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April 4, 2025  
FIFTY-SECOND DAY



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Friday, April 4, 2025

**FIFTY-SECOND 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 Thursday, April 3, 2025, 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 McGeehan announced that Com. Sub. for H. B. 2026, be moved to the first position on third reading, Special Calendar; and, on Com. Sub. for S. B. 482 reading, Special Calendar, had been transferred to the House Calendar.

**Committee Reports**

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

Your Committee on Education has had under consideration:

**Com. Sub. for Com. Sub. for S. B. 765**, Establishing Troops-to-Teachers Program,

And reports the same back with the recommendation that it do pass, and with the recommendation that second reference to the Committee on Finance be dispensed with.

In the absence of objection, reference of the bill (Com. Sub. for Com. Sub. for S. B. 765) to the Committee on Finance was abrogated.

Delegate Anderson, Chair of the Committee on Energy and Public Works, submitted the following report, which was received:

Your Committee on Energy and Public Works has had under consideration:

**Com. Sub. for S. C. R. 3**, US Army Warrant Officer Joseph Rose III Memorial Bridge,

And reports the same back with the recommendation that it be adopted and with the recommendation that second reference to the Committee on Rules be dispensed with.

In the absence of objection, reference of the bill (Com. Sub. for S. C. R. 3) to the Committee on Rules was abrogated.

Delegate Anderson, Chair of the Committee on Energy and Public Works submitted the following report, which was received:

Your Committee on Energy and Public Works has had under consideration:

**H. R. 14**, Regarding the Feasibility Study for a Connector Road at Beech Fork Lake,

And reports back a committee substitute therefor, as follows:

**Com. Sub. for H. R. 14** - "Requesting that the West Virginia Division of Highways approve the allocation of up to \$10,000 to fund Wayne County's portion of a feasibility study for the construction of a connector road between Beech Fork State Park campground and marina, urging collaboration between the Wayne County Commission and the Kentucky–Ohio–West Virginia Interstate Planning Commission (KYOVA) for the additional funds, and expressing support for the project,"

With the recommendation that the committee substitute be adopted, but that it first be referred to the Committee on Rules.

In accordance with the former direction of the Speaker, the resolution (Com. Sub. for H. R. 14) was referred to the Committee on Rules.

Delegate Anderson, Chair of the Committee on Energy and Public Works, submitted the following report, which was received:

Your Committee on Energy and Public Works has had under consideration:

**S. B. 907**, Relating to high impact development projects,

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

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

Your Committee on Education has had under consideration:

**Com. Sub. for Com. Sub. for S. B. 474**, Ending diversity, equity, and inclusion programs,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for Com. Sub. for S. B. 474) was referred to the Committee on the Judiciary.

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

Your Committee on Education has had under consideration:

**Com. Sub. for S. B. 547**, Creating Charter Schools Startup Fund,

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

In accordance with the former direction of the Speaker, the bill (Com. Sub. for S. B. 547) was referred to the Committee on Finance.

Delegate Worrell, Chair of the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration:

**S. B. 292**, Allowing doula services be covered by Medicaid and PEIA,

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

In accordance with the former direction of the Speaker, the bill (S. B. 292) was referred to the Committee on Finance.

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

Your Committee on Government Organization has had under consideration:

**Com. Sub. for S. B. 485**, Exempting West Virginia Secretary of State from competitive bidding process,

**S. B. 496**, Removing reflexology and other energy-based work from definition of "massage therapy",

And,

**Com. Sub. for S. B. 736**, Relating to publication of registered lobbyist information,

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

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

Your Committee on Government Organization has had under consideration:

**Com. Sub. for S. B. 861**, Updating references to reflect consolidation of Information Services and Communications Division into Office of Technology,

**S. B. 862**, Repealing antiquated language related to Voluntary Gilding Dome Check-Off Program,

And,

**S. B. 863**, Removing reference to Information Services and Communications Division,

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

**Com. Sub. for S. B. 565**, Relating generally to practice of optometry,

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

### Messages from the Senate

A message from the Senate, by

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

**Com. Sub. for H. B. 2513**, Enhancing training requirements for county boards of education members.

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

The Committee on Education moved to amend the bill on page 4, section 1a, line 64, after the word "training" by inserting the word "provided";

On page 5, section 1a, line 98, by striking out the words "before January 1";

On page 6, section 1a, line 112, by striking out the words "the State Superintendent shall report annually" and inserting in lieu thereof the words "and annually on or before January 1 thereafter, the State Superintendent shall report";

And,

On page 7, section 4, line 38, by changing the period to a colon and adding the following proviso: *Provided*, That the presentation of receipts is not required for payment for mileage.

And,

On motion of Senator Grady, the title of the bill was amended to read as follows:

**Eng. Com. Sub. for House Bill 2513**—A Bill to amend and reenact §18-5-1a and §18-5-4 of the Code of West Virginia, 1931, as amended, relating to adding to topics required to be covered by the county board of education member orientation; requiring that any county board of education member who is unable to attend the initial orientation training for good cause complete a make-up orientation training within 30 days of being sworn in; requiring any appointed member to attend and complete a make-up orientation training within 30 days of being appointed; increasing annual hours of training required of county board of education members; modifying topics required to be covered by training; allowing the West Virginia Board of Education to require a county board of education member to attend additional training under certain conditions; including trainings required by the West Virginia Board of Education with those training for which failure to attend and complete without good cause constitutes neglect of duty; removing January 1 deadline for the requirement that a county board of education member satisfy the annual training requirement in the final year of any four-year term of office and creating exception to that requirement; adding certain non-voting ex officio members to the County Board Member Training Standards Review Committee; requiring the State Superintendent of Schools to report annually to the Legislative Oversight Commission on Education Accountability certain County Board Member Training Standards Review Committee and county board of education related information; setting the county board of education member compensation rate at \$260 per meeting attended unless the

board votes to approve a lower rate; and excepting payment for mileage from the requirement for presentation of receipts.

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

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 380**), and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Dillon, Flanigan, Green, Pinson, Pritt, D. Smith and Steele.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2513) passed.

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

A message from the Senate, by

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

**Com. Sub. for H. C. R. 88**, Honoring First Responders Honor Board's Medal of Valor Nominees.

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

**Enrolled Com. Sub. for S. B. 369**, Authorizing miscellaneous boards and agencies to promulgate legislative rules.

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

Senator Martin moved to amend the bill on pages 8 and 9, by striking out all of section 7 and inserting in lieu thereof a new section 7 to read as follows:

#### **§64-9-7. Election Commission.**

The legislative rule filed in the State Register on August 30, 2024, authorized under the authority of §3-1A-5 of this code, modified by the Election Commission to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on January 3, 2025, relating to the Election Commission (regulation of campaign finance, 146 CSR 03), is authorized with the amendments set forth below:

On page 6, by striking out all of paragraph 2.28.2.e.;

On page 13, subsection 6.5. by striking out the words "or candidate's leadership PAC"

On page 22, subdivision 13.2.1. by striking out the words "including a leadership PAC";

And,

On page 28, by striking out all of subsection 14.8. and inserting in lieu there of a new subsection 14.8. to read as follows:

14.8. Candidate PAC Activities; Prohibitions:

14.8.1. A candidate seeking or an individual holding statewide or legislative office may:

14.8.1.a. Be the principal officer, treasurer, fundraiser, or decision maker for a PAC;

14.8.1.b. Receive contributions to the PAC: *Provided*, that contributions received are subject to the contribution limitations in W. Va. Code § 3-8-5c and the regulation of coordinated expenditures in W. Va. Code § 3-8-9a and subsection 14.2 of this Section;

14.8.1.c. Receive reimbursement for travel and other expenses incurred in the performance of duties for the PAC, and for purchases made on behalf of the PAC: *Provided*, that no reimbursement shall be made for any activities that would constitute personal use or prohibited expenditures; and

14.8.1.d. Sponsor another candidate or individual holding statewide or legislative office for non-campaign political activities as follows:

14.8.1.d.1. For political events not specifically organized for any candidate's committee or campaign, political party events, political meetings, and expenses related thereto such as necessary travel, hotels, meals, and entry fees.;

And,

On pages 13 and 14, section 17, lines 19-25, by striking out all of subsection (c) and inserting in lieu thereof a new subsection (c) to read as follows:

(c) The legislative rule filed in the State Register on January 26, 2024, authorized under the authority of §30-1-26 of this code, modified by the Board of Respiratory Care to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 9, 2024, relating to the Board of Respiratory Care (telehealth practice requirements and definitions, 30 CSR 11), is authorized with the amendment set forth below:

On page 2, subdivision 5.2.4. by striking out the word "statue" and inserting in lieu thereof the word "statute";

And,

On page 3, after "§30-11-6." by inserting the words "Authorized Procedures."

The bill, as amended by the House, and further amended by the Senate, was put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 381**), and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Dillon, Flanigan, Green, Pinson, Pritt, D. Smith and Steele.



So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 369) passed.

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

On this question, the yeas and nays were taken (**Roll No. 382**), and there were—yeas 93, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Dillon, Flanigan, Green, Pinson, Pritt, D. Smith and Steele.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 369) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate with change to effective date, and requested the concurrence of the House of Delegates in the passage, of

**Com. Sub. for S. B. 538-** "A BILL to amend and reenact §31-18E-9 of the Code of West Virginia, 1931, as amended, relating to removing the sunset date on the provision granting the right of first refusal to land reuse agencies and municipal land banks for acquiring certain tax-delinquent properties that permits these entities to purchase qualifying tax-delinquent properties before they are offered at public auction; modifying criteria that allow land bank or land reuse agency to refuse to sell property to adjacent property owner; revising reporting requirements; and allowing Joint Committee on Government and Finance to subpoena land bank or land 8 reuse agency for purposes of conducting audit."

On this question, the yeas and nays were taken (**Roll No. 383**), and there were—yeas 85, nays 8, absent and not voting 7, with the nays and absent and not voting being as follows:

Nays: Adkins, Anders, Brooks, Coop-Gonzalez, Kimble, Vance, Ward, and White.

Absent and Not Voting: Dillon, Flanigan, Green, Pinson, Pritt, D. Smith and Steele.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 583) takes effect from its passage.

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

A message from the Senate, by

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

**Com. Sub. for S. B. 585 -** "A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, §18-36-5, §18-36-6, and §18-36-7, relating to school student athlete safety; establishing the Cohen Craddock Student Athlete Safety Act; providing for a short title; providing legislative findings; defining terms; creating the Student Athlete Safety Advisory Committee; identifying composition of Student Athlete Safety

Advisory Committee; providing duties of Student Athlete Safety Advisory Committee; requiring use of certain safety equipment during high school and middle school football practices; providing warranty and certification related to the usage of certain safety equipment; establishing the Cohen Craddock Memorial Grant Program and providing procedures; creating the Cohen Craddock Memorial Grant Fund; and providing a sunset date"; which was referred to the Committee on Health and Human Resources then Finance.

A message from the Senate, by

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

**S. C. R. 5**, US Marine Corps Sergeant Robert Milford Payne Memorial Bridge.

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bill (S. CR. 5) to a committee was dispensed with, and it was taken up for immediate consideration, and put upon its adoption.

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

A message from the Senate, by

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

**Com. Sub. for S. C. R. 8**, US Army E6 Dennis Charles Hurley Memorial Bridge.

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bill (S. CR. 8) to a committee was dispensed with, and it was taken up for immediate consideration and put upon its adoption.

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

A message from the Senate, by

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

**Com. Sub. for S. C. R. 10**, Donald Lucas & Ronald Lucas Memorial Bridge.

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bill (S. CR. 10) to a committee was dispensed with, and it was taken up for immediate consideration, and put upon its adoption.

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

A message from the Senate, by

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

**Com. Sub. for S. C. R. 19**, US Army ST4 Gregory Kent Stephens Memorial Bridge.

At the respective requests of Delegate McGeehan, and by unanimous consent, reference of the bill (S. CR. 19) to a committee was dispensed with, and it was taken up for immediate consideration, and put upon its adoption.

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, with amendment, of a resolution of the House of Delegates as follows:

**Com. Sub. for H. C. R. 43**, Ray William “Mutt” Sherman Memorial Bridge.

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

The Committee on Transportation and Infrastructure moved to amend the resolution on page 2, in the seventh Whereas clause, line 20, by striking out the single quote and inserting in lieu thereof a quotation mark;

On page 2, in the Resolved clause, line 29, by striking out the words “Sgt. Ray “Mutt”” and inserting in lieu thereof the words “U.S. Army Sgt. Ray”;

On page 2, in the first Further Resolved clause, line 32, by striking out the words “Sgt. Ray “Mutt”” and inserting in lieu thereof the words “U.S. Army Sgt. Ray”;

And,

By striking out the title and substituting in lieu thereof a new title to read as follows:

**Committee Substitute for House Concurrent Resolution 43**—Requesting the Division of Highways name Bridge Number: 16-055/00-011.96 (16A134), (39.07833, -78.95205) locally known as MOOREFIELD INTERCHANGE, carrying WV 055 over US 48 (X) (Corridor H) in Hardy County the " U.S. Army Sgt. Ray Sherman Memorial Bridge."

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

### **Special Calendar**

#### **Third Reading**

**Com. Sub. for H. B. 2026**, Budget Bill; on third reading, coming up in regular order, with the right to amend, was reported by the Clerk.

**On motion of Delegate Statler, the amendment was adopted.**

Delegate Statler moves to amend the Committee Substitute for HB2026 on page 53, Item 76, line 1, by striking out the number “1,669,384” and inserting in lieu thereof “3,699,384”;

On page 54, Item 76, line 5, by striking “\$5,343,703” and inserting in lieu thereof “\$7,343,703”;

On page 54, Item 76, following line nine, by inserting the following:

From the above appropriation for Statewide EMS Program Support (R), \$2,000,000 shall be used for EMT and paramedics training, recertification, and mental health issues."

On page 134, Item 248, line 1, by striking out the number \$10,000,000 and inserting in lieu thereof "\$8,000,000";

On page 134, item 248, following line 1, by inserting the following: "2 Directed Transfer..... 70000 2,000,000"

Total..... \$ 10,000,000

The above appropriation for Directed Transfer (fund 5049, appropriation 70000) shall be transferred to the Office of Emergency Medical Services (fund 0434, appropriation 38300)."

**On motion of Delegate Hite, the amendment was adopted.**

Delegate Hite moved to amend the bill on page 60, Fund 0485, Org 0511, on line 1, following the word "Waiver" by adding "(R)";

On page 60, Fund 0485, Org 0511, on line 2, following the word "Citizens" by adding "(R)";

On page 60, Fund 0485, Org 0511, on line 3, following the word "Waiver" by adding "(R)";

On page 60, Fund 0485, Org 0511, on line 4, following the word "Waiver" by adding "(R)";

And, on page 60, fund 0485, Org 0511, following line 5 by adding the following language:

"Any unexpended balances remaining in the appropriations for IDD Waiver (fund 0485, appropriation 46600), Title XIX for Senior Citizens Waiver (fund 0485, appropriation 53300), Traumatic Brain Injury Waiver (fund 0485, appropriation 83500), and Substance Use Disorder Waiver (fund 0485, appropriation 30028), at the close of the fiscal year 2025 are hereby reappropriated for expenditure during the fiscal year 2026. Notwithstanding the provisions of Title I, section three of this bill, the Secretary of the Department of Human Services may not transfer funds from any appropriation within Fund 0485, Org 0511 to any other appropriation line: *Provided*, That, notwithstanding the above, the Secretary of the Department of Human Services shall only use appropriations for IDD Waiver (fund 0485, appropriation 46600), TitleXIX for Senior Citizens Waiver (fund 0485, appropriation 53300), and Traumatic Brain Injury Waiver (fund 0485, appropriation 83500) for approved waiver services within that appropriation."

**On motion of Delegate Williams, the amendment was rejected.**

Delegate Williams move to amend the bill on page 60, Item 85, line 1, by striking out the number 107,456,318 and inserting in lieu thereof the number 108,456,318;

And,

On page 60, Item 85, line 2, by striking out the number 14,952,982 and inserting in lieu thereof the number 46,952,982;

And,

On page 60, Item 85, line 3 by striking out the number 792,000 and inserting in lieu thereof, the number 2,050,141;

And,

To further amend Item 85, by reconciling the total on page 60, line 5 accordingly.

**On motion of Delegate Hornbuckle, the amendment was rejected.**

Delegate Hornbuckle moves to amend the bill on page 209, following the end of Section 11 on line 2, by inserting a new Section 11A, to read as follows:

**“Sec. 11A. Appropriations from Revenue Shortfall Reserve Fund.** — The following item is hereby appropriated from the balance the Revenue Shortfall Reserve Fund as established pursuant to §11B-2-20, and is to be available for expenditure during the fiscal year 2026, as determined by the Secretary of Revenue pursuant to §11B-2- 20, which was accrued from the fiscal year ending June 30, 2025, subject to the terms and conditions set forth in this section, not to exceed \$ 50,000,000 to be deposited into the West Virginia Flood Resiliency Trust Fund.

440 - State Resiliency Office Board

1 - (W.V. Code Chapter 29)

Fund xxx FY 2026 Org xxxx

Directed Transfer.....	xxxxx	\$	50,000,000
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The above appropriation for Directed Transfer (fund xxx, appropriation xxxxx) shall be transferred to the Governor’s Office, West Virginia Flood Resiliency Office Trust Fund – (fund 1070).”

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. 384**), and there were— yeas 19, nays 75, absent and not voting 6, with the yeas and the absent and not voting being as follows:

Yeas: Bridges, W. Clark, Dean, Dillon, Flanigan, Fluharty, Garcia, Hall, Hamilton, Hansen, Holstein, Hornbuckle, Lewis, Lucas, Pushkin, Roop, Vance, Williams and Young.

Absent and Not Voting: Anderson, Green, Pinson, D. Smith, Steele and Street.

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

**On motion of Delegate Young et. al., the amendment was rejected.**

Delegates Young and Hornbuckle move to amend the bill on page 56, item 80, line 19, by striking out the number 6,263,177 and inserting in lieu thereof the number 38,263,177;

And,

To further amend Item 86 on page 56, by reconciling the total on line 19 accordingly.

**On motion of Delegate Hamilton et. al., the amendment was rejected.**

Delegates Hamilton, Lewis and Hornbuckle move to amend the bill on page 13, Item 5, line 9, following the number 183,645 by inserting a new appropriation to read as follows: "Herbert Henderson Office of Minority Affairs ..... 13,400 \$ 396,726";

And,

On page 13, Item 5 by reconciling the total on line 10 accordingly

**On motion of Delegate Pushkin, the amendment was rejected.**

Delegate Pushkin move to amend the bill on page 88, Item 128, line 11, by striking out the number 0 and inserting in lieu thereof the number 20,000,000;

And,

On page 88, item 128, line 13, by reconciling the total accordingly;

And,

On page 88, Item 128, line 20, following the words "year 2026." Inserting a new paragraph to read as follows:

"The appropriation of \$20,000,000 to the Workforce Development Grants shall be administered by the Workforce Development Board pursuant to §5B-2B-3 for the purpose of replacing federal funding that was previously directed to the Workforce Innovation and Opportunity Act, 29 U.S.C. § 3101, *et seq.*, for the purpose of providing summer employment opportunities for state youth administered by local workforce development boards."

**On motion of Delegates Hansen and Hornbuckle the amendment was rejected.**

Delegates Hansen and Hornbuckle move to amend the bill on page 206, Item 434, line 1, by striking out the number 10,000,000 and inserting in lieu thereof the number 20,000,000;

And,

On page 206, Item 434, following the period on line 3, by inserting the following:

"\$10,000,000 of the above appropriation to the Water Development Authority shall be used by the Water Development Authority to fund improvements to distressed and failing water utility systems. "

**On motion of Delegate Lewis, et. al. the amendment was rejected.**

Delegates Lewis, Pushkin, Hamilton and Hornbuckle move to amend the bill on page 96, Item 150, line 1 by striking out the number 12,139,165 and inserting in lieu thereof the number 17,139,165;

And,

On page 96, Item 150 by reconciling the total on line 5 accordingly.

Delegates Williams, Hamilton, Hansen and Garcia move to amend the bill on page 92, Item 140, line 1, by striking out the number 81,225,455 and inserting in lieu thereof the number 96,225,455;

And,

On page 93, Item 140, by reconciling the total on line 8 accordingly.

**On motion of Delegate Williams, et. al. the amendment was rejected.**

Having been engrossed, the bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 385**), and there were—yeas 80, nays 17, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Anders, Coop-Gonzalez, Dillon, Fluharty, Garcia, Hamilton, Hansen, Hornbuckle, Kimble, Kump, Lewis, Pushkin, Ridenour, Vance, White, Williams and Young.

Absent and Not Voting: Green, D. Smith and Steele.

So, to thirds of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2026) effective from 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 S. B. 10**, Exempting certain meat processes from consumers sales and service 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. 387**), 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: Green, D. Smith and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 10) passed.

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

**Com. Sub. for S. B. 267**, Extending time for renewal and restoration of commercial driver's licenses; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 388**), 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: Green, D. Smith and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 267) passed.

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

**Com. Sub. for S. B. 325**, Authorizing Department of Health to promulgate legislative rules; 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. 389**), 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: Green, D. Smith and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 325) passed.

On motion of Delegate Akers, the title of the bill was amended to read as follows: "A BILL to amend and reenact §64-5-1 *et seq.* and §64-5A-1 *et seq.* of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §64-5B-1, relating to authorizing certain agencies of the Department of Health, Department of Human Services, and the Office of Inspector General to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee and as amended by the Legislature; directing certain agencies of the Department of Health to amend current legislative rules; authorizing the Department of Health to promulgate a legislative rule relating to public water systems; authorizing the Department of Health to promulgate a legislative rule relating to statewide trauma and emergency care system; authorizing the Department of Health to promulgate a legislative rule relating to fatality and mortality review team; authorizing the Department of Health to promulgate a legislative rule relating to vital statistics; authorizing the Department of Health to promulgate a legislative rule relating to emergency medical services; authorizing the Department of Health to promulgate a legislative rule relating to the Primary Care Support Program; authorizing the Department of Health to promulgate a legislative rule relating to the general provisions of the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to growers and processors of the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to laboratories of the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to dispensaries of the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to the Safe Harbor Letter for the Medical Cannabis Program; authorizing the Department of Health to promulgate a legislative rule relating to critical access hospitals; directing the Department of Health to amend a legislative rule relating to sewage treatment and collection system design standards; authorizing the Department of Human Services to promulgate a legislative rule relating to the Recovery Residence Certification and Accreditation Program; authorizing the Department of Human Services to promulgate a legislative rule relating to the pilot program for drug screening of applicants for cash assistance; directing the Department of Human Services to amend a legislative rule relating to child placing agencies licensure; authorizing the Office of Inspector General to promulgate a legislative rule relating to hospital licensure; and authorizing the Office



of Inspector General to promulgate a legislative rule relating to Behavioral Health Centers Licensure";

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

On this question, the yeas and nays were taken (**Roll No. 390**), 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: Green, D. Smith and Steele.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 325) 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 S. B. 573**, Relating to restrictions on use or sale of motor vehicles based on power source; 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. 391**), and there were—yeas 88, nays 9, absent and not voting 3, with the nays and the absent and not voting being as follows:

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

Absent and Not Voting: Green, D. Smith and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 573) passed.

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

**Com. Sub. for S. B. 627**, Removing prohibition against leasing state-owned pore spaces underlying lands designated as state parks; on third reading, coming up in regular order, was read a third time.

The Committee on Energy and Public Works moves to amend the committee substitute on page 1, after the enacting clause, by striking out the remainder of the committee substitute and inserting in lieu thereof the following:

## **ARTICLE 1. ORGANIZATION AND ADMINISTRATION.**

### **§20-1-22. Authorizing the director to lease and develop pore spaces.**

(a) The director may, with the approval in writing of the Secretary of Commerce, lease state-owned pore spaces underlying state forests, natural and scenic areas, wildlife management areas, and other lands under the jurisdiction and control of the director for underground carbon sequestration: ~~Provided, That the director is prohibited from leasing state-owned pore spaces underlying lands that are designated as state parks.~~ Provided, That the director may not permit the disturbance of the surface of state park property for any drilling or injection activity. Before entering into a lease, the director shall receive sealed bids therefor, after notice by publication as

a Class I legal advertisement in compliance with the provisions of §59-3-1 *et seq.* of this code, and the publication area for such publication shall be each county in which the affected lands are located, and on the division's main website for a period of at least 14 days prior to entering into any lease pursuant to this section. The pore space development proposal so advertised shall be leased to the highest responsible bidder, who shall give bond for the proper performance of the lease as the director shall designate; but the director may reject any and all bids and re-advertise for bids. The development of pore spaces pursuant to this section shall be consistent with the requirements of §22-11B-1 *et seq.* of this code. The proceeds arising from any such lease shall be paid to the Treasurer of the State of West Virginia and shall be credited to the division and used exclusively for the purposes of this chapter.

(b) Notwithstanding the competitive bidding process established in subsection (a) of this section, the director may, with the approval in writing of the Secretary of the Department of Commerce, directly award a pore space lease when the Secretary of the Department of Commerce and the Secretary of the Department of Economic Development certifies in writing to the director that the lease is a necessary component of an economic development project: *Provided*, That the lease shall afford a market value or greater royalty.

(c) The center of any well pad leased in accordance with subsection (a) for pore space underlying state parks may not be located within two hundred feet of a state park boundary; *Provided*, That the Secretary of the Department of Commerce, in consultation with the Director of the Division of Natural Resources, may waive this requirement after considering the impact of the lessee's proposed well-site location on viewshed, noise, and other possible impediments to the public use and enjoyment of the state park property.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 392**), and there were—yeas 73, nays 24, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Anders, Bridges, Brooks, Browning, D. Cannon, Chiarelli, T. Clark, Coop-Gonzalez, Dean, Dillon, Foggin, Funkhouser, Garcia, Hall, T. Howell, Jennings, Kimble, Martin, McGeehan, Pritt, Ridenour, Street, Ward, and White.

Absent and Not Voting: Green, D. Smith and Steele.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 627) passed.

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

**S. B. 828**, Clarifying requirements for persons employed by Division of Corrections and Rehabilitation include contracted vendor staff; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 393**), 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: Green, D. Smith and Steele.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 828) passed.

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

**H. B. 3519**, Expiring funds to the unappropriated surplus balance of the State Fund, General Revenue; on third reading, coming up in regular order, was read a third time.

On the passage of the bill, the yeas and nays were taken (**Roll No. 394**), and there were—yeas 90, nays 7, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Anders, Coop-Gonzalez, Dillon, Foggin, Kimble, Ward and White.

Absent and Not Voting: Green, D. Smith and Steele.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3519) passed.

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

On this question, the yeas and nays were taken (**Roll No. 395**), and there were—yeas 91, nays 6, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Anders, Coop-Gonzalez, Dillon, Kimble, Ward and White.

Absent and Not Voting: Green, D. Smith and Steele.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (H. B. 3519) takes effect from its passage.

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

### **Second Reading**

**Com. Sub. for S. B. 50**, Requiring municipal elections to be held on same day as statewide elections; on second reading, coming up in regular order, was read a second time and ordered to third reading.

**On motion of Delegate Chiarelli the amendment was adopted.**

Delegate Chiarelli moved to amend the engrossed committee substitute on page 2, section 29, line 27, by striking out “2032” and inserting in lieu thereof “2028”;

And,

On page 4, section 5, line 14, by striking out “2032” and inserting in lieu thereof “2028”;

And,

On page 5, section 5, line 35, by striking out “2032” and inserting in lieu thereof “2028”.

**Com. Sub. for S. B. 500**, Transferring audits of volunteer fire departments to Legislative Auditor; on second reading, coming up in regular order, was read a second time and ordered to third reading,

**S. B. 615**, Eliminating accelerated tax payment requirements; on second reading, coming up in regular order, was read a second time and ordered to third reading,

**S. B. 712**, Relating to retirement provisions of systems managed by CPRB; on second reading, coming up in regular order, was read a second time,

**The amendment recommended by the Committee on Finance was adopted.**

The Committee on Finance moved to amend the bill on page 12, section 27b, line 47, following “date” by adding “provided in §5-10-2 of this code”;

On page 13, section 27b, line 67, following “attained” by striking “age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in §5-10-2 of this code”;

