

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE
REGULAR SESSION, 2024
SECOND DAY

Charleston, West Virginia, Thursday, January 11, 2024

The Senate met at 11:08 a.m.

(Senator Blair, Mr. President, in the Chair.)

Prayer was offered by Jason Whitlock, Director of Youth With A Mission West Virginia in Keyser, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Jack David Woodrum, a senator from the tenth district.

Pending the reading of the Journal of Wednesday, January 10, 2024,

At the request of Senator Woelfel, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the fourth order of business.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Senate Bills 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, DEP rule relating to alternative emission limitations during startup and shutdown operations.

And reports back a committee substitute for same with the following title:

Com. Sub. for Senate Bill 2 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-3-1 *et seq.* of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Environmental Protection to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to alternative emission limitations during startup and shutdown operations;

authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of particulate matter air pollution from the combustion of fuel in indirect heat exchangers; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from the operation of hot mix asphalt plants; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from the operation of coal preparation plants, coal handling operations and coal refuse disposal areas; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from combustion of refuse; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of particulate matter air pollution from manufacturing processes and associated operations; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to ambient air quality standards; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from the emission of sulfur oxides; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to standards of performance for new stationary sources; authorizing the Department of Environmental Protection to promulgate a legislative rule relating to control of air pollution from the emission of volatile organic compounds; authorizing the Department of the Environmental Protection to promulgate a legislative rule relating to emission standards for hazardous air pollutants; authorizing the Department of the Environmental Protection to promulgate a legislative rule relating to control of greenhouse gas emissions from existing coal-fired electric utility generating units; authorizing the Department of the Environmental Protection to promulgate a legislative rule relating to administration of Drinking Water Treatment Revolving Fund and safe drinking water set-asides; authorizing the Department of the Environmental Protection to promulgate a legislative rule relating to hazardous waste management system; and authorizing the Department of the Environmental Protection to promulgate a legislative rule relating to underground injection control.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,
Chair.

The Senate proceeded to the sixth order of business.

On motions for leave, severally made, the following bills were introduced, read by their titles, and referred to the appropriate committees:

By Senator Phillips:

Senate Bill 201—A Bill to amend and reenact §11-13A-3 of the Code of West Virginia, 1931, as amended, relating to providing an exemption from the state severance tax for coal sold to coal-fired power plants located within the state of West Virginia.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Hamilton:

Senate Bill 202—A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to requiring certain municipalities to pay for the incarceration of inmates arrested by the municipality's police.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Hamilton:

Senate Bill 203—A Bill to amend and reenact §3-8-2b of the Code of West Virginia, 1931, as amended, relating to requiring a political action committee to disclose the names and addresses of its contributors to the Secretary of State.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Hamilton:

Senate Bill 204—A Bill to amend and reenact §16-4D-1, §16-4D-2, §16-4D-3, and §16-4D-4 of the Code of West Virginia, 1931, as amended, all relating to automated external defibrillator devices; stating findings; revising definitions; modifying automated external defibrillator registration requirements; eliminating requirement to designate medical director; and clarifying limitation on liability.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senators Deeds, Grady, Plymale, Takubo, and Woodrum:

Senate Bill 205—A Bill to amