal wells; 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. 150**), and there were--yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Hardy and Kump.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 5268) 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. 5286**, Eliminating the ability to sub-contract under Certificate of Need; 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. 151**), and there were--yeas 93, nays 5, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Adkins, Jennings, Lewis, Longanacre and Toney.

Absent and Not Voting: Hardy and Kump.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 5286) 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. 5287**, Relating generally to traffic safety; 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. 152**), and there were--yeas 97, nays 1, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Young.

Absent and Not Voting: Hardy and Kump.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 5287) passed.

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

### **Second Reading**

**S. B. 171**, Prohibiting county commissions from adopting authorization that exceeds state law regarding agriculture operations; on second reading, coming up in regular order, was read a second time.

Delegate Dillion moved to amend the bill on page 2, line 32, by striking subsections (b) and (c) and inserting in lieu thereof the following:

"(b) County commissions may not prohibit or restrict a citizen of West Virginia or agricultural business from engaging in the practice of agriculture as defined in §19-19-2 of this code on privately owned land or land leased for such agricultural operations.

(c) County commissions may not adopt an ordinance, rule, or regulation, or take other action, that prohibits the purchase, or alters the permissible use or application, of any federally or state-registered pesticide, herbicide, or insecticide product in the course of conducting an agricultural operation as defined in §19-19-2 of this code.

(d) No citizen or business shall engage in a primary or ancillary line of industrial business operation which coincides with an agricultural operation as defined in §19-19-2 of this code on the same parcel of land without first applying for and obtaining the necessary permits as outlined in applicable sections of this code and as well as all applicable county ordinances, rules, or actions. For purposes of this section, industrial business operations shall include all forms of electrical power generation for wholesale or retail purposes, chemical production or application as part of an added-value treatment or assembly process, or other industrial operation as outlined elsewhere in this code."

And,

On page 3, line 4, by reinserting the stricken language, "used for farm purposes on land actually being used for farming".

On the question of the adoption of the amendment, the same was put and the amendment was rejected.

Delegate Hansen moved to amend the bill on page 2, Section 3, line 32, by striking out the word "may" and inserting in lieu thereof the word "shall"; and on page 2, Section 3, line 38, by striking out the word "may" and inserting in lieu thereof the word "shall".

On the question of the adoption of the amendment, the same was put and the amendment was rejected.

The bill was then ordered to third reading.

**Com. Sub. for S. B. 354**, Relating to the WV Advanced Energy and Economic Corridor Authority; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Rohrbach, the bill was amended on page 1, section 5B-11-1, line 3 by striking the word "and" after "Mingo", and then inserting the words "and Wyoming" after the word "Wayne."

Then, on Page 2, striking the entirety of section 5B-11-2, beginning at line 1, and inserting the following as a new section 5B-11-2 in lieu thereof:

"(a) The Advanced Energy and Economic Corridor Authority (authority) is hereby created as an independent body corporate. It shall consist of the following 15 members who are involved in economic, commercial, or industrial development in the geographic region of the authority:

(1) A representative of the economic development agency of McDowell County;

- (2) A representative of the economic development agency of Mercer County;
- (3) A representative of the economic development agency of Mingo County;
- (4) A representative of the economic development agency of Wayne County;
- (5) A representative of the economic development agency of Wyoming County;
- (6) A representative of the Region 1 Planning and Development Council;
- (7) A representative of the Region 2 Planning and Development Council; and
- (8) The following seven members appointed by the Governor, or his or her designee:

(A) A representative from businesses and industries located in the state;

(B) An economic development representative from a utility company that provides service to the corridor region;

(C) Four private sector representatives from the technology, energy, advanced manufacturing, and aviation, aerospace or advanced air mobility sectors in the corridor region; and

(D) Two at-large members from regions and counties along the corridor who have knowledge and experience in local issues, economic development, and other areas of expertise.

(b) Each member shall serve a term of five years. Members may be reappointed to additional terms and, upon expiration of their respective terms, shall continue to serve until their successor has been appointed. The chair, vice-chair, and officers shall be selected annually by majority vote of the members. The chair shall schedule meetings and set the agenda for each meeting.

(c) A majority of members, in person or by real-time electronic communication, constitutes a quorum to conduct business at a meeting.

(d) If a member of the authority must recuse himself or herself because of a perceived or actual conflict of interest, a majority of the remaining members of the authority without a conflict shall be sufficient for the conduct of authority business.

(e) Members are not entitled to compensation for services performed as members.”

Delegate Dillon moved to amend the bill on page 1, by striking all text after the enacting clause and inserting in lieu thereof the following text:

**“ARTICLE 11. WEST VIRGINIA ADVANCED ENERGY AND ECONOMIC CORRIDOR AUTHORITY KING COAL HIGHWAY ECONOMIC ADVISORY BOARD.**

**§5B-11-1. Legislative findings.**

The Legislature finds that the ~~Advanced Energy and Economic Corridor~~ counties along the King Coal Highway, once known as Tug-Ohio-Levisa-Sandy Improvement Association (TOLSIA) and the ~~King Coal Highway~~, which runs through the counties of McDowell, Mercer, Mingo, and Wayne, ~~has~~ have undergone significant challenges economic damages owing to ~~widespread changes in the national and global economies harmful federal environmental policies and~~

~~regulations which drastically impacted the domestic market for coal-fired power generation and severely injured the economies of the counties along the King Coal Highway; and every effort should be made to assist the transformation recovery of these injured regional economies by providing guidance to local governments, businesses, and industries to maximize—reduce unnecessary regulatory obstacles to organic economic development growth and diversification of those economies—leverage our abundant natural energy and material resources, encourage entrepreneurship, and support business creation within the region. As part of the National Highway System’s I-73/74 corridor from northern Michigan to eastern South Carolina, the Advanced Energy and Economic Corridor King Coal Highway will not only foster greater transportation efficiencies, but will also provide vital connectivity to burgeoning markets, resulting in both job creation and economic expansion in southern West Virginia.~~

~~The economic development agencies county commissions along this corridor are aligning efforts to embrace the expansion of the energy and economic development policies adopted by the West Virginia Legislature as a tool for economic development and are focused on efforts to transform and revitalize opportunities presented by our abundant natural resources and our skilled, creative, and hard-working people to support the region by fostering partnerships and initiatives which are complementary and supportive of existing successful industries in West Virginia.~~

~~The Legislature, by enactment of this article, intends to facilitate implementation of critical and time-sensitive opportunities for economic development along the Advanced Energy and Economic Corridor the King Coal Highway by establishing an authority advisory board, known as the West Virginia Advanced Energy and Economic Corridor Authority (authority) King Coal Highway Economic Advisory Board, to facilitate assistance to these local entities comprised of the economic development agencies of McDowell, Mercer, Mingo, and Wayne counties.~~

**~~§5B-11-2. Advanced Energy and Economic Corridor Authority King Coal Highway Economic Advisory Board created; membership; terms; meetings; quorum; compensation and expenses; assistance from Department of Economic Development.~~**

~~(a) The Advanced Energy and Economic Corridor Authority (authority) King Coal Highway Economic Advisory Board is hereby created as an independent body corporate. It shall consist of the following 13 12 original members who are involved in economic, commercial, or industrial development in the geographic region of the authority:~~

- ~~(1) A representative of the economic development agency of McDowell County Commission;~~
- ~~(2) A representative of the economic development agency of Mercer County Commission;~~
- ~~(3) A representative of the economic development agency of Mingo County Commission;~~
- ~~(4) A representative of the economic development agency of Wayne County Commission;~~
- ~~(5) A representative of the Region 1 Planning and Development Council; and~~
- ~~(6) A representative of the Region 2 Planning and Development Council; and~~
- ~~(7) The following seven members appointed by the Governor, or his or her designee:~~
  - ~~(A) A representative from businesses and industries located in the state;~~

~~(B) An economic development representative from a utility company that provides service to the corridor region;~~

~~(C) Three private sector representatives from the technology, energy, and advanced manufacturing sectors in the corridor region; and~~

~~(D) Two at-large members from regions and counties along the corridor who have knowledge and experience in local issues, economic development, and other areas of expertise.~~

Within the first three meetings, the panel shall nominate and appoint by a majority vote six additional members of the Advisory Board, consisting of:

a) one representative with at least ten years of executive experience in the coal mining industry; and

b) one representative with at least ten years of executive experience in the oil and gas industry; and

c) one representative with at least ten years of executive experience in the electrical utility industry; and

d) one representative with at least ten years of executive experience in manufacturing, with emphasis on production of polymers and/or other advanced materials sourced from coal and/or hydrocarbon feedstocks; and

e) one representative with at least ten years of managerial or entrepreneurial experience in the tourism industry; and

f) one representative with extensive historical knowledge of the counties and communities included in the King Coal Highway.

(b) Each member shall serve a term of five years. Members may be reappointed to additional terms and, upon expiration of their respective terms, shall continue to serve until their successor has been appointed. The chair, vice-chair, and officers shall be selected annually by majority vote of the members. The chair shall schedule meetings and set the agenda for each meeting.

(c) A majority of members, in person or by real-time electronic communication, constitutes a quorum to conduct business at a meeting.

(d) If a member of the authority must recuse himself or herself because of a perceived or actual conflict of interest, a majority of the remaining members of the authority without a conflict shall be sufficient for the conduct of authority business.

(e) Members are not entitled to compensation for services performed as members.

### **§5B-11-3. Powers and duties of the authority.**

(a) The authority shall have, ~~but not be limited to,~~ the following powers and duties:

(1) Set specific tactical goals and demonstrable objectives via input from member counties and communities;

(2) ~~Maintain an inclusive, rather than constraining, a geographic focus on economic development in the counties contained within the King Coal Highway;~~

(3) ~~Seek out private-public partnerships. Create and coordinate related RFPs when necessary to achieve specific objectives related to multi-county projects critical to its vision;~~

(4) Foster partnerships with groups in other states that follow the I-73/74 King Coal Highway corridor to help build broad support for the economic development and infrastructure projects undertaken;

(5) ~~Communicate with legislators to discuss~~ Propose legislation for bonding and tax credits to facilitate economic development along the corridor improving the business environment in West Virginia to boost overall competitiveness with other states;

(6) Seek governmental engagement for guidance on local or ~~state, regional or national~~ initiatives to achieve economic development objectives;

(7) Utilize cutting-edge technologies and innovation platforms where their applications will be most beneficial;

(8) ~~Propose~~ Discuss effects of potential legislation to allow regulatory flexibility along corridor expanded boundaries toward the goals and objectives of the advisory board;

(9) ~~Develop a memorandum of understanding with the Appalachian Regional Commission in areas of economic development, transportation, tourism, infrastructure, technology, and other areas beneficial to the member counties and communities, and the state; and~~

(10) ~~Develop~~ Identify economic and tourism asset portfolios opportunities for inclusion of the authority's Advisory Board's vision; and

(11) Apply for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

(b) ~~The authority may also exercise all powers necessary or appropriate to carry out the purposes of this article including, but not limited to, the following:~~

(1) ~~Acquire, own, hold, and dispose of property, real and personal, tangible and intangible;~~

(2) ~~Lease property, whether as lessee or lessor, and to acquire or grant through easement, license, or other appropriate legal form, the right to develop and use property and open it to the use of the public;~~

(3) ~~Mortgage or otherwise grant security interests on its property;~~

(4) ~~Procure insurance against any losses in connection with its property, license or easements, contracts, including hold harmless agreements, operations, or assets in such amounts and from such insurers as the authority considers desirable;~~

(5) ~~Maintain such sinking funds and reserves as the authority determines appropriate for the purposes of meeting future monetary obligations and needs of the Authority; Seek advice and expertise from members of the Regional Councils, state or local economic development agencies, or other governmental, nongovernmental, or private entities as needed.~~

(6) Contract for the provision of legal services by private counsel and, notwithstanding any other provision of the code to the contrary, the counsel may, in addition to the provisions of other legal services, represent the ~~authority~~ advisory board in court, negotiate contracts and other agreements on behalf of the authority, render advice to the ~~authority~~ advisory board on any matter relating to the ~~authority~~ Advisory Board, prepare contracts and other agreements, and provide such other legal services as may be requested by the ~~authority~~ Advisory Board, provided that such expenses are paid out of a dedicated fund established within the Advisory Board with contributions allocated from participating county commissions;

(7) ~~Appoint officers, agents, and employees and to contract for and engage the services of consultants~~ provided that such expenses are paid out of a dedicated fund established within the Advisory Board with contributions allocated from participating county commissions;

(8) ~~Make contracts of every kind and nature and to execute all instruments necessary or convenient for carrying on its business, including contracts with any other governmental agency of this state or of the federal government or with any person, individual, partnership, or corporation to effect any or all of the purposes of this article~~ Coordinate contracts when necessary to complete multi-county projects necessary to achieving the vision of the Advisory Board;

(9) ~~Without in any way limiting any other provision of this section, accept grants and loans from, and enter into contracts and other transactions with, any federal agency~~ Seek guidance for participating counties in applying for relevant and timely loans and grants from state or federal sources; and

(10) ~~Accept~~ Coordinate applications and direct gifts or grants of property, funds, security interests, money, materials, labor, supplies, or services from the federal government or from any governmental unit or any person, firm, or corporation and to carry out the terms or provisions of or make agreements with respect to or pledge any gifts or grants and to do any and all things necessary, useful, desirable, or convenient in connection with the procuring, acceptance, or disposition of gifts or grants toward the participating counties.

(c) No liability or obligation is incurred by the ~~authority~~ Advisory Board beyond the extent to which money is awarded for grant acquisition facilitation.

#### **§5B-11-4. Report to the Legislature.**

On or before December 1, 2024, and annually thereafter, the ~~authority~~ advisory board shall prepare and submit to the Joint Committee on Government and Finance a written report, which may be transmitted electronically, detailing its undertakings for the past year, including, but not limited to, all projects ~~and any private-public partnerships~~ entered into, as well as any recommended legislation or policy actions needed to facilitate greater economic development along the ~~Advanced Energy and Economic Corridor~~ King Coal Highway."

On the adoption of the amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 153**), and there were-- yeas 28, nays 71, absent and not voting 1, with the yeas and the absent and not voting being as follows:

Yeas: Adkins, Akers, Bridges, Brooks, Burkhammer, Butler, Coop-Gonzalez, Dean, Dillon, Fast, Foster, Jennings, Kimble, Kirby, Longanacre, Marple, Martin, McGeehan, Petitto, Pinson, C. Pritt, E. Pritt, Ridenour, Ross, Sheedy, Thorne, Vance and Ward.

Absent and Not Voting: Kump.

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

The bill was then ordered to third reading.

**Com. Sub. for H. B. 4782**, Preventing municipalities from targeting protected businesses with planning and zoning ordinances more restrictive than those placed upon other businesses; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Horst, the bill was amended on page 4, section 5a, line 64, by striking the word "similar".

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 4951**, To facilitate the interstate practice of School Psychology in educational or school settings; 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. 4986**, Relating to computer science and cybersecurity instruction for adult learners; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 5002**, To require at least 1 baby changing station to existing and future rest areas in this state for both male and female restrooms; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

**H. B. 5261**, Relating to the definition of small arms for purposes of taxation; 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. 5262**, Relating generally to teacher's bill of rights; on second reading, coming up in regular order, was read a second time.

Delegate Dillon moved to amend the bill on page 14, section 2, line 104, following the period at the end of the sentence by inserting the following subsection:

(h) A classroom teacher who obtains an Ed.D. or Ph.D. in an education-related area of study shall be exempt from the requirement of paying to update his or her licensure, and keeping his or her educational license, administrative license, and endorsements active: *Provided*, That such licensure may be revoked for justifiable cause.

On the question of the adoption of the amendment, the same was put and the amendment was rejected.

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 5267**, Relating to the Deputy Sheriff Retirement System; 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. 5273**, Relating to the Emergency Medical Services Retirement System and clarifying payment upon death of member with less than 10 years of contributory service; 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. 5295**, Authorizing a private outdoor designated area to simultaneously host multiple qualified permit holders; on second reading, coming up in regular order, was read a second time.

Delegate W. Clark moved to amend the bill on page 10, section 60-7-8g, line 18, after the words "Qualified permit holder" by striking out the remainder of the sentence and inserting in lieu thereof the following: "means the holder of a Class A, Class B, or Class S2 license that elects to operate within a private outdoor designated area and that has been issued a Class S4 license pursuant to §60-7-1 *et seq.* of this code."

On page 10, section 60-7-8g, line 33, after the words "designated area" by striking out the words "which cannot exceed the stated private club hours of operation".

On page 11, section 60-7-8g, line 56, by striking subdivision (10) in its entirety, and renumbering all subsequent subdivisions accordingly.

And,

On page 11, section 60-7-8g, line 68, after the words "Class A" by inserting the following: ", Class B, or Class S2".

On the adoption of the amendment, the yeas and nays were demanded, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 154**), and there were-- yeas 61, nays 37, absent and not voting 2, with the nays and the absent and not voting being as follows:

Nays: Adkins, Akers, Anderson, Barnhart, Bridges, Brooks, Burkhammer, Butler, T. Clark, Cooper, Coop-Gonzalez, DeVault, Dillon, Ellington, Fast, Ferrell, Foster, Hillenbrand, Holstein, Jeffries, Jennings, Kelly, Kimble, Kirby, Longanacre, Mallow, Martin, Mazzocchi, Pinson, Ridenour, Ross, Sheedy, Street, Toney, Vance, Ward and Worrell.

Absent and Not Voting: Kump and Linville.

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

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 5326**, Relating to prohibition of unfair real estate service agreements; 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. 5343**, Relating to adding an athletic trainer to the Board of Physical Therapy; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

### **First Reading**

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

**Com. Sub. for S. B. 17**, Authorizing Department of Health to promulgate legislative rules,

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

**Com. Sub. for H. B. 4086**, Authorizing certain agencies of the Department of Commerce to promulgate legislative rules,

**Com. Sub. for H. B. 4943**, To facilitate the creation of home-based businesses,

And,

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

### **Leaves of Absence**

At the request of Delegate Householder, and by unanimous consent, leave of absence for the day was granted Delegate Kump.

### **Miscellaneous Business**

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

**H. B. 4283**: Delegate Young;

**H. B. 4709**: Delegate Worrell;

**H. B. 4754**: Delegate Barnhart;

**H. B. 4850**: Delegate Fehrenbacher;

**H. B. 5128**: Delegate Fehrenbacher;

**H. B. 5276**: Delegate Espinosa;

**H. B. 5422**: Delegate Young;

**H. B. 5531**: Delegate Kump;

**H. B. 5538:** Delegate Kump;

**H. B. 5565:** Delegate Tully;

And,

**H. C. R. 63:** Delegate Mazzocchi.

At 1:13 p.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, February 13, 2024.

---

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



## **SPECIAL CALENDAR**

**Tuesday, February 13, 2024**

**35th Day**

**11:00 A.M.**

### **UNFINISHED BUSINESS**

- H. R. 6 - A resolution reaffirming support for the town of Thurmond, the historic buildings within the community, and the strong coal mining history associated with it
- H. C. R. 24 - To create a study resolution to examine the school aid formula.
- H. C. R. 71 - Requesting the Division of Highways to place at least 10 additional signs along highways entering West Virginia honoring fallen veterans and Gold Star Families.

### **THIRD READING**

- S. B. 171 - Prohibiting county commissions from adopting authorization that exceeds state law regarding agriculture operations
- Com. Sub. for S. B. 354 - Relating to the WV Advanced Energy and Economic Corridor Authority
- Com. Sub. for H. B. 4782 - Preventing municipalities from targeting protected businesses with planning and zoning ordinances more restrictive than those placed upon other businesses.
- Com. Sub. for H. B. 4951 - To facilitate the interstate practice of School Psychology in educational or school settings
- Com. Sub. for H. B. 4986 - Relating to computer science and cybersecurity instruction for adult learners
- H. B. 5002 - To require at least 1 baby changing station to existing and future rest areas in this state for both male and female restrooms
- H. B. 5261 - Relating to the definition of small arms for purposes of taxation
- Com. Sub. for H. B. 5262 - Relating generally to teacher's bill of rights
- Com. Sub. for H. B. 5267 - Relating to the Deputy Sheriff Retirement System
- Com. Sub. for H. B. 5273 - Relating to the Emergency Medical Services Retirement System

and clarifying payment upon death of member with less than 10 years of contributory service

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

H. B. 5343 - Relating to adding an athletic trainer to the Board of Physical Therapy

### **SECOND READING**

Com. Sub. for S. B. 17 - Authorizing Department of Health to promulgate legislative rules

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

Com. Sub. for S. B. 441 - Restricting driving in left lane of multi-lane highways in WV

Com. Sub. for H. B. 4086 - Authorizing certain agencies of the Department of Commerce to promulgate legislative rules

Com. Sub. for H. B. 4943 - To facilitate the creation of home-based businesses

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

Com. Sub. for H. B. 5326 - Relating to prohibition of unfair real estate service agreements

### **FIRST READING**

Com. Sub. for H. J. R. 28 - Protection from medically-assisted suicide or euthanasia in West Virginia Amendment

Com. Sub. for H. B. 4110 - Authorizing certain miscellaneous agencies and boards to promulgate legislative rules

H. B. 4297 - Law Enforcement Officers Safety Act

Com. Sub. for H. B. 4381 - West Virginia Consumer Privacy Act of 2024

Com. Sub. for H. B. 4399 - Creating the equitable right to expungement

H. B. 4700 - Banning certain persons from sport wagering activities

H. B. 4717 - Relating to terminating the authority of the Director of the Purchasing Division to impose a certain annual fee upon vendors

Com. Sub. for H. B. 4754 - Exempting the processing of beef, pork or lamb by a slaughterhouse for an individual owner of the product processed from the Consumer Sales and Service Tax

H. B. 4984 - Relating to repealing tax credit for employing former employees of

Colin Anderson Center

Com. Sub. for H. B. 5318 - Clarifying that elected municipal police chiefs shall be certified law-enforcement officers.

Com. Sub. for H. B. 5354 - Relating to the Grant Transparency and Accountability Act

H. B. 5443 - Clarifying that electronic data processing services are to be included in the valuation of specialized high-technology property



## HOUSE CALENDAR

Tuesday, February 13, 2024

35th Day

11:00 A.M.

### THIRD READING

Com. Sub. for H. B. 5243 - Relating to Women's Bill of Rights

### SECOND READING

- H. B. 4795 - Relating to permitting an academic medical center to operate an opioid treatment facility.
- H. B. 4855 - Require Division of Purchasing to write contracts in an unbiased manner
- 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
- 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

### 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
- H. B. 5194 - Requiring purchases of certain commodities and services from state use program partners
- H. B. 5237 - Prohibiting driving slow in left lane except under certain circumstances

# WEST VIRGINIA HOUSE OF DELEGATES

---

**TUESDAY, FEBRUARY 13, 2024**

—————  
**HOUSE CONVENES AT 11:00 A.M.**  
—————

**COMMITTEE ON RULES  
10:45 A.M. - BEHIND THE CHAMBER**

**COMMITTEE ON BANKING AND INSURANCE  
9:00 A.M. – JUDICIARY COMMITTEE ROOM**

**COMMITTEE ON PENSIONS AND RETIREMENT  
9:00 A.M. – FINANCE COMMITTEE ROOM**

**COMMITTEE ON POLITICAL SUBDIVISIONS  
10:00 A.M. – EDUCATION COMMITTEE ROOM**

**COMMITTEE ON TECHNOLOGY AND INFRASTRUCTURE  
1:00 P.M. – EDUCATION COMMITTEE ROOM**

**COMMITTEE ON ENERGY AND MANUFACTURING  
1:00 P.M. – FINANCE COMMITTEE ROOM**

**COMMITTEE ON HEALTH AND HUMAN RESOURCES  
3:00 P.M. – EAST WING COMMITTEE ROOM**

**COMMITTEE ON ECONOMIC DEVELOPMENT AND TOURISM  
3:00 P.M. – JUDICIARY COMMITTEE ROOM**

---

**WEDNESDAY, FEBRUARY 14, 2024**

**COMMITTEE ON FINANCE  
PUBLIC HEARING  
HB 4850 REMOVING THE SUNSET CLAUSE FROM OIL AND GAS  
PERSONAL PROPERTY TAX  
8:45 A.M. – HOUSE CHAMBER**









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