

West Virginia Legislature

JOURNAL
of the
HOUSE of DELEGATES

Eighty-Seventh Legislature
First Regular Session

Held at Charleston
Published by the Clerk of the House



April 9, 2025
FIFTY-SEVENTH DAY

Wednesday, April 9, 2025

FIFTY-SEVENTH DAY

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

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

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

The Clerk proceeded to read the Journal of Tuesday, April 8, 2025, being the first order of business.

Delegate Pritt objected to dispensing further reading of the Journal.

Delegate McGeehan moved to dispense of the further reading of the Journal.

On adoption of the motion, the yeas and nays were taken (**Roll No. 421**), and there were—yeas 85, nays 10, absent and not voting 5, with the nays and absent and not voting being as follows:

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

Absent and Not Voting: Devault, Pinson, Ridenour, Street, and Vance.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared further reading of the Journal be dispensed with.

Reordering of the Calendar

Pursuant to the action of the Committee on Rules, Delegate McGeehan announced that S. B. 904, on second reading, Special Calendar, had been transferred to the House Calendar.

Committee Reports

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:

Com. Sub. for S. B. 299, Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment,

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

Upon motion of Delegate McGeehan and the yeas and nays having been ordered, they were taken (**Roll No. 422**), and there were—yeas 82, nays 15, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Ellington, Fehrenbacher, Flanigan, Fluharty, Garcia, Hall, Hamilton, Hansen, Heckert, Hornbuckle, Lewis, Pushkin, Shamblyn, Williams, and Young.

Absent and Not Voting: W. Clark, Ridenour, and Vance

So, two thirds of the members present having voted in the affirmative, the motion for the second reference to the Committee on the Judiciary to be dispensed with, the bill was taken up for immediate consideration and was adopted. The bill was then read a first time and ordered to second reading.

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:

Com. Sub. for S. B. 526, Creating Pharmacist Prescribing Authority Act,

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

At the request of Delegate McGeehan, and by unanimous consent, the bill (Com. Sub. for S. B. 526) was taken up for immediate consideration, read a first time, and ordered to second reading.

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:

Com. Sub. for S. B. 833, Excluding pharmaceutical medication from prior authorization gold card process,

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 S. B. 833) to the Committee on Finance was abrogated.

At the request of Delegate McGeehan, and by unanimous consent, the bill (Com. Sub. for S. B. 833) was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion for leave the following resolutions were introduced (Originating in the Committee on Energy and Public Works and reported with the recommendation that they each be adopted, but that they first be referred to the Committee on Rules), which was read by their title, as follows:

By Delegates G. Howell and Hillenbrand:

H. C. R. 98 - "Requesting the Joint Committee on Government and Finance study enhancements to the West Virginia Department of Environmental Protection's Reclamation of Abandoned and Dilapidated Properties Program and options to incentivize redevelopment of remediated properties to address housing shortages,"

And,

By Delegates G. Howell and Hillenbrand:

H. C. R. 101 - "Requesting the Joint Committee on Government and Finance to conduct a comprehensive study on parental consent measures to be implemented by device manufacturers and application stores on software applications downloaded by children under the age of 18."

In accordance with the former direction of the Speaker, the resolutions (H. C. R. 98 and H. C. R. 101) were each 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:

Com. Sub. for S. B. 592, Relating generally to aboveground storage tanks,

And,

S. B. 942, Modifying requirements for diesel-powered equipment in mines,

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

Delegate McGeehan moved that the bills (Com. Sub. for S. B. 592 and S. B. 942) be taken up for immediate consideration, read a first time, and ordered to second reading.

The majority of members having voted in the affirmative, the bills (Com. Sub. for S. B. 592 and S. B. 942) were taken up for immediate consideration, read a first time, and ordered to second reading.

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. B. 883, Providing director of WV Office of Miners' Health, Safety and Training discretion and authority in certain appointments,

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

At the request of Delegate McGeehan, and by unanimous consent, the bill (Com. Sub. for S. B. 883) was taken up for immediate consideration, read a first time, and ordered to second reading.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect July 1, 2025, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2013, Transfer of employees to classified exempt service.

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

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

Eng. Com. Sub. for House Bill 2013—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §5F-2-9, relating to exempting new hires and employees who leave their positions within the Bureau of Senior Services, Department of Administration, Department of Environmental Protection, Department of Revenue, and Department of Veterans' Assistance from the classified civil service system and the state grievance procedures beginning on July 1, 2025; making legislative finding; providing that as of July 1, 2025, any new hire and any employee who leaves his or her position will be exempt from the classified civil service system and from the state grievance procedures; providing that any employee who is currently covered by civil service system and who currently has access to the state grievance procedures will continue to be covered and have access, so long as he or she remains in his or her current position; providing that chief administrative officers of bureau and departments may designate certain employees' status within the civil service system in order to comply with federal law or receive federal funds; and clarifying that this section does not affect any other employee protections found elsewhere in code.

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. 423**), and there were—yeas 70, nays 27, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Adkins, Bridges, Campbell, T. Clark, Clay, Dean, Eldridge, Ferrell, Flanigan, Fluharty, Foggin, Garcia, Hamilton, Hansen, Heckert, Hillenbrand, Hornbuckle, Kump, Lewis, Marple, Pritt, Pushkin, Shamblin, Stephens, Toney, Williams and Young.

Absent and Not Voting: W. Clark, Ridenour and Vance.

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. 2013) passed.

Delegate McGeehan moved that the bill take effect July 1, 2025.

On this question, the yeas and nays were taken (**Roll No. 424**), and there were—yeas 76, nays 21, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Canterbury, T. Clark, Clay, Eldridge, Ferrell, Fluharty, Foggin, Garcia, Hamilton, Hansen, Heckert, Hillenbrand, Hornbuckle, Kump, Lewis, Pritt, Pushkin, Stephens, Toney, Williams and Young.

Absent and Not Voting: W. Clark, Ridenour and Vance.

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. 2013) takes effect July 1, 2025.

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

A message from the Senate, by

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

Com. Sub. for H. B. 2067, West Virginia Firearms Liability Clarification Act.

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

The Committee on Government Organization moved to amend the bill by striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 7C. WEST VIRGINIA FIREARMS MARKETING CLARIFICATION ACT.

§61-7C-1. Short title.

This article shall be known and may be cited as the "West Virginia Firearms Marketing Clarification Act."

§61-7C-2. Definitions.

For the purposes of this article:

"Firearm" means any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, as defined in 18 U.S.C. § 921(a)(3);

"Manufacturer" means any person engaged in the business of manufacturing firearms or ammunition for sale or distribution;

"Negligent marketing" means any advertising, promotion, or marketing practice by a manufacturer or seller that directly poses a foreseeable and substantial risk of harm to the purchaser or specific identifiable individuals;

"PLCAA" means the Protection of Lawful Commerce in Arms Act of 2005, 15 U.S.C. 105, et seq.; and

"Seller" means any person engaged in the business of selling firearms or ammunition at wholesale or retail.

§61-7C-3. Limitations on negligent marketing claims.

(a) A person may bring a negligent marketing claim against a manufacturer or seller of firearms or ammunition only if all of the following conditions are met:

(1) The marketing practice directly targeted individuals who are legally prohibited from owning firearms;

(2) The marketing practice encouraged or facilitated the unlawful use of firearms;

(3) There is direct cause and substantial proximate cause between the marketing practice and the harm suffered by the plaintiff; and

(4) The marketing practice violated a state or federal statute explicitly regulating the sale or marketing of firearms or ammunition in a manner that constitutes a willful and knowing violation of the law.

(b) If these conditions are not met, the court must, upon motion, summarily dismiss the action or dismiss any parties who are improperly joined.

§61-7C-4. Predicate exception limitation; construction.

(a) The predicate exception under the PLCAA may not be interpreted broadly. A claim may proceed only if the specifically cited statute was violated in the following manner:

(1) The statute explicitly regulates firearms or ammunition;

(2) The statute provides clear, concrete requirements that the manufacturer or seller failed to meet; and

(3) The violation of the statute was a proximate cause of the harm in question.

(b) General state consumer protection laws or public nuisance laws may not be considered statutes "applicable to the sale or marketing" of firearms or ammunition for the purposes of the predicate exception.

(c) The predicate exception may not be interpreted broadly to result in general consumer marketing statutes circumventing the PLCAA.

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

Eng. Com. Sub. for House Bill 2067—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §61-7C-1, §61-7C-2, §61-7C-3, and §61-7C-4; all relating to the creation of the West Virginia Firearms Marketing Clarification Act; providing for a short title; providing for definitions; providing limitations on negligent marketing claims; and creating a predicate exception limitation.

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. 425**), 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: W. Clark, Ridenour and Vance.

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. 2067) passed.

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

A message from the Senate, by

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

Com. Sub. for H. B. 2123, Modifying the criminal penalties imposed on a parent, guardian or custodian for child abuse.

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

H. B. 2123 — “A BILL to amend and reenact §61-8D-3 and §61-8D-4 of the Code of West Virginia, 1931, as amended, all relating to modifying the criminal penalties imposed on a parent, guardian, custodian, or person in a position of trust in relation to a child for child abuse resulting in bodily injury, serious bodily injury, child abuse causing substantial risk of death or serious bodily injury; providing that a prior conviction under this section subjects a person to increased penalties; and providing a definition for a prior conviction; and also relating to modifying the criminal penalties imposed on a parent, guardian, custodian, or person in a position of trust in relation to a child for child neglect resulting in bodily injury, serious bodily injury, and child neglect causing substantial risk of death or serious bodily injury; providing that a prior conviction under this section subjects a person to increased penalties; and providing a definition for a prior conviction.”;

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 426**), 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: W. Clark, Ridenour and Vance.

So, a majority of the members elected having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2123) passed.

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

A message from the Senate, by

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

S. B. 650, Relating to full-time interventionists.

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

Senator Martin moved to amend the House of Delegates amendment to the bill by striking out the proviso and inserting in lieu thereof a new proviso to read as follows: *Provided*, That this subdivision does not apply to kindergarten and first grade classrooms and notwithstanding subdivision (2) of this subsection or any other provision of code to the contrary, any early

childhood assistant teacher, aide, paraprofessional, or interventionist assigned to a kindergarten or first grade classroom only satisfies the requirements of subsection (a) of this section if the assignment to that classroom is full-time.

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

Eng. Senate Bill 650—A BILL to amend and reenact §18-5-18a of the Code of West Virginia, 1931, as amended, relating to providing that a full-time interventionist hired and assigned to up to two classrooms satisfies the early childhood assistant teacher, aide, or paraprofessional related requirements for kindergarten through third grades for both classrooms; excluding kindergarten and first grade from authority to cover two classrooms with one full-time interventionist; providing that any early childhood assistant teacher, aide, paraprofessional, or interventionist assigned to a kindergarten or first grade classroom must be full-time in order to satisfy certain requirements; and clarifying that a part-time interventionist only satisfies those requirements for one classroom.

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. 427**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ridenour and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 650) passed.

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

On this question, the yeas and nays were taken (**Roll No. 428**), and there were—yeas 98, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Ridenour and Vance.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 650) 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 that the Senate had concurred in the changed effective date, to take effect from passage, of

Com. Sub. for S. B. 715, Relating to personally identifiable information of member, retirant, beneficiary, or alternate payee of retirement system.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had concurred in the changed effective date, to take effect from passage, of

S. B. 716, Relating to failure to pay required contributions and interest payments for certain retirees who transfer between retirement systems.

Resolutions Introduced

A resolution was introduced and severally referred as follows:

By Delegates Kelly, Akers, Amos, Anders, Barnhart, Campbell, D. Cannon, Canterbury, Cooper, Criss, DeVault, Dittman, Drennan, Eldridge, Ellington, Fehrenbacher, Ferrell, Gearheart, Hall, Hite, Horst, Hott, T. Howell, Jeffries, Jennings, Kimble, Kyle, Leavitt, Mallow, Maynor, Mazzocchi, McGeehan, Moore, Parsons, Petitto, Phillips, Pinson, Ridenour, Riley, Rohrbach, Shamblin, Sheedy, D. Smith, Statler, Vance and Worrell:

H. C. R. 99 - Requesting the Joint Standing Committee on the Judiciary to study policies aimed at preventing financial fraud and scams and report its findings and recommendations to the West Virginia Legislature, the Governor's Office, and the Attorney General's office not later than December 31, 2025."; to the Committee on Rules.

Delegate McGeehan asked and obtained unanimous consent to proceed to the Eleventh Order of business to Unfinished Business.

Special Calendar

Unfinished Business

The following resolutions, coming up in regular order, as unfinished business, were reported by the Clerk and adopted:

H. R. 13, Urging statewide efforts to promote C-peptide testing education and training initiatives among critical care and emergency healthcare providers in Memory of Michael Brandon Cochran,

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. 429**), and there were—yeas 99, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Vance.

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

And,

Com. Sub. for H. C. R. 41, Dedicating November 7th as "Clergy Appreciation Day".

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

Third Reading

Com. Sub. for S. B. 485, Exempting West Virginia Secretary of State from competitive bidding process; 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. 430**), and there were—yeas 77, nays 18, absent and not voting 5, with the nays and the absent and not voting being as follows:

Nays: Anders, Coop-Gonzalez, Dean, Dillon, Eldridge, Gearheart, Heckert, Horst, T. Howell, Kimble, Kump, Mazzocchi, Pritt, Ridenour, Steele, Toney, Ward and White.

Absent and Not Voting: Flanigan, Foggin, Marple, Roop and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 485) passed.

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

Com. Sub. for Senate Bill 485 — “A BILL to amend and reenact §5A-3-1 of the Code of West Virginia, 1931, as amended, relating to the Purchasing Division; exempting the Secretary of State from the competitive bidding process for specific purchases of securing, facilitating, or supporting critical election infrastructure; requiring the Secretary of State to provide certain documents related to exempt purchases to the Director of the Purchasing Division for posting on the division’s website; providing an exception to the requirement to provide certain documents to the director.”.

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

S. B. 496, Removing reflexology and other energy-based work from definition of "massage therapy"; 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. 431**), and there were—yeas 92, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Anders, Crouse, Flanigan, Foggin, Funkhouser, Kump, Shamblin and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 496) passed.

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

Com. Sub. for S. B. 565, Relating generally to practice of optometry; 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. 432**), and there were—yeas 93, nays 4, absent and not voting 3, with the nays and the absent and not voting being as follows:

Nays: Amos, Anderson, Flanigan and McCormick.

Absent and Not Voting: Green, McGeehan and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 565) passed.

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

“A BILL to amend and reenact §30-8-3, §30-8-6, §30-8-9, and §30-8A-1 of the Code of West Virginia, 1931, as amended; to amend the code by adding a new section, designated §30-8-23; and to amend the code by adding a new article, designated §30-8B-1, §30-8B-2, §30-8B-3, §30-8B-4, §30-8B-5, §30-8B-6, §30-8B-7, and §30-8B-8, relating to the practice of optometry; defining terms; updating rulemaking authority; modifying scope of practice; permitting the performance of certain procedures when trained; permitting the board to regulate the use of lasers by optometrists; setting forth laser certification requirements; establishing the minimum training; providing treatment guidelines; prohibiting certain practices; and providing for exemption from specified review requirements.”

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. 617, Discouraging gang activity; on third reading, coming up in regular order, was reported by the Clerk.

On motion of Delegate Lewis, the amendment was rejected.

Delegate Lewis moves to amend “SB617 HFA Akers 4-9 #1” on page 1, line 2, by striking out the words “whether formal or informal” and inserting in lieu thereof, the words “in which the members collectively identify themselves by adopting a group identity”.

On motion of Delegate Akers, the amendment was adopted.

Delegate Akers moved to amend the committee substitute on page 1, section 2, lines 2 through 5, by striking subdivision (1) in its entirety and inserting in lieu thereof the following:

“(1) “Gang” means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its activities the commission of one or more qualifying offenses, and whose members engage in or have engaged in qualifying offenses.”

The Clerk read the bill a third time, as amended.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 433**), 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, Horst, Lewis, Pushkin and Williams.

Absent and Not Voting: Hall, Hite and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 617) passed.

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

S. B. 617 — “A Bill to amend and reenact §61-13-1, §61-13-2, and §61-13-3 of the Code of West Virginia, 1931, as amended, relating to organized criminal enterprises; amending the findings to include gangs and gang activity; creating a definition of gang; adding gang activity to offenses punishable by this section; adding certain qualifying offenses to be subject to the Anti-Organized Criminal Enterprise Act; clarifying that certain offenses are separate and distinct crimes; creating criminal penalties; and making technical corrections.”

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. 736, Relating to publication of registered lobbyist information; 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. 434**), 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: Hall, Street, Vance and Williams.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 736) passed.

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

Com. Sub. for S. B. 765, Establishing Troops-to-Teachers 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. 435**), 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: Fehrenbacher, Flanigan, Linville, Martin, McGeehan, Vance and Worrell.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 765) passed.

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

Com. Sub. for S. B. 861, Updating references to reflect consolidation of Information Services and Communications Division into Office of Technology; 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. 436**), 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: Flanigan, Martin, McGeehan and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 861) passed.

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

S. B. 862, Repealing antiquated language related to Voluntary Gilding Dome Check-Off 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. 437**), 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: Lewis, Martin, McGeehan and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 862) passed.

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

S. B. 863, Removing reference to Information Services and Communications Division; 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. 438**), 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: Martin, McGeehan and Vance.

So, a majority of the members present having voted in the affirmative, the Speaker declared the bill (S. B. 863) passed.

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. 225, Expanding powers of National Park Service law-enforcement officers; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Anders, the amendment was rejected.

Delegate Anders moved to amend the committee amendment on page 3, section 5, immediately following the last line by inserting the following new subsection:

“(f) Nothing in this section shall be construed to diminish the sovereignty of the State of West Virginia, nor to abrogate or infringe upon any rights reserved to the states under the Tenth Amendment to the Constitution of the United States. This section shall not serve as precedent for the expansion of federal authority over matters traditionally regulated by state or local government.”

On motion of Delegate Akers, the amendment was adopted.

The Committee on the Judiciary moved to amend the committee substitute by striking everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 10. COOPERATION BETWEEN LAW-ENFORCEMENT AGENCIES.

§15-10-5. Federal officers’ peace-keeping authority.

(a) Notwithstanding any provision of this code to the contrary, any person who is employed by the United States government as a federal law-enforcement officer and is listed in subsection (b) of this section, has the same authority to enforce the laws of this state, except state or local traffic laws or parking ordinances, as that authority granted to state or local law-enforcement officers, if one or more of the following circumstances exist:

(1) The federal law-enforcement officer is requested to provide temporary assistance by the head of a state or local law-enforcement agency or the designee of the head of the agency and that request is within the state or local law-enforcement agency’s scope of authority and jurisdiction and is in writing: *Provided*, That the request does not need to be in writing if an emergency situation exists involving the imminent risk of loss of life or serious bodily injury;

(2) The federal law-enforcement officer is requested by a state or local law-enforcement officer to provide the officer temporary assistance when the state or local law-enforcement officer is acting within the scope of the officer’s authority and jurisdiction and where exigent circumstances exist; or

(3) A felony is committed in the federal law-enforcement officer’s presence or under circumstances indicating a felony has just occurred.

(b) This section applies to the following persons who are employed as full-time federal law-enforcement officers by the United States government and who are authorized to carry firearms while performing their duties:

(1) Federal Bureau of Investigation special agents;

(2) Drug Enforcement Administration special agents;

(3) United States Marshal’s Service marshals and deputy marshals;

(4) United States Postal Service inspectors;

(5) Internal Revenue Service special agents;

(6) United States secret service special agents;

(7) Bureau of Alcohol, Tobacco, and Firearms special agents;

(8) Police officers employed at the Federal Bureau of Investigation’s criminal justice information services division facility located within this state;

~~(9) Law enforcement commissioned rangers of the National Park Service.~~

~~(40)~~ (9) Department of Veterans Affairs Police and Department of Veterans Affairs special investigators;

~~(44)~~ (10) Office of Inspector General special agents; and

~~(42)~~ (11) Federal Air Marshals with the Federal Air Marshal Service;

(12) United States Fish and Wildlife Service special agents and law enforcement.

(13) Diplomatic Security Service special agents;

(14) Coast Guard special agents;

(15) Customs and Border Protection law-enforcement agents and officers;

(16) Department of Defense special agents;

(17) Federal Protective Service officers;

(18) Federal Bureau of Prisons officers; and

(19) Immigration and Customs Enforcement special agents and law-enforcement.

(c) Notwithstanding any provision of this code to the contrary, law enforcement commissioned rangers of the National Park Service have the powers of arrest, search, and seizure as to any offense under the laws of this state committed within the boundaries of a national park, national recreation area, or on other real property included in the National Park System.

(d) Notwithstanding any provision of this code to the contrary, law enforcement officers and special agents commissioned by the United States Forest Service have the powers of arrest, search, and seizure as to any offense under the laws of this state committed within the boundaries of national forests or on other real property managed or overseen by the United States Forestry Service and while acting in the scope of their official duties on such federally managed lands.

~~(e)~~ (e) Any person acting under the authority granted pursuant to this section:

(1) Has the same authority and is subject to the same exemptions and exceptions to this code as a state or local law-enforcement officer;

(2) Is not an officer, employee, or agent of any state or local law-enforcement agency;

(3) May not initiate or conduct an independent investigation into an alleged violation of any provision of this code except to the extent necessary to preserve evidence or testimony at risk of loss immediately following an occurrence described in subdivision (3), subsection (a) of this section: Provided, That law enforcement commissioned rangers of the National Park Service and law enforcement officers and special agents commissioned by the United States Forest Service may undertake an independent investigation pursuant to the authority described in subsections (c) and (d) of this section: *Provided, however,* That nothing in this section shall be construed to permit law enforcement officers of the National Park Service, or the United States Forest Service, to initiate or conduct investigations unrelated to activities occurring on federal lands managed or overseen by the National Park Service or the United States Forest Service;

(4) Is subject to 28 U.S.C. § 1346, the Federal Tort Claims Act; and

(5) Has the same immunities from liability as a state or local law-enforcement officer.”

The bill was then ordered to third reading.

Com. Sub. for S. B. 449, Permitting compressed air and rimfire shooting teams in public schools; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Ellington, the amendment was adopted.

The Committee on Education moved to amend the bill on page 2, section 46, line 19, after the words “rimfire rifles” adding the words “and ammunition”;

And

On page 2, section 46, line 19, after the word “access” adding a colon and the words “*Provided further*, That air rifles and rimfire rifles and ammunition stored on school buses shall be placed in a locked case and located in a specific location that is determined by state transportation director or the county transportation director.”

An amendment offered by Delegate Anders was reported by the Clerk.

Whereupon,

Delegate Anders asked and obtained unanimous consent to withdraw the amendment.

The bill was then ordered to third reading.

Com. Sub. for S. B. 722, Creating WV Short Line Railroad Modernization Act; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Criss, the amendment was adopted.

The Committee on Finance moved to amend the bill on page 5, section 8, following line 2, by adding “No entitlement to any tax credit authorized by this article may result from, and no credit is available to any person for, expenditures incurred subsequent to July 1, 2030.”

The bill was then ordered to third reading.

S. B. 734, Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan; on second reading, coming up in regular order, was read a second time and ordered to third reading,

S. B. 738, Terminating Employee Suggestion Award Board; on second reading, coming up in regular order, was read a second time and ordered to third reading,

Com. Sub. for S. B. 746, Allowing State Board of Education to delegate its Medicaid provider status to public charter schools; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Dillon, the amendment was rejected.

Delegate Dillon moves to amend the committee substitute for Senate Bill 746 on page 2, subsection (5), line 21, by striking the word "and" at the end of the sentence and adding the following:

"(6) The number and type of each psychotropic prescription in the aggregate issued in association with services provided through an educational service cooperative, school board, public charter school, or any combination of these under school-based Medicaid services; and"

and,

On line 22, by striking the number "6" and inserting in lieu thereof the number "7"

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. 439**), and there were—yeas 41, nays 56, absent and not voting 3, with the yeas and the absent and not voting being as follows:

Yeas: Adkins, Anders, Bridges, Brooks, Browning, Burkhammer, Butler, D. Cannon, Canterbury, Clay, Coop-Gonzalez, Dean, Dillon, Dittman, Eldridge, Ferrell, Funkhouser, Green, Horst, T. Howell, Jennings, Kimble, Leavitt, Linville, Lucas, Masters, Mazzocchi, Moore, Petitto, Phillips, Pinson, Pritt, Ridenour, Roop, Steele, Stephens, Street, Ward, White, Worrell and Zatezalo.

Absent and Not Voting: Martin, Sheedy and Vance.

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

The bill was then ordered to third reading.

Com. Sub. for S. B. 844, Exempting non-native quail and partridge from game farm requirement if owned for agricultural purposes; on second reading, coming up in regular order, was read a second time and ordered to third reading,

S. B. 876, Terminating certain requirements for Tax Commissioner to submit reports, publish information, and provide notice; on second reading, coming up in regular order, was read a second time and ordered to third reading,

S. B. 907, Relating to high impact development projects; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Criss, the amendment was adopted.

Delegate Criss moved to amend the Committee Amendment on page 2, section 23a, line 33, by striking the "\$30 million" and inserting in lieu thereof "\$20 million".

On motion of Delegate Riley, the amendment was adopted.

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

ARTICLE 15. WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY.**§31-15-23a. Economic Development Project Fund.**

(a) For the purposes of this section:

"Eligible broadband provider" has the meaning provided in §31-15-8a of this code.

"Federally funded broadband expansion program" has the meaning provided in §31-15-8a of this code.

"High-impact development project" means a project meeting the following criteria, according to a resolution adopted by the authority:

(A) The Governor has requested, in writing, that the project be approved for financing certain economic development financial assistance by the authority in an amount of \$50 million or greater;

(B) The industrial development agency or enterprise undertaking the project will privately invest an amount of \$50 million or greater in the project; and

(C) The project meets or exceeds the loan per job ratio criteria for high-impact development projects that may be established, in consultation with the Secretary of the Department of Economic Development Commerce and the Executive Director of the Division of Economic Development, by the board of directors. In assessing a project and the economic development financial assistance package proposed by the Governor, the board of directors shall take regional and local economic factors into account when making a determination that the loan per job ratio criteria has been met.

(b) There is hereby created a special revenue fund in the State Treasury known as the Economic Development Project Fund. The fund shall consist of all moneys appropriated to the authority during the regular session of the Legislature, 2022, from available revenue surplus funds; transfers from the Industrial Development Loans Fund; gifts, grants, and contributions to the fund; any earnings or interest accruing to said fund; and any other moneys appropriated to said fund by the Legislature. The authority may invest and reinvest moneys in the fund with the West Virginia Investment Management Board or the Board of Treasury Investments.

(c) The authority may transfer funds in the Industrial Development Loans Fund to the Economic Development Project Fund created by this section and any loan repayments or other amounts that would otherwise have been paid into the Industrial Development Loans Fund may be paid into the Economic Development Project Fund created by this section.

(d) The authority may use moneys in the Economic Development Project Fund to offer incentives for business formation or expansion and provide assistance with site development or other concerns to industrial development agencies or enterprises according to the requirements of this article as set forth in this subsection: Provided, That annually up to \$30 million dollars may be exempted from the requirements of the high-impact development project definition and be allowable to be spent out of the Economic Development Project Fund.

(1) *High-impact development projects.* — In addition to any powers granted to the authority under any other section of this code, the authority may finance any high-impact development project under this section by offering incentives for business formation or expansion to industrial

development agencies or enterprises in this state in the form of loans, grants, or other offers of financial assistance or aid upon such terms as the Governor may request and the authority shall deem appropriate: *Provided*, ~~That moneys available to fund such high impact development projects may not exceed \$300 million dollars annually, unless otherwise appropriated by the Legislature or increased by interest payments received pursuant to this subsection~~ That the board of directors shall consider the overall availability of funds in the Economic Development Project Fund and the Industrial Development Loan Fund in making determinations related to economic development financial assistance packages for high-impact development projects. Funds which are paid back to the authority as principal pursuant to this subsection may be utilized and reloaned by the authority for the same purpose. Any interest accruing shall be retained and made available for high-impact projects as set forth in this subsection and shall not revert to the General Revenue Fund.

(2) *Traditional loans.* — The authority may finance any economic development project under this section by offering incentives for business formation or expansion to industrial development agencies or enterprises in this state in the form of loans, which shall be repaid to provide financing for subsequent borrowers: *Provided*, That moneys available to fund such traditional loans may not exceed \$250 million dollars annually, on a rolling basis, unless otherwise appropriated by the Legislature or increased by interest payments received pursuant to this subsection. Funds which are paid back to the authority as principal pursuant to this subsection may be utilized and reloaned by the authority for the same purpose. Any interest accruing shall be retained and made available for traditional loans as set forth in this subsection and shall not revert to the General Revenue Fund.

(3) *Business retention projects.* — The authority may finance any economic development project under this section by offering incentives for business development and expansion to industrial development agencies or enterprises already existing and operating in the state of West Virginia in the form of loans, which shall be repaid to provide financing for subsequent borrowers: *Provided*, That moneys available to fund such business retention loans may not exceed \$50 million dollars annually, on a rolling basis, unless otherwise appropriated by the Legislature or increased by interest payments received pursuant to this subsection. Funds which are paid back to the authority as principal pursuant to this subsection may be utilized and reloaned by the authority for the same purpose. Any interest accruing shall be retained and made available for business retention projects as set forth in this subsection and shall not revert to the General Revenue Fund.

(4) *Federal broadband expansion projects.* — The authority may use moneys in the fund to provide incentives for eligible broadband providers to participate in federally funded broadband expansion programs: *Provided*, That the moneys available for such incentives may not exceed \$25 million annually, on a rolling basis, unless otherwise appropriated by the Legislature or increased by interest payments or investment earnings on said moneys.

(5) *Broadband loan insurance.* — The authority may transfer moneys from the fund to the Insurance Fund, created in §31-15-8 of this code, in amounts necessary to issue loan insurance to eligible broadband providers: *Provided*, That the moneys available for transfer pursuant to this subdivision may not exceed \$125 million annually, on a rolling basis, unless otherwise appropriated by the Legislature or increased by interest payments or investment earnings on said moneys. With regard to any loan insurance issued using the moneys transferred pursuant to this subdivision, the authority shall follow the requirements of §31-15-8a of this code.

(e) The authority shall keep itemized records of all fund transactions and agreements entered into in furtherance of the Economic Development Project Fund expenditures. In administering the fund, the authority shall adopt appropriate accounting practices and internal controls, including, but not limited to, strict compliance with the requirements of §5A-8-9 of this code. Fund transactions shall be subject to an annual audit by an independent firm of certified public accountants.

(f) The authority shall prepare and submit to the Joint Committee on Government and Finance and the Governor an annual report addressing the status of each project with outstanding financing issued pursuant to this section. The report shall, at a minimum, provide project-specific data addressing:

- (1) The outstanding amount of authority financing for each project;
- (2) The total amount of private investment in each project;
- (3) The number of jobs created by each project since the project's inception; and
- (4) The number of jobs maintained by each project.

(g) Except for the records and audit required under subsection (e) of this section, and the annual reports required under subsection (f) of this section, any documentary material, data, or other writing made or received by the authority relating to high-impact development projects under this section, shall be exempt from §29B-1-1 *et seq.* of this code: *Provided*, That any agreement or resolution entered into or signed by the authority which obligates public funds for any high-impact development project shall be subject to inspection and copying pursuant to §29B-1-1 *et seq.* of this code as of the date the agreement or resolution is entered into, signed, or otherwise made public.

The bill was then ordered to third reading.

S. B. 939, Relating to testing for substance use disorder; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Worrell, the amendment was adopted.

The Committee on Health and Human Resources moved to amend the bill on page 1, section 4a, line 1, by striking subsection (a) in its entirety and inserting a new subsection (a) to read as follows:

“(a) Upon patient admission to a medication-assisted treatment program, the provider shall conduct a clinically appropriate drug test, which may include direct observation, if the provider determines the patient is at high risk.”

And,

On page 1, line 3, by striking, “After this time and continuing for six weeks,” and inserting in lieu thereof, “At minimum,”

And,

On page 1, line 3, by striking the word, “quantitative” and inserting in lieu thereof the word, “qualitative”

And,

On page 1, lines 9 and 10 by striking, “the patient must be willing to produce a direct observation qualitative or quantitative test upon the provider request.” and inserting in lieu thereof, “the patient shall comply with a physician ordered direct observation qualitative or quantitative test.”

On motion of Delegate Pushkin, the amendment was adopted.

Delegate Pushkin moves to amend the bill on page 1, section 4a after line 10, by inserting a new subsection (f), to read as follows:

“(f) Each patient admitted to an office-based medication-assisted treatment program shall be offered testing for blood-borne communicable diseases, including HIV and hepatitis C, as part of the initial assessment.”

The bill was then ordered to third reading.

H. B. 3356, Supplemental Appropriation - Education - Hope Scholarship; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading,

H. B. 3357, Supplemental Appropriation - Lottery Surplus - Hope Scholarship; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Hornbuckle, the amendment was rejected.

Delegate Hornbuckle moves to amend the bill on page 1, Item 343, by striking out line 11 in its entirety and inserting in lieu thereof, the following:

“1a Safe Schools – Lottery Surplus	14300	33,804,764”
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The bill was then ordered to engrossment and third reading.

H. B. 3360, Supplemental Appropriation - EDA Bridge Loan Fund; on second reading, coming up in regular order, was read a second time,

On motion of Delegate Criss, the amendment was adopted.

Delegate Criss moved to amend the bill on page 1, line 4, by striking out the number \$28,564,089.61 and inserting in lieu thereof the number \$28,693,181.72.

The bill was then ordered to engrossment and third reading.

And,

Com. Sub. for H. B. 3369, Supplemental Appropriation - Education - Enrollment; on second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

First Reading

S. B. 75, Changing distribution of income from excess lottery fund; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Delegate Pritt moved that the bill be rejected on first reading.

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

Having been ordered, the yeas and nays were taken (**Roll No. 440**), and there were—yeas 9, nays 88, absent and not voting 3, with the yeas and the absent and not voting being as follows:

Yeas: Bridges, Brooks, Butler, Clay, Dillon, Jennings, Linville, Pritt and White.

Absent and Not Voting: Flanigan, Martin and Vance.

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

Com. Sub. for S. B. 154, Prohibiting sexual orientation instruction in public schools; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 158, Modifying eligibility requirements for serving as member of State Board of Education; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 474, Ending diversity, equity, and inclusion programs; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 581, Relating to school attendance and student participation in 4-H activities; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 586, Relating to requirements for filling vacancies in certain elected federal, state, and county offices; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 652, Expanding cardiac arrest provisions to be applicable to elementary schools; on first reading, coming up in regular order, was read a first time and ordered to second reading,

S. B. 747, Relating to Real Estate License Act; 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.

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

Com. Sub. for S. B. 790, Requiring quarterly reporting by certain water and wastewater utilities; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 794, Authorizing DOH to erect warning signs; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 800, Relating to insurance holding company systems; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 825, Permitting higher education institutions enter agreements with non-profit organizations for economic development and job creation; on first reading, coming up in regular order, was read a first time and ordered to second reading,

S. B. 856, Removing certain reporting requirements to Joint Committee on Government and Finance; on first reading, coming up in regular order, was read a first time and ordered to second reading,

S. B. 866, Requiring WV Board of Education to promulgate legislative rule in consultation with WV Board of Physical Therapy; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 911, Relating to adjunct teaching permits; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 912, Relating to student growth assessment program; on first reading, coming up in regular order, was read a first time and ordered to second reading,

Com. Sub. for S. B. 914, Relating to testing and attendance requirements for private, parochial, and church schools; on first reading, coming up in regular order, was read a first time and ordered to second reading,

S. B. 940, Relating to Water Pollution Control Act; on first reading, coming up in regular order, was read a first time and ordered to second reading,

S. B. 941, Clarifying authority regarding dams designed by US Conservation Service; on first reading, coming up in regular order, was read a first time and ordered to second reading,

H. B. 3349, Supplemental Appropriation - Medicaid; on first reading, coming up in regular order, was read a first time and ordered to second reading,

H. B. 3352, Supplemental Appropriation - Human Services - Medicaid; on first reading, coming up in regular order, was read a first time and ordered to second reading,

H. B. 3359, Supplemental Appropriation - EDA and Medicaid Net Zero; on first reading, coming up in regular order, was read a first time and ordered to second reading,

And,

H. B. 3371, Supplemental Appropriation - HLFC to OIG Net Zero; on first reading, coming up in regular order, was read a first time and ordered to second reading.

1:44 p.m., on motion of Delegate McGeehan, the House of Delegates recessed until 6:00 p.m.

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Evening Session

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

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect July 1, 2025, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2152, Prompt Payment Act of 2025.

A message from the Senate, by

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

H. B. 2444, Relating to limiting financial records of limited video lottery permittees that are subject to examination by Lottery Commission.

A message from the Senate, by

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

H. B. 2484, Clarifying the probationary period for paid municipal firefighters.

A message from the Senate, by

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

Com. Sub. for H. B. 2711, Relating to the repeal of the common law rule against perpetuities by extending it to 1,000 years for all trusts.

A message from the Senate, by

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

Com. Sub. for H. B. 2761, Relating generally to magistrate courts.

A message from the Senate, by

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

Com. Sub. for H. B. 2897, Permitting the Legislative Auditor to conduct periodic performance and financial audits of the West Virginia Department of Education.

A message from the Senate, by

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

H. B. 2943, Administration of the West Virginia Hazardous Waste Management Act.

A message from the Senate, by

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

Com. Sub. for H. B. 2964, Amending residency requirements for regional airport boards.

A message from the Senate, by

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

Com. Sub. for H. B. 3012, Relating to Lottery Money Distribution.

A message from the Senate, by

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

H. B. 3157, Relating to shortened procedure for road condition claims.

A message from the Senate, by

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

Com. Sub. for H. B. 3342, Firearms Industry Nondiscrimination Act.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 3350, Supplemental Appropriation - DCR - Corrections – 0608.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates, as follows:

H. B. 3361, Supplemental Appropriation - Health, Birth to Three.

A message from the Senate, by

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

H. B. 3456, Relating to the powers and duties of the Commissioner of the Division of Corrections and Rehabilitation regarding Stevens Correctional Center.

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:

H. C. R. 96, Urging West Virginia's members of Congress to ask the President not to cut funding for the Local Food in Schools and Child Care nutrition.

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. 937 - "A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Economic Development – Office of the Secretary, fund 0256, fiscal year 2025, organization 0307, by adding a new item of appropriation for the fiscal year ending June 30, 2025"; which was referred to the Committee on Finance.

Committee Reports

On motion for leave, a bill was introduced (Originating in the Committee on Finance and reported with the recommendation that it do pass), which was read by its title, as follows:

By Delegates Riley, Gearheart, Rohrbach, Criss, Fehrenbacher, Hott, Anderson, Hite, Statler and Canterbury:

H. B. 3520 - "A Bill expiring funds to the surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2025, in the amount of \$1,000,000 from the Fire Commission – Fire Marshal Fees, fund 6152, fiscal year 2025, organization 0619; in the amount of \$7,210 from the Office of Energy – Energy Assistance, fund 3010, fiscal year 2025, organization 0307; in the amount of \$435,000 from the Division of Natural Resources – Planning and Development Division, fund 3205, fiscal year 2025, organization 0310; in the amount of \$750,000 from the Division of Labor – Elevator Safety Fund, fund 3188, fiscal year 2025, organization 0308; in the amount of \$250,000 from the Contractor Licensing Board Fund, fund 3187, fiscal year 2025, organization 0951; in the amount of \$500,000 from the Division of General Services, fund 2461, fiscal year 2025, organization 0211; in the amount of \$3,000,000 from the Criminal Law Research Center Fund, fund 2420, fiscal year 2025, organization 0221; in the amount of \$20,000,000 from the Treasurer's Office, fund 8692, fiscal year 2025, organization 1300; in the amount of \$30,000,000 from the Insurance Commissioner – Insurance Commission Fund, fund 7152, fiscal year 2025, organization 0704; and in the amount of \$250,000 from the Division of Labor – Bedding and Upholstery Fund, fund 3198, fiscal year 2025, organization 0308, and making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as a surplus balance in the State Fund, General Revenue, to the Joint Expenses, fund 0175, fiscal year 2025, organization 2300, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025."

At the request of Delegate McGeehan, and by unanimous consent, the bill (H. B. 3520) was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion for leave, a bill was introduced (Originating in the Committee on Finance and reported with the recommendation that it do pass), which was read by its title, as follows:

By Delegates Rohrbach, Hornbuckle, Mazzocchi, Hott and Fehrenbacher:

H. B. 3521 - "A Bill expiring funds to the surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2025, in the amount of \$1,192,452 from the Attorney General – Consumer Protection Recovery Fund, fund 1509, fiscal year 2025, organization 1500, and making a supplementary appropriation of public moneys out of the Treasury from the balance of

moneys remaining as a surplus balance in the State Fund, General Revenue, to the Department of Health – Central Office, fund 0407, fiscal year 2025, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025."

At the request of Delegate McGeehan, and by unanimous consent, the bill (H. B. 3521) was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Finance has had under consideration:

S. B. 561, Relating to Uniform Special Deposits Act,

And,

Com. Sub. for S. B. 677, Increasing fees charged by Commissioner of Securities for each offering,

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

At the request of Delegate McGeehan, and by unanimous consent, the bills (S. B. 561 and Com. Sub. for S. B. 677) were each taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Finance has had under consideration:

Com. Sub. for S. B. 35, Permitting campus police officers to participate in Deputy Sheriffs Retirement System,

And,

Com. Sub. for S. B. 576, Authorizing fixed odds racing in horse and dog racing,

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

At the request of Delegate McGeehan, and by unanimous consent, the bills (S. B. 35 and Com. Sub. for S. B. 576) were each taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Government Organization has had under consideration:

Com. Sub. for S. B. 427, Permitting certain teenagers to work without obtaining work permit,

Com. Sub. for S. B. 503, Allowing sheriffs to appoint more than one chief deputy with consent of county commission,

Com. Sub. for Com. Sub. for S. B. 587, Relating generally to government contracting,

And,

S. B. 837, Eliminating WV Office of Equal Opportunity,

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

At the request of Delegate McGeehan, and by unanimous consent, the bills (Com. Sub. for S. B. 427, Com. Sub. for S. B. 503, Com. Sub. for Com. Sub. for S. B. 587, and S. B. 837) were each taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on the Judiciary has had under consideration:

Com. Sub. for S. B. 102, Modifying form of certain deeds,

Com. Sub. for S. B. 196, Lauren's Law,

S. B. 280, Displaying official US motto in public schools,

S. B. 483, Increasing civil penalties for failure to file required campaign finance reports,

Com. Sub. for S. B. 488, Clarifying definition of electioneering,

And,

Com. Sub. for Com. Sub. for S. B. 531, Relating to offenses of assault and battery on athletic officials,

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

At the request of Delegate McGeehan, and by unanimous consent, the bills (Com. Sub. for S. B. 102, Com. Sub. for S. B. 196, S. B. 280, S. B. 483, Com. Sub. for S. B. 488, and Com. Sub. for Com. Sub. for S. B. 531) were each taken up for immediate consideration, read a first time, and ordered to second reading.

On motion for leave, a resolution was introduced (Originating in the Committee on Health and Human Resources and reported with the recommendation that it be adopted), which was read by its title, as follows:

By Delegates Amos, Anders, Burkhammer, Chiarelli, W. Clark, Dean, Drennan, Hall, Hamilton, Heckert, Hite, Jeffries, Lewis, Masters, Mazzocchi, Miller, Petitto, Pinson, Pushkin, D. Smith, Stephens, Vance, Willis and Worrell:

H. C. R. 100 - "Requesting the Joint Committee on Government and Finance to study cooperative agreements and hospital pricing transparency in the State of West Virginia."

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:

Com. Sub. for S. B. 710, Relating to the practice of teledentistry,

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

At the request of Delegate McGeehan, and by unanimous consent, the bill (Com. Sub. for S. B. 710) was taken up for immediate consideration, read a first time, and ordered to second reading.

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:

Com. Sub. for Com. Sub. for S. B. 585, Relating to Cohen Craddock Student Athlete Safety Act,

Com. Sub. for Com. Sub. for S. B. 761, Creating Joel Archer Substance Abuse Intervention Act,

And,

S. B. 944, Creating WV Child First Advisory Committee,

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 Finance.

At the request of Delegate McGeehan, and by unanimous consent, the bills (Com. Sub. for Com. Sub. for S. B. 585, Com. Sub. for Com. Sub. for S. B. 761 and S. B. 944) were each read a first time before each being referred to the Committee on Finance.

At 6:42 p.m., the House of Delegates adjourned until 9:00 a.m., Thursday, April 10, 2025.

SPECIAL CALENDAR

Thursday, April 10, 2025

58th Day

9:00 A.M.

UNFINISHED BUSINESS

H. C. R. 100 - Requesting Joint Committee on Government and Finance to study cooperative agreements and hospital pricing transparency in the State of West Virginia

THIRD READING

Com. Sub. for S. B. 225 -	Expanding powers of National Park Service law-enforcement officers
Com. Sub. for S. B. 449 -	Permitting compressed air and rimfire shooting teams in public schools
Com. Sub. for S. B. 722 -	Creating WV Short Line Railroad Modernization Act
S. B. 734 -	Repealing section creating A. James Manchin Rehabilitation Environmental Action Plan
S. B. 738 -	Terminating Employee Suggestion Award Board
Com. Sub. for S. B. 746 -	Allowing State Board of Education to delegate its Medicaid provider status to public charter schools
Com. Sub. for S. B. 844 -	Exempting non-native quail and partridge from game farm requirement if owned for agricultural purposes
S. B. 876 -	Terminating certain requirements for Tax Commissioner to submit reports, publish information, and provide notice
S. B. 907 -	Relating to high impact development projects
S. B. 939 -	Relating to testing for substance use disorder
H. B. 3356 -	Supplemental Appropriation - Education - Hope Scholarship
H. B. 3357 -	Supplemental Appropriation - Lottery Surplus - Hope Scholarship
H. B. 3360 -	Supplemental Appropriation - EDA Bridge Loan Fund
Com. Sub. for H. B. 3369 -	Supplemental Appropriation - Education - Enrollment

SECOND READING

Com. Sub. for S. B. 35 -	Permitting campus police officers to participate in Deputy Sheriffs Retirement System
S. B. 75 -	Changing distribution of income from excess lottery fund
Com. Sub. for S. B. 102 -	Modifying form of certain deeds
Com. Sub. for S. B. 154 -	Prohibiting sexual orientation instruction in public schools
Com. Sub. for S. B. 158 -	Modifying eligibility requirements for serving as member of State Board of Education
Com. Sub. for S. B. 196 -	Lauren's Law
S. B. 280 -	Displaying official US motto in public schools
Com. Sub. for S. B. 299 -	Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment
Com. Sub. for S. B. 427 -	Permitting certain teenagers to work without obtaining work permit
Com. Sub. for S. B. 474 -	Ending diversity, equity, and inclusion programs
S. B. 483 -	Increasing civil penalties for failure to file required campaign finance reports
Com. Sub. for S. B. 488 -	Clarifying definition of electioneering
Com. Sub. for S. B. 503 -	Allowing sheriffs to appoint more than one chief deputy with consent of county commission
Com. Sub. for S. B. 526 -	Creating Pharmacist Prescribing Authority Act
Com. Sub. for S. B. 531 -	Relating to offenses of assault and battery on athletic officials
S. B. 561 -	Relating to Uniform Special Deposits Act
Com. Sub. for S. B. 576 -	Authorizing fixed odds racing in horse and dog racing
Com. Sub. for S. B. 581 -	Relating to school attendance and student participation in 4-H activities
Com. Sub. for S. B. 586 -	Relating to requirements for filling vacancies in certain elected federal, state, and county offices
Com. Sub. for S. B. 587 -	Relating generally to government contracting
Com. Sub. for S. B. 592 -	Relating generally to aboveground storage tanks
Com. Sub. for S. B. 652 -	Expanding cardiac arrest provisions to be applicable to elementary schools
Com. Sub. for S. B. 677 -	Increasing fees charged by Commissioner of Securities for each offering

Com. Sub. for S. B. 710 -	Relating to the practice of teledentistry
S. B. 747 -	Relating to Real Estate License Act
Com. Sub. for S. B. 790 -	Requiring quarterly reporting by certain water and wastewater utilities
Com. Sub. for S. B. 794 -	Authorizing DOH to erect warning signs
Com. Sub. for S. B. 800 -	Relating to insurance holding company systems
Com. Sub. for S. B. 825 -	Permitting higher education institutions enter agreements with non-profit organizations for economic development and job creation
Com. Sub. for S. B. 833 -	Excluding pharmaceutical medication from prior authorization gold card process
S. B. 837 -	Eliminating WV Office of Equal Opportunity
S. B. 856 -	Removing certain reporting requirements to Joint Committee on Government and Finance
S. B. 866 -	Requiring WV Board of Education to promulgate legislative rule in consultation with WV Board of Physical Therapy
Com. Sub. for S. B. 883 -	Providing director of WV Office of Miners' Health, Safety and Training discretion and authority in certain appointments
Com. Sub. for S. B. 911 -	Relating to adjunct teaching permits
Com. Sub. for S. B. 912 -	Relating to student growth assessment program
Com. Sub. for S. B. 914 -	Relating to testing and attendance requirements for private, parochial, and church schools
S. B. 940 -	Relating to Water Pollution Control Act
S. B. 941 -	Clarifying authority regarding dams designed by US Conservation Service
S. B. 942 -	Modifying requirements for diesel-powered equipment in mines
H. B. 3349 -	Supplemental Appropriation - Medicaid
H. B. 3352 -	Supplemental Appropriation - Human Services - Medicaid
H. B. 3359 -	Supplemental Appropriation - EDA and Medicaid Net Zero
H. B. 3371 -	Supplemental Appropriation - - HLFC to OIG Net Zero
H. B. 3520 -	Expiring funds to the surplus balance in the State Fund, General Revenue, Office of Energy
H. B. 3521 -	Expiring funds to the surplus balance in the State Fund, General Revenue, Consumer Protection Recovery Fund

FIRST READING

Com. Sub. for S. B. 748 - Creating Safer Communities Act

HOUSE CALENDAR

Thursday, April 10, 2025

58th 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 S. B. 904 - Clarifying requirements for Commissioner of Bureau for Public Health

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

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