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February 19, 2024  
FORTY-FIRST DAY



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Monday, February 19, 2024

**FORTY-FIRST 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 16, 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. 5021, on Second Reading, Special Calendar, had been transferred to the House Calendar; and Com. Sub. for H. B. 4809, on Third Reading, House Calendar, had been transferred to the Special 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. 5280**, West Virginia Short Line Railroad Modernization Act,

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

Delegate Clark, Vice-Chair of the Committee on Economic Development and Tourism, submitted the following report, which was received:

Your Committee on Economic Development and Tourism has had under consideration:

**H. B. 5544**, Require a report on the Mountaineer Trail Network detailing progress towards completing the goals of the Mountaineer Trail Network,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 5544** - "A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §20-17A-6, relating to requiring certain reporting from the Mountaineer Trail Network Authority each year and beginning on December 1, 2024,"

With the recommendation that the committee substitute do pass.

Delegate Statler, Vice-Chair of the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration:

**H. B. 5597**, Relating to school bus driver charged with DUI,

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

And,

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

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

In accordance with the former direction of the Speaker, the bills (H. B. 5597, Com. Sub. for S. B. 152 and Com. Sub. for S. B. 280) were each referred to the Committee on the Judiciary.

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

Your Committee on the Judiciary has had under consideration:

**H. B. 5039**, Relating to authorizing the West Virginia Division of Motor Vehicles to enforce administrative penalties for the civil offense of refusing a secondary chemical test,

And reports the same back with the recommendation that it 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. 4008**, To amend the time required for providing notice of an entry on to land for visiting a grave from ten days to three,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4008** - "A Bill to amend and reenact §37-13A-1 of the Code of West Virginia, 1931, as amended, relating to amending the time required for providing notice of an entry on to land for visiting a grave from ten days to three,"

**H. B. 4191**, Relating to requirements imposed on social media companies to prevent corruption and provide transparency of election-related content made available on social media websites,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4191** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-8-12a, relating to the requirements imposed on social media companies to prevent corruption and provide transparency of election-related content made available on social media websites; providing for equal opportunities for all candidates and political parties to speak without policy or partisan-based censorship; aiming to uphold the integrity of elections by ensuring election-related content hosted, posted, and made

available on social media websites is not monetized or otherwise used or manipulated for nefarious purposes; providing findings; defining terms; requiring and forbidding certain conduct; providing exceptions for application; providing for appeal of decisions; providing penalties for violation; and providing rulemaking authority,"

**H. B. 4706**, Creating the utility pole rights of way and easement mapping initiative,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4706** - "A Bill to amend the Code of the West Virginia, 1931, as amended, by adding thereto a new section, designated §31G-4-2a, relating to creating the utility pole rights-of-way and easement mapping initiative; requiring pole owners to provide information to the Department of Economic Development to map the poles; requiring the Department of Economic Development to create maps with specific information about the poles; requiring confidentiality of information about electrical facilities connected to poles; allowing the Department of Economic Development to provide information to parties who demonstrate the need for the information to determine feasibility of projects; requiring confidentiality agreement of any requestor of the information; and providing exception to reporting if pole owner provides information directly to telecommunications entity,"

**H. B. 5020**, Relating to deferred adjudication and pre-trial diversions for first offense DUI cases,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 5020** - "A Bill to amend and reenact §17C-5-2b of the Code of West Virginia, 1931, as amended, relating to deferred adjudication and pre-trial diversions for first offense DUI cases,"

**H. B. 5238**, Mandating that all courts provide adjudication for juvenile offenders for traffic violations to the Division of Motor Vehicles,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 5238** - "A Bill to amend and reenact §17B-2-3a of the Code of West Virginia, 1931, as amended, relating to mandating that all courts provide adjudication records for traffic violations and certain other offenses of juvenile offenders to the Division of Motor Vehicles,"

And,

**H. B. 5606**, Relating generally to money laundering,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for 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, all relating to money laundering, providing for a definition; and clarifying the offense of money laundering,"

With the recommendation that the committee substitutes each 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. 4880**, Relating to personal income tax social security exemption,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 4880** - "A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to personal income tax; providing for the gradual elimination of the limitations set forth in §11-21-12(c)(8) of the said Code relating to the decreasing modification for social security benefits received pursuant to specified provisions of Title 42 U.S.C., Chapter 7; making technical corrections to remove obsolete language; and specifying retrospective effect,"

And,

**H. B. 5024**, Relating to exempting non-grantor trusts administered in this state from the personal income tax,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. B. 5024** - "A Bill to amend and reenact §11-21-3, §11-21-4g, §11-21-18, §11-21-30, §11-21-40, §11-21-51, and §11-21-71a of the Code of West Virginia, 1931, as amended, all relating to the personal income tax by exempting non-grantor trusts administered in this state from the personal income tax,"

With the recommendation that the committee substitutes each do pass.

Delegate Nestor moved that H. B. 5039 be recommitted to the Committee on the Judiciary.

Delegate Linville moved to table the motion.

On the question that the motion be tabled, the yeas and nays were demanded, which demand was sustained.

Having been ordered, the yeas and nays were taken (**Roll No. 210**), and there were—yeas 50, nays 46, absent and not voting 4, with the yeas and the absent and not voting being as follows:

Nays: Adkins, Akers, Brooks, Cooper, Criss, Dean, Fast, Fehrenbacher, Ferrell, Fluharty, Foggin, Forsht, Garcia, Griffith, Hamilton, Hansen, Hardy, Hornbuckle, Jennings, Kelly, Kimble, Kirby, Kump, Lewis, Longanacre, Marple, Martin, McGeehan, Nestor, Phillips, C. Pritt, E. Pritt, Pushkin, Rowe, Shamblin, Statler, Steele, Street, Thorne, Tully, Vance, Ward, Winzenreid, Worrell, Young and Zatezalo.

Absent and Not Voting: Anderson, Bridges, Ross and Williams.

So, a majority of the members present having voted in the affirmative, the motion was laid upon the table.

**Committee Reports**

-continued-

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. 2**, U.S. Army SPC Steven W. Herron Memorial Bridge,

**Com. Sub. for H. C. R. 3**, Legg Brothers WWII Veterans Memorial Bridge,

**H. C. R. 5**, George M. Hall Memorial Bridge,

**Com. Sub. for H. C. R. 7**, U. S. Navy Radarman 3rd Class Craig W. Haines Memorial Bridge,

**Com. Sub. for H. C. R. 9**, Private Jefferson Howell Memorial Road,

**H. C. R. 11**, VFD Gregory Linn Haught Memorial Bridge,

**Com. Sub. for H. C. R. 12**, "U. S. Marine Private First Class Calvin Lee Loudin Memorial Bridge",

**H. C. R. 14**, Assistant Chief David Timothy "Tim" Wilson Memorial Road,

**H. C. R. 15**, USMC Private Timith Daley Nunn Memorial Bridge,

**H. C. R. 16**, Thomas Leo Starsick Memorial Bridge,

**H. C. R. 17**, Ab and Laura Baisden Bridge,

**H. C. R. 18**, Caldwell Brothers Memorial Bridge,

**Com. Sub. for H. C. R. 19**, CPL Thomas Lowell Wines Memorial Bridge,

**H. C. R. 20**, SP4 Donnie Lee Hackney Memorial Bridge,

**Com. Sub. for H. C. R. 22**, "U.S. Army Corporal William Edgar Hancock Memorial Bridge",

**H. C. R. 23**, Cody J. Mullens Memorial Bridge,

**H. C. R. 25**, William "Bill" Harris Memorial Bridge,

**Com. Sub. for H. C. R. 26**, PFC Jerry Lee Bassett Memorial Bridge,

**H. C. R. 27**, US Army Sergeant Jerry Lee Harris Memorial Bridge,

**H. C. R. 28**, Karantonis' Brother's Armed Forces Memorial Bridge,

**H. C. R. 29**, U.S. Army Sgt Thomas Lawson Memorial Bridge,

**H. C. R. 30**, Jack L. Hart Memorial Bridge,

**H. C. R. 31**, Stanley and Evelyn See Memorial Bridge,

**H. C. R. 32**, Sloan Brothers Memorial Bridge,

**Com. Sub. for H. C. R. 33**, U. S. Army PFC Gale Hall Memorial Bridge,

**Com. Sub. for H. C. R. 34**, U.S. Army Staff Sergeant Harlie Steven Gabbert Memorial Bridge,

**H. C. R. 35**, Gulf War Veteran's Memorial Bridge,

**H. C. R. 36**, Chief Master Sgt. Dan Chandler Memorial Bridge,

**Com. Sub. for H. C. R. 37**, U. S. Army PFC Carl. J. Osburn Bridge,

**H. C. R. 38**, US Army PFC William Gorman Memorial Bridge,

**Com. Sub. for H. C. R. 39**, US Army SP3 Delbert Sherdan "Buck" Huffman Sr. Memorial Bridge,

**Com. Sub. for H. C. R. 40**, USMC MSG Edward P. & MP Carl A. McCray Memorial Bridge,

**H. C. R. 41**, Thurman W. Whisner Memorial Bridge,

**H. C. R. 42**, U.S. Army SSG William E. Miller Memorial Bridge,

**H. C. R. 44**, Frank Walker Mosley Memorial Bridge,

**H. C. R. 45**, Alexander Arbuckle "Abe" McLaughlin Memorial Bridge,

**H. C. R. 46**, Jacob "Jack" Taylor Rudolph, Sr. Memorial Bridge,

**H. C. R. 50**, Jack A. Hatfield Memorial Bridge,

**H. C. R. 51**, U. S. Army Colonel Merlin C. Kerns Memorial Bridge,

**H. C. R. 53**, U. S. Navy Quartermaster Third Class Lawrence Earl Boggs Memorial Bridge,

**H. C. R. 59**, Asa H. Kisamore, Jr. Memorial Bridge,

**H. C. R. 60**, Terra Dawn Lewis Memorial Road and Bridge,

**H. C. R. 61**, Mollohan Brothers Memorial Bridge,

**Com. Sub. for H. C. R. 62**, U.S. Army First Sergeant Clarence Shirley Blake Memorial Bridge,

And,

**H. C. R. 68**, U. S. Army Air Force, Major (Ret.) Willis "Scottie" Adams Memorial Bridge,

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

Delegate Steele arose to request a ruling from the Chair regarding the earlier motion Delegate Linville made after engaging in debate.

The Speaker ruled that a member may not conclude debate and move the previous question but a member may conclude debate and move another motion, and that the motion offered by the Gentleman from the 22<sup>nd</sup> was in order at that time.

### **Messages from the Executive and Other Communications**

A communication from the Clerk of the Senate to His Excellency, the Governor, advised that S. B. 547 was presented to the Governor on February 16, 2024.

### **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. 375** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §35-1B-1, §35-1B-2, §35-1B-3, §35-1B-4, and §35-1B-5, all relating to creating the Health Care Sharing Ministries Freedom to Share Act; exempting a health care sharing ministry from the state's insurance laws; providing definitions; providing that membership in a health care sharing ministry satisfies a requirement to have health care insurance by a public institution of higher education; and providing that a health care sharing ministry is not a third-party payer for any purposes"; 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. 444** - "A Bill to amend and reenact §33-15-21 of the Code of West Virginia, 1931, as amended; to amend and reenact §33-16-3i of said code; to amend and reenact §33-24-7e of said code; to amend and reenact §33-25-8d of said code; and to amend and reenact §33-25A-8d of said code, all relating to health insurance coverage for emergency services; providing coverage mandates for ground ambulance services when a prudent layperson acting reasonably would have believed that an emergency medical condition existed; providing that covered services include pre-hospital screening and stabilization of emergency conditions by an ambulance service; providing that air ambulance service is excluded from coverage; providing that coverage is subject to deductibles or copayment requirements of the policy, contract, or plan; and providing that coverage be provided if the patient declines to be transported against medical advice"; 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, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

**S. B. 610** - "A Bill to amend and reenact §22C-1-6 of the Code of West Virginia, 1931, as amended, relating to clarifying the authority of the Water Development Authority to appoint

employees, officers, managers, attorneys, independent contractors, and consultants as are necessary: fixing their compensation; and prescribing their duties in certain circumstances outside the classified civil service system"; 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. 615** - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §55-7-32, relating to limitations on actions related to certain electric generating facilities designated as exempt wholesale generators under federal law"; 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

**S. B. 635** - "A Bill to amend and reenact §18B-19-10 of the Code of West Virginia, 1931, as amended, relating to modifying when a commission, council, or a governing board may sell, convey, or otherwise dispose of any real property that was gifted or devised to it"; 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

**Com. Sub. for S. B. 668** - "A Bill to amend and reenact §60A-10-4 of the Code of West Virginia, 1931, as amended, relating to increasing the amount of ephedrine, pseudoephedrine, or phenylpropanolamine a person may purchase annually."

At the respective requests of Delegate Householder, and by unanimous consent, reference of the bill (Com. Sub. for S. B. 668) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

A message from the Senate, by

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

**Com. Sub. for S. B. 669** - "A Bill to amend and reenact §7-22-9 of the Code of West Virginia, 1931, as amended, relating to county economic opportunity development districts; extending when the Fort Henry Economic Opportunity Development District may be abolished or terminated; increasing the land area within the Ridges Economic Opportunity Development District subject to the special district excise tax authorizing the Mason County Commission to levy a special district excise tax; authorizing the special district excise tax for the benefit of the Town of Henderson Economic Opportunity District; setting forth the land area within the special district subject to the special district excise tax; authorizing the commission to create the district and levy the special district excise tax without the approval of the executive director of the development office; authorizing the commission to determine the base district tax, the base tax revenue amount, the gross annual district tax revenue amount, and the estimated net annual district tax revenue

amount; and requiring the Tax Commissioner to provide the commission with certification of the base tax revenue amount"; which was referred to the Committee on Finance.

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. 714** - "A Bill to amend and reenact §30-1D-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §30-3-1, §30-3-2, §30-3-4, §30-3-5, §30-3-6, §30-3-7, §30-3-8, §30-3-9, §30-3-10, §30-3-11, §30-3-11a, §30-3-12, §30-3-13, §30-3-13a, §30-3-15, §30-3-16, §30-3-17, and §30-3-18 of said code; to amend said code by adding thereto three new sections, designated §30-3-10b, §30-3-21, and §30-3-22; to repeal §30-3-7a, §30-3-11b, and §30-3-11c of said code; to amend said code by adding thereto a new article, designated §30-3G-1, §30-3G-2, §30-3G-3, §30-3G-4, §30-3G-5, §30-3G-6, §30-3G-7, §30-3G-8, §30-3G-9, §30-3G-10, §30-3G-11, and §30-3G-12; to amend and reenact §30-14-3 of said code; and to amend said code by adding thereto two new sections, designated §30-14-18 and §30-14-19, all relating to the licensing of physicians and the transition of the duties and functions of the West Virginia Board of Osteopathic Medicine to the West Virginia Board of Medicine effective January 1, 2025; providing for rulemaking; and expanding board authority to regulate genetic counselors"; which was referred to the Committee on Government Organization.

### Resolutions Introduced

Resolutions were introduced and severally referred as follows:

**By Delegates Longanacre, Riley, Mallow, Barnhart, Kump, Vance, Stephens, Hite, DeVault, Sheedy, Statler, Adkins, Anderson, Bridges, Brooks, Burkhammer, Butler, Cannon, Chiarelli, T. Clark, W. Clark, Cooper, Criss, Crouse, Dillon, Dittman, Espinosa, Fast, Fehrenbacher, Ferrell, Fluharty, Forsht, Foster, Garcia, Gearheart, Green, Griffith, W. Hall, Hamilton, Hansen, Heckert, Hillenbrand, Holstein, Hornbuckle, Horst, Hott, Householder, Howell, Jeffries, Jennings, Kelly, Kimble, Kirby, Lewis, Linville, Mazzocchi, McGeehan, Miller, Petitto, Phillips, Pinson, C. Pritt, E. Pritt, Pushkin, Ridenour, Rohrbach, Rowe, Shamblin, Smith, Steele, Street, Toney, Tully, Ward, Warner, Westfall, Williams, Willis, Worrell, Young and Zatezalo:**

**H. C. R. 82** – "Requesting the Joint Committee on Volunteer Fire Departments and Emergency Medical Services study issues relating to review training, equipment and operating standards, and for certification and evaluation of local and rural fire departments for retention, training, and recruitment purposes"; to the Committee on Fire Departments and Emergency Medical Services then Rules.

And,

**By Delegate Ridenour:**

**H. C. R. 83** - "Requesting the Joint Committee on Government Organization to establish a study group to study the implementation of West Virginia Code §15-4-1 *et seq.* relating to the West Virginia State Guard and the re-establishment of a standing West Virginia State Guard"; to the Committee on Veterans' Affairs and Homeland Security then Rules.

### Bills Introduced

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

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

**H. B. 5692** - "A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Veterans' Assistance, Veterans' Facilities Support Fund, fund 6703, fiscal year 2024, organization 0613, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"; to the Committee on Finance.

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

**H. B. 5693** - "A Bill making a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2024, to the Department of Commerce, Geological and Economic Survey, fund 8704, fiscal year 2024, organization 0306, by supplementing and amending the appropriations for the fiscal year ending June 30, 2024"; to the Committee on Finance.

### **Motions**

Delegates Kump and Hornbuckle asked and obtained unanimous consent to be added as a cosponsor of Com. Sub. for H. B. 5017.

Delegate Dean asked and obtained unanimous consent to be added as a cosponsor of H. C. R. 82.

### **Special Calendar**

#### **Unfinished Business**

**Com. Sub. for H. C. R. 6**, U. S. Army Staff Sgt. James Ira "Junior" Spurrier Memorial Bridge; coming up in regular order, as unfinished business, was read by the Clerk.

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

The yeas and nays having been ordered, they were taken (**Roll No. 211**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Anderson, Bridges, Ross and Williams.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the resolution adopted.

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

### **Third Reading**

**S. B. 790**, Changing reference to Curator of Department of Arts, Culture, and History to Cabinet Secretary; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 212**), and there were—yeas 94, nays 2, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Dillon and Kump.

Absent and Not Voting: Anderson, Bridges, Ross and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 790) passed.

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

On this question, the yeas and nays were taken (**Roll No. 213**), and there were—yeas 94, nays 2, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Dillon and Kump.

Absent and Not Voting: Anderson, Bridges, Ross and Williams.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 790) 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. 4640**, Relating to the transfer of certain revenues derived from lottery activities; 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. 214**), and there were—yeas 73, nays 23, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Brooks, Burkhammer, Butler, Chiarelli, Coop-Gonzalez, Dillon, Foster, Gearheart, Hillenbrand, Holstein, Jeffries, Kirby, Kump, Linville, Longanacre, Mallow, Pinson, E. Pritt, Street, Toney, Vance, Ward and Worrell.

Absent and Not Voting: Anderson, Bridges, Ross and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4640) 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. 4809**, Health Care Sharing Ministries Freedom to Share Act; on third reading, coming up in regular order, was read a third time.

Delegates Fast and Kimble requested to be excused from voting under the provisions of House Rule 49.

The Speaker ruled that the Delegates were members of a class of persons possibly to be affected and did not excuse the Members from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 215**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Anderson, Bridges, Ferrell, Ross and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4809) 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. 4850**, Removing the sunset clause from Oil and Gas Personal Property Tax; 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. 216**), and there were—yeas 71, nays 25, absent and not voting 4, with the nays and the absent and not voting being as follows:

Nays: Barnhart, Brooks, T. Clark, Fluharty, Foggin, Garcia, Griffith, Hamilton, Hansen, Hornbuckle, Howell, Kelly, Kirby, Lewis, Martin, Phillips, E. Pritt, Pushkin, Sheedy, Stephens, Vance, Ward, Willis, Winzenreid and Young.

Absent and Not Voting: Anderson, Bridges, Ross and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4850) 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. 4911**, Relating to the sale of raw milk; 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. 217**), and there were—yeas 76, nays 19, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Akers, Fast, Fehrenbacher, Fluharty, Garcia, Green, Griffith, Hamilton, Hansen, Hornbuckle, Kirby, Kump, Lewis, Martin, Pushkin, Rowe, Shamblin, Steele and Young.

Absent and Not Voting: Anderson, C. Pritt, Ross, Westfall and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4911) 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. 4978**, Relating to clarifying the authority of appointed officials; 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. 218**), and there were—yeas 95, nays none, absent and not voting 5, with the absent and not voting being as follows:

Absent and Not Voting: Anderson, Devault, Longanacre, Ross and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4978) passed.

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

On this question, the yeas and nays were taken (**Roll No. 219**), and there were—yeas 96, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Anderson, Longanacre, Ross and Williams.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4978) takes effect from its passage.

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

**Com. Sub. for H. B. 5013**, Relating to Timber Management; 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. 220**), and there were—yeas 97, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Anderson, Ross and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 5013) 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. 5528**, Relating to the renewable energy facilities program; 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. 221**), and there were—yeas 61, nays 36, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Adkins, Bridges, Brooks, Burkhammer, Butler, Chiarelli, Coop-Gonzalez, Dean, Dillon, Ellington, Fast, Ferrell, Foggin, Foster, Gearheart, Green, Holstein, Horst, Householder, Jennings, Kirby, Longanacre, Mallow, Martin, McGeehan, Moore, Nestor, Phillips, Pinson, E. Pritt, Ridenour, Thorne, Toney, Vance, Ward and Worrell.

Absent and Not Voting: Anderson, Ross and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (H. B. 5528) 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. 5549**, Allowing license plates, road signs, or markers to be obtained from alternative sources when the Division of Corrections and Rehabilitation is unable to produce them; on third reading, coming up in regular order, was reported by the Clerk.

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

### **Second Reading**

**Com. Sub. for S. B. 400**, Creating limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects; on second reading, coming up in regular order, was read a second time.

An amendment was recommended by the Committee on Technology and Infrastructure, and adopted, on page 1, section 11, line 17, by striking the words "March 1" and inserting lieu thereof "April 30".

The bill was then ordered to third reading.

**S. B. 507**, Relating to repeal of WV EDGE; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 544**, Raising threshold for bid requirement of municipal public works projects; on second reading, coming up in regular order, was read a second time.

On motion of Delegates Criss, Riley and Barnhart, the bill was amended on page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

#### **"CHAPTER 8. MUNICIPAL CORPORATIONS.**

#### **ARTICLE 16. MUNICIPAL PUBLIC WORKS; REVENUE BOND FINANCING.**

#### **§8-16-5. Powers of board; bidding requirements; emergency repairs.**

(a) The board shall have plenary power and authority to take all steps and proceedings, and to make and enter into all contracts or agreements necessary, appropriate, useful, convenient or incidental to the performance of its duties and the execution of its powers and authority under this article: *Provided*, That any contract or agreement relating to the financing, or the construction, reconstruction, establishment, acquisition, improvement, renovation, extension, enlargement, increase, equipment, operation or maintenance of any such works, and any trust indenture with respect thereto as hereafter provided for, shall be approved by the governing body or bodies.

(b) The board may employ engineers, architects, inspectors, superintendents, managers, collectors, attorneys and such other employees as in its judgment may be necessary in the execution of its powers and duties, and may fix their compensation, all of whom shall do such work as the board may direct. All compensation and expenses incurred in carrying out the provisions of this article shall be paid solely from funds provided under the authority of this article, and the board shall not exercise or carry out any power or authority herein given it so as to bind said board or any municipality beyond the extent to which money shall have been, or may be provided under the authority of this article.

(c) No contract or agreement with any contractor or contractors for labor or materials, or both, exceeding in amount the sum of ~~\$25,000~~ \$50,000 shall ~~may~~ be made without advertising for bids, which bids shall be publicly opened and an award made to the lowest responsible bidder, with power and authority in the board to reject any and all bids; Provided, That for purposes of the bid requirements imposed by this section, the term "board" includes the governing body of any municipal public utility.

(d) After the construction, reconstruction, establishment, acquisition, renovation or equipment of any such works, the board shall maintain, operate, manage and control the same, and may order and complete any improvements, extensions, enlargements, increase or repair (including replacements) of and to the works that the board may consider expedient, if funds therefor be available, or are made available, as provided in this article, and shall establish rules for the use, maintenance and operation of the works, and do all things necessary or expedient for the successful operation thereof, and for stormwater systems and associated stormwater management programs, those activities which include, but are not limited to, stormwater and surface runoff water quality improvement activities necessary to comply with all federal and state requirements. All public ways or public works damaged or destroyed by the board in carrying out its authority under this article shall be restored or repaired by the board and placed in their original condition, as nearly as practicable, if requested so to do by proper authority, out of the funds provided under the authority of this article.

(e) Emergency repairs shall be exempt from the bidding requirements of subsection (c) of this section. For the purpose of this ~~subdivision~~ subsection, the term emergency repairs means repairs that if not made immediately will seriously impair the use of building components, systems, and public infrastructure or cause danger to persons using the building components, systems, and public infrastructure.

## CHAPTER 16. PUBLIC HEALTH.

### ARTICLE 13A. PUBLIC SERVICE DISTRICTS.

#### **§16-13A-7. Acquisition and operation of district properties; bidding requirements; contracts to respond to emergency situations.**

The board of these districts shall have the supervision and control of all public service properties acquired or constructed by the district, and shall have the power, and it shall be its duty, to maintain, operate, extend and improve the same, including, but not limited to, those activities necessary to comply with all federal and state requirements, including water quality improvement activities. All contracts involving the expenditure by the district of more than ~~\$25,000~~ \$50,000 for construction work or for the purchase of labor, materials equipment and improvements, extensions or replacements, shall be entered into only after notice inviting bids shall have been published as a Class I legal advertisement in compliance with the provision of

article ~~three, chapter fifty-nine~~ §59-3-1, et seq. of this code, and the publication area for such publication shall be as specified in ~~section two of this article~~ §16-13A-2 of this code in the county or counties in which the district is located. The publication shall not be less than ten days prior to the making of any such contract. To the extent allowed by law, in-state contractors shall be given first priority in awarding public service district contracts. Each bid shall be publicly opened and an award made to the lowest responsible bidder, with power and authority in the board to reject any and all bids.

It shall be the duty of the board to ensure that local in-state labor shall be utilized to the greatest extent possible when hiring laborers for public service district construction or maintenance repair jobs. It shall further be the duty of the board to encourage contractors to use American made products in their construction to the extent possible. Any obligations incurred of any kind or character shall not in any event constitute or be deemed an indebtedness within the meaning of any of the provisions or limitations of the Constitution, but all such obligations shall be payable solely and only out of revenues derived from the operation of the public service properties of the district or from proceeds of bonds issued as hereinafter provided. No continuing contract for the purchase of materials or supplies or for furnishing the district with electrical energy or power shall be entered into for a longer period than fifteen years.

Emergency repairs shall be exempt from the bidding requirements of this section. For the purpose of this section, the term emergency repairs means repairs that if not made immediately will seriously impair the use of building components, systems, and public infrastructure or cause danger to persons using the building components, systems, and public infrastructure.

#### **ARTICLE 13D. REGIONAL WATER AND WASTEWATER AND STORMWATER AUTHORITY ACT.**

##### **§16-13D-4. Furnishing of funds, personnel or services by certain public agencies, agreements for purchase, sale, distribution, transmission, transportation, collection, disposal, and treatment of water, wastewater, or stormwater; terms and conditions; bidding requirements; emergency repairs.**

Any public agency acting individually to organize an authority or entering into an agreement pursuant to this article may appropriate funds and may sell, lease, give, or otherwise supply to the authority created the personnel or services for the operation of the authority as may be within its legal power to furnish.

Subject to the prior approval of the Public Service Commission pursuant to §24-2-12 of this code, any public agency, whether or not a party to an agreement pursuant to this article, and any publicly or privately owned water distribution company may enter into contracts with any regional authority created pursuant to this article for the purchase of water from the authority or the sale of water to the authority, the treatment of water by either party, and the distribution or transmission of water by either party and any such authority may enter into the contracts. The Public Service Commission shall, within 30 days of the filing date, notify the parties to the contract whether they have filed all required documentation regarding the contract. If the Commission determines that additional information is needed it will inform the agency of the information needed. The Public Service Commission shall act on a filing submitted hereunder within 90 days of the date that the Commission has before it all necessary information from the parties to the contract. Failure of the Commission to act on the filing within the 90-day period shall constitute approval thereof: *Provided*, That the 90-day Commission review period may be extended upon request of the parties to the contract.

Any public agency, whether or not a party to an agreement pursuant to this act, and any publicly or privately owned wastewater transportation or treatment system may enter into contracts with any regional authority created pursuant to this article for the transportation and treatment of wastewater by either party and any authority may enter into the contracts, subject to the prior approval of the Public Service Commission pursuant to §24-2-12 of this code. The Public Service Commission shall, within 30 days of the filing date, notify the parties to the agreement whether they have filed all required documentation regarding the contract. If the Commission determines that additional information is needed it will inform the agency of the information needed. The Public Service Commission shall act on a filing submitted hereunder within 90 days of the date that the Commission has before it all necessary information from the parties to the contract. Failure by the Commission to act within the 90-day period shall constitute approval thereof: *Provided*, That the 90-day Commission review period may be extended on upon request of the parties to the contract.

No contract or agreement authorized by the provisions of this article with any contractor or contractors for labor or materials, or both, exceeding in amount the sum of \$50,000 may be made without advertising for bids, which bids shall be publicly opened and an award made to the lowest responsible bidder, with power and authority in the commission to reject any and all bids. Emergency repairs shall be exempt from the bidding requirements of this section. For the purpose of this section, the term emergency repairs means repairs that if not made immediately will seriously impair the use of building components, systems, and public infrastructure or cause danger to persons using the building components, systems, and public infrastructure.

Any public agency, whether or not a party to an agreement pursuant to this article, and any publicly or privately owned stormwater system may enter into contracts with any regional authority created pursuant to this article for the collection and disposition of stormwater by either party and any authority may enter into contracts.

Any contract may include an agreement for the purchase of water not actually received or the treatment of wastewater not actually treated, or the collection and disposition of stormwater not actually collected and disposed. No contract may be made for a period in excess of 40 years, but renewal options may be included therein. The obligations of any public agency under any contract shall be payable solely from the revenues produced from the public agency's water, stormwater and wastewater system, and the Public Service Commission, in the case of a public agency whose rates are subject to its jurisdiction, shall permit the public agency to recover through its rates revenues sufficient to meet its obligations under the agreement."

The bill was then ordered to third reading.

**H. B. 4299**, Permit teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer; on second reading, coming up in regular order, was reported by the Clerk.

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

**Com. Sub. for H. B. 4971**, Relating to Critical Materials Manufacturing Tax; 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. 5017**, Relating to mobile food establishment reciprocity; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Dittman, the bill was amended on page 2, section 18, line 23, by striking out the word “not”.

On page 2, section 18, line 27, by striking out the words “14 days” and inserting in lieu thereof the words “72 hours”.

And,

On page 2, section 18, line 27, by striking out the word “withing” and inserting in lieu thereof the word “within”.

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 5065**, Regarding continuing education requirements and compensation of Guardians Ad Litem; on second reading, coming up in regular order, was reported by the Clerk.

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

**Com. Sub. for H. B. 5082**, Exempt those with 25 years holding an insurance license from attaining additional CEUs; 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. 5159**, Relating generally to child labor; 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. 5175**, Eliminate funding for the Center for Nursing and transfer its duties and authorities to the Higher Education Policy Commission; 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. 5223**, To create the Southern Coalfield Resiliency and Revitalization Program; 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. 5540**, Relating to fentanyl prevention and awareness Education (Laken’s Law); on second reading, coming up in regular order, was read a second time.

On motion of Delegate Stephens, the bill was amended on page 1, subdivision 1(a)(2), line 7, by striking out the word “NARCAN” and inserting the words “naloxone or other opioid antagonists”.

The bill was then ordered to engrossment and third reading.

**Com. Sub. for H. B. 5553**, To provide and change graduation requirements and change duties relating to academic content standards; 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. 5650**, Allow suspended school personnel to enter school property functions open to the public; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Hornbuckle, the bill was amended on page 3, Section 8, line 48 by striking out the words "children or grandchildren be" and inserting in lieu thereof, the words "a dependent child, grandchild, foster child, or other family member being".

The bill was then 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:

**S. B. 461**, Relating to county economic opportunity development districts,

**Com. Sub. for H. B. 5347**, Relating to establishing a program for emergency medical services personnel to become certified paramedics,

**Com. Sub. for H. B. 5361**, Relating to allowing influenza immunizations to be offered to hospital patients,

**Com. Sub. for H. B. 5635**, Relating to allowing patients to direct prescribers to list the illness or condition for which a prescription is being issued on the label of the prescription,

And,

**H. B. 5691**, Relating to a biennial capitation rate review to be conducted by the Bureau of Medical Services.

### **Leaves of Absence**

At the request of Delegate Householder, and by unanimous consent, leaves of absence for the day were granted Delegates Anderson, Ross and Williams.

### **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. 4880**: Delegates Burkhammer and Holstein;

**H. B. 4911**: Delegate Dillon;

**H. B. 5188**: Delegate Hornbuckle;

**H. B. 5255**: Delegate Summers;

**H. B. 5491**: Delegate Young;

**H. B. 5689**: Delegate Crouse;

And,

**H. C. R. 3**: Delegate Young.

At 1:36 p.m., the House of Delegates adjourned until 11:00 a.m., Tuesday, February 20, 2024.

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

## **SPECIAL CALENDAR**

**Tuesday, February 20, 2024**

**42nd Day**

**11:00 A.M.**

### **UNFINISHED BUSINESS**

- H. C. R. 2 - U.S. Army SPC Steven W. Herron Memorial Bridge  
Com. Sub. for H. C. R. 3 - Legg Brothers WWII Veterans Memorial Bridge
- H. C. R. 5 - George M. Hall Memorial Bridge  
Com. Sub. for H. C. R. 7 - U. S. Navy Radarman 3rd Class Craig W. Haines Memorial Bridge  
Com. Sub. for H. C. R. 9 - Private Jefferson Howell Memorial Road  
H. C. R. 11 - VFD Gregory Linn Haught Memorial Bridge.  
Com. Sub. for H. C. R. 12 - "U. S. Marine Private First Class Calvin Lee Loudin Memorial Bridge".
- H. C. R. 14 - Assistant Chief David Timothy "Tim" Wilson Memorial Road  
H. C. R. 15 - USMC Private Timith Daley Nunn Memorial Bridge  
H. C. R. 16 - Thomas Leo Starsick Memorial Bridge  
H. C. R. 17 - Ab and Laura Baisden Bridge  
H. C. R. 18 - Caldwell Brothers Memorial Bridge  
Com. Sub. for H. C. R. 19 - CPL Thomas Lowell Wines Memorial Bridge  
H. C. R. 20 - SP4 Donnie Lee Hackney Memorial Bridge  
Com. Sub. for H. C. R. 22 - "U.S. Army Corporal William Edgar Hancock Memorial Bridge".  
H. C. R. 23 - Cody J. Mullens Memorial Bridge  
H. C. R. 25 - U. S. Navy Sonarman First Class William C. Harris Memorial Bridge  
Com. Sub. for H. C. R. 26 - PFC Jerry Lee Bassett Memorial Bridge  
H. C. R. 27 - U. S. Army Sergeant Jerry Lee Harris Memorial Bridge  
H. C. R. 28 - Karantonis Brothers Armed Forces Memorial Bridge  
H. C. R. 29 - U.S. Army Sgt Thomas Lawson Memorial Bridge

H. C. R. 30 -	Jack L. Hart Memorial Bridge
H. C. R. 31 -	Stanley W. and Evelyn C. See Memorial Bridge
H. C. R. 32 -	Sloan Brothers Memorial Bridge
Com. Sub. for H. C. R. 33 -	U. S. Army PFC Gale Hall Memorial Bridge
Com. Sub. for H. C. R. 34 -	U.S. Army Staff Sgt. Harlie Steven Gabbert Memorial Bridge
H. C. R. 35 -	Gulf War Veteran's Memorial Bridge
H. C. R. 36 -	Chief Master Sgt. Dan Chandler Bridge
Com. Sub. for H. C. R. 37 -	U. S. Army PFC Carl. J. Osburn Bridge
H. C. R. 38 -	US Army PFC William Gorman Memorial Bridge
Com. Sub. for H. C. R. 39 -	US Army SP3 Delbert Sherdan "Buck" Huffman Sr. Memorial Bridge
Com. Sub. for H. C. R. 40 -	USMC MSG Edward P. & MP Carl A. McCray Memorial Bridge
H. C. R. 41 -	Thurman W. Whisner Memorial Bridge
H. C. R. 42 -	U.S. Army SSG William E. Miller Memorial Bridge
H. C. R. 44 -	Frank Walker Mosley Memorial Bridge
H. C. R. 45 -	Alexander Arbuckle "Abe" McLaughlin Memorial Bridge
H. C. R. 46 -	Jacob "Jack" Taylor Rudolph, Sr. Memorial Bridge
H. C. R. 50 -	Jack A. Hatfield Memorial Bridge
H. C. R. 51 -	U. S. Army Colonel Merlin C. Kerns Memorial Bridge
H. C. R. 53 -	U. S. Navy Quartermaster Third Class Lawrence Earl Boggs Memorial Bridge
H. C. R. 59 -	Asa H. Kisamore, Jr. Memorial Bridge
H. C. R. 60 -	Terra Dawn Lewis Memorial Road and Bridge
H. C. R. 61 -	Mollohan Brothers Memorial Bridge
Com. Sub. for H. C. R. 62 -	U.S. Army First Sergeant Clarence Shirley Blake Memorial Bridge
H. C. R. 68 -	U. S. Army Air Force, Major (Ret.) Willis "Scottie" Adams Memorial Bridge

### **THIRD READING**

Com. Sub. for S. B. 400 -	Creating limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects
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- S. B. 507 - Relating to repeal of WV EDGE
- Com. Sub. for S. B. 544 - Raising threshold for bid requirement of municipal public works projects
- Com. Sub. for H. B. 4971 - Relating to Critical Materials Manufacturing Tax
- Com. Sub. for H. B. 5017 - Relating to mobile food establishment reciprocity.
- Com. Sub. for H. B. 5082 - Exempt those with 25 years holding an insurance license from attaining additional CEUs
- Com. Sub. for H. B. 5159 - Relating generally to child labor.
- Com. Sub. for H. B. 5175 - Eliminate funding for the Center for Nursing and transfer its duties and authorities to the Higher Education Policy Commission.
- Com. Sub. for H. B. 5223 - To create the Southern Coalfield Resiliency and Revitalization Program
- Com. Sub. for H. B. 5540 - Relating to fentanyl prevention and awareness Education (Laken's Law)
- H. B. 5549 - Allowing license plates, road signs, or markers to be obtained from alternative sources when the Division of Corrections and Rehabilitation is unable to produce them
- Com. Sub. for H. B. 5553 - To provide and change graduation requirements and change duties relating to academic content standards
- Com. Sub. for H. B. 5650 - Allow suspended school personnel to enter school property functions open to the public

## **SECOND READING**

- S. B. 461 - Relating to county economic opportunity development districts
- Com. Sub. for S. B. 668 - Increasing amount of certain controlled substances persons may purchase annually
- H. B. 4299 - Permit teachers in K-12 schools be authorized to carry concealed firearms as a designated school protection officer
- Com. Sub. for H. B. 5065 - Regarding continuing education requirements and compensation of Guardians Ad Litem
- Com. Sub. for H. B. 5347 - Relating to establishing a program for emergency medical services personnel to become certified paramedics
- Com. Sub. for H. B. 5361 - Relating to allowing influenza immunizations to be offered to hospital patients
- Com. Sub. for H. B. 5635 - Relating to allowing patients to direct prescribers to list the illness

or condition for which a prescription is being issued on the label of the prescription

H. B. 5691 - Relating to a biennial capitation rate review to be conducted by the Bureau of Medical Services

### **FIRST READING**

Com. Sub. for H. B. 4008 - To amend the time required for providing notice of an entry on to land for visiting a grave from ten days to three

Com. Sub. for H. B. 4191 - Relating to requirements imposed on social media companies to prevent corruption and provide transparency of election-related content made available on social media websites

Com. Sub. for H. B. 4706 - Creating the utility pole rights of way and easement mapping initiative

Com. Sub. for H. B. 4880 - Relating to personal income tax social security exemption

Com. Sub. for H. B. 5020 - Relating to deferred adjudication and pre-trial diversions for first offense DUI cases

Com. Sub. for H. B. 5024 - Relating to exempting non-grantor trusts administered in this state from the personal income tax.

H. B. 5039 - Relating to authorizing the West Virginia Division of Motor Vehicles to enforce administrative penalties for the civil offense of refusing a secondary chemical test

Com. Sub. for H. B. 5238 - mandating that all courts provide adjudication for juvenile offenders for traffic violations to the Division of Motor Vehicles

H. B. 5280 - West Virginia Short Line Railroad Modernization Act

Com. Sub. for H. B. 5544 - Relating to requiring certain reporting from the Mountaineer Trail Network Authority each year

Com. Sub. for H. B. 5606 - Relating generally to money laundering

## HOUSE CALENDAR

Tuesday, February 20, 2024

42nd Day

11:00 A.M.

### SECOND READING

- |                            |   |
|----------------------------|---|
| Com. Sub. for S. B. 17 -   | Authorizing Department of Health to promulgate legislative rules  |
| 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  |
| Com. Sub. for H. B. 5021 - | Relating to cardiac response plans  |
| H. B. 5038 -               | Relating to research and economic development agreements for state institutions of higher education   |
| H. B. 5050 -               | Relating to authorizing legislative rules regarding higher education.   |
| Com. Sub. for H. B. 5137 - | Relating to requiring the State Auditor to conduct audits of all county boards of education   |
| H. B. 5263 -               | Relating to the Consolidated Public Retirement Board and requiring participating public employers to remit retirement contributions and fees by electronic funds transfer |
| H. B. 5269 -               | Relating to the Municipal Police Officers and Firefighters Retirement System  |
| H. B. 5270 -               | Relating to the Natural Resources Police Officers Retirement System   |
| Com. Sub. for H. B. 5345 - | Relating to the registration requirements in the Sex Offender Registration Act.   |
| Com. Sub. for H. B. 5354 - | Relating to the Grant Transparency and Accountability Act   |

## FIRST READING

- H. B. 4429 - Relating to excluding test strips from the definition of drug paraphernalia
- H. B. 4700 - Banning certain persons from sport wagering activities
- 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. 5022 - Relating to increasing the amount of ephedrine, pseudoephedrine or phenylpropanolamine a person may purchase annually.
- Com. Sub. for H. B. 5067 - To remove the 2 year timeframe for medical malpractice suits to be filed ONLY for individuals who were minors when they had their procedures performed
- 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
- Com. Sub. for H. B. 5441 - Relating to raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal public works projects.
- H. B. 5590 - Changing reference to the "Curator" of the Department of Arts, Culture, and History to the "Secretary" of the Department

# **WEST VIRGINIA HOUSE OF DELEGATES**

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**TUESDAY, FEBRUARY 20, 2024**

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

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

**COMMITTEE ON THE JUDICIARY  
9:15 A.M. – JUDICIARY COMMITTEE ROOM**

**COMMITTEE ON VETERANS' AFFAIRS AND HOMELAND SECURITY  
9:15 A.M. – EAST WING 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 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**

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