On page 20, section 6a, line 29, following the word board by adding “or the eligible retired public safety officer”;

On page 31, section 9b, line 46, following “date” by adding “provided in §7-14D-2 of this code”;

On page 32, section 9b, line 66, following “attained” by striking “age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in §7-14D-2 of this code”;

On page 39, section 2, line 113, following “§8-22A-33” by adding “and §8-22A-33a”;

On page 40, section 2, line 126, following “§8-22A-33” by adding “or §8-22A-33a”;

On page 40, section 2, line 135, following “§8-22A-33” by adding “or §8-22A-33a”;

On page 45, section 11, line 46, following “date” by adding “provided in §8-22A-2 of this code”;

On page 46, section 11, line 66, following “attained” by striking “age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in §8-22A-2 of this code”;

On page 49, section 45, line 56, following “date” by adding “provided in subsection (a) of this section”;

On page 50, section 45, line 76, following “attained” by striking “age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in subsection (a) of this section”;

On page 57, section 6b, line 41, following “date” by adding “provided in §15-2A-2 of this code”;

On page 58, section 6b, line 61, following “attained” by striking “age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in §15-2A-2 of this code”;

On page 66, section 2, line 172, following “subsection” by striking “(r)” and inserting in lieu thereof “(s)”;

On page 72, section 13, line 46, following “date” by adding “provided in §16-5V-2 of this code”;

On page 73, section 13, line 66, following “attained” by striking “age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in §16-5V-2 of this code”;

On page 84, section 28b, line 47, following “date” by adding “provided in §18-7A-3 of this code”;

On page 85, section 28b, line 67, following “attained” by striking “age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in §18-7A-3 of this code”;

On page 91, section 12a, line 49, following “date” by adding “provided in §18-7B-2 of this code”;

On page 92, section 12a, line 70, following “attained” by striking “age 70.5 (if born before July 1, 1949) or age 72 (if born after June 30, 1949)” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in §18-7B-2 of this code”;

On page 104, section 14, line 45, following “date” by adding “provided in §20-18-2 of this code”;

On page 105, section 14, line 65, following “attained” by striking “age 72” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in §20-18-2 of this code”;

On page 113, section 12b, line 41, “date” by adding “provided in §51-9-1a of this code”; and

On page 113, section 12b, line 61, following “attained” by striking “age 72” and inserting in lieu thereof “the applicable age as set forth in the definition of required beginning date provided in §51-9-1a of this code.” on second reading, coming up in regular order, was read a second time and ordered to third reading.

**Com. Sub. for S. B. 715**, Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system; on second reading, coming up in regular order, was read a second time and ordered to third reading,

And,

**S. B. 716**, Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems; on second reading, coming up in regular order, was read a second time and ordered to third reading.

### First Reading

**Com. Sub. for S. B. 1**, Requiring utility work and road paving coordination; on first reading, coming up in regular order, was read a first time and ordered to second reading,

**Com. Sub. for S. B. 198**, Prohibiting creation, production, distribution, or possession of artificially generated child pornography; on first reading, coming up in regular order, was read a first time and ordered to second reading,

**S. B. 257**, Providing protection for property owner when someone visiting private cemetery causes damage to property; on first reading, coming up in regular order, was read a first time and ordered to second reading,

**Com. Sub. for S. B. 270**, Declaring sale and manufacture of firearms essential business during declared emergency; on first reading, coming up in regular order, was read a first time and ordered to second reading,

**Com. Sub. for S. B. 464**, Creating license plate for recipients of Medal of Valor; on first reading, coming up in regular order, was read a first time and ordered to second reading,

**S. B. 537**, Establishing WV Mothers and Babies Pregnancy Support Program; on first reading, coming up in regular order, was read a first time and ordered to second reading,

**Com. Sub. for S. B. 617**, Discouraging gang activity; on first reading, coming up in regular order, was read a first time and ordered to second reading,

**Com. Sub. for S. B. 748**, Creating Safer Communities Act; on first reading, coming up in regular order, was reported by the Clerk, on first reading, coming up in regular order, was reported by the Clerk.

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

And,

**Com. Sub. for S. B. 810**, Clarifying requirements for administration of anesthesia and chronic pain practice by certain licensed nurses; on first reading, coming up in regular order, was read a first time and ordered to second reading.

### Leaves of Absence

At the request of Delegate McGeehan, and by unanimous consent, leaves of absence for the day were granted Delegates Green, D. Smith and Steele.

At 11:44 a.m., the House of Delegates adjourned until 11:00 a.m., Monday, April 07, 2025.

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

## **SPECIAL CALENDAR**

**Monday, April 7, 2025**

**55th Day**

**11:00 A.M.**

### **THIRD READING**

- |                           |  |
|---------------------------|--|
| Com. Sub. for S. B. 50 -  | Requiring municipal elections to be held on same day as statewide elections  |
| Com. Sub. for S. B. 500 - | Transferring audits of volunteer fire departments to Legislative Auditor   |
| S. B. 615 -               | Eliminating accelerated tax payment requirements   |
| S. B. 712 -               | Relating to retirement provisions of systems managed by CPRB   |
| Com. Sub. for S. B. 715 - | Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system            |
| S. B. 716 -               | Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems |

### **SECOND READING**

- |                           |   |
|---------------------------|---|
| Com. Sub. for S. B. 1 -   | Requiring utility work and road paving coordination   |
| Com. Sub. for S. B. 198 - | Prohibiting creation, production, distribution, or possession of artificially generated child pornography     |
| S. B. 257 -               | Providing protection for property owner when someone visiting private cemetery causes damage to property      |
| Com. Sub. for S. B. 270 - | Declaring sale and manufacture of firearms essential business during declared emergency                       |
| Com. Sub. for S. B. 464 - | Creating license plate for recipients of Medal of Valor   |
| S. B. 537 -               | Establishing WV Mothers and Babies Pregnancy Support Program  |
| Com. Sub. for S. B. 617 - | Discouraging gang activity  |
| Com. Sub. for S. B. 810 - | Clarifying requirements for administration of anesthesia and chronic pain practice by certain licensed nurses |

### **FIRST READING**

Com. Sub. for S. B. 485 -	Exempting West Virginia Secretary of State from competitive bidding process
S. B. 496 -	Removing reflexology and other energy-based work from definition of "massage therapy"
Com. Sub. for S. B. 565 -	Relating generally to practice of optometry
Com. Sub. for S. B. 736 -	Relating to publication of registered lobbyist information
Com. Sub. for S. B. 748 -	Creating Safer Communities Act
Com. Sub. for S. B. 765 -	Establishing Troops-to-Teachers Program
Com. Sub. for S. B. 861 -	Updating references to reflect consolidation of Information Services and Communications Division into Office of Technology
S. B. 862 -	Repealing antiquated language related to Voluntary Gilding Dome Check-Off Program
S. B. 863 -	Removing reference to Information Services and Communications Division
S. B. 907 -	Relating to high impact development projects



## **HOUSE CALENDAR**

**Monday, April 7, 2025**

**55th Day**

**11:00 A.M.**

### **UNFINISHED BUSINESS**

H. C. R. 19 - Declaring December 14 as Frosty the Snowman Day

### **THIRD READING**

H. B. 2060 - Creating tax exemption for agricultural cooperative associations

Com. Sub. for H. B. 3377 - Non-State Owned Roads Improvement Act

H. B. 3425 - Clarifying that any person employed by the Division of Corrections and Rehabilitation pursuant to a contract includes contracted staff that work for vendors

H. B. 3516 - Relating to limit of liability through Board of Risk Management

### **SECOND READING**

Com. Sub. for S. B. 482 - Certified Professional Midwife Licensing and Regulation

Com. Sub. for H. B. 2006 - Defining Men and Women

Com. Sub. for H. B. 2146 - 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

Com. Sub. for H. B. 2355 - Permitting middle or high school students to participate in travel sports teams without repercussion.

Com. Sub. for H. B. 2400 - Prohibiting the delivery of unsolicited absentee ballot applications to any person who has not specifically requested one from the county clerk

Com. Sub. for H. B. 2409 - Updating cooperative agreements

H. B. 2683 - To prohibit rank choice voting

Com. Sub. for H. B. 3072 - Creating Super two highways in West Virginia

H. B. 3271 - Authorizing digital court records

- Com. Sub. for H. B. 3387 - Relating to the creation of a regional school district pilot program
- Com. Sub. for H. B. 3432 - Revising the statutes to clarify and separate duties identified in the code between the Division of Emergency Management and the West Virginia Department of Environmental Protection

#### **FIRST READING**

- Com. Sub. for H. B. 3452 - Transferring administration of Advanced Career Education (ACE) classes and programs from county boards of education to community and technical colleges.
- H. B. 3518 - Relating to the Medicaid Waiver expansion program

# **WEST VIRGINIA HOUSE OF DELEGATES**

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**MONDAY, APRIL 7, 2025**

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

**COMMITTEE ON RULES**

**10:45 A.M. – SPEAKERS CONFERENCE ROOM 218M**

**COMMITTEE ON FINANCE**

**9:00 A.M. – FINANCE COMMITTEE ROOM 460M**

**COMMITTEE ON JUDICIARY**

**9:00 A.M. – JUDICIARY COMMITTEE ROOM 410M**

**COMMITTEE ON GOVERNMENT ORGANIZATION**

**1:00 P.M. – EAST WING COMMITTEE ROOM 215E**

**COMMITTEE ON EDUCATION**

**1:00 P.M. – EDUCATION COMMITTEE ROOM 432M**

**COMMITTEE ON ENERGY**

**3:00 P.M. – JUDICIARY COMMITTEE ROOM 410M**

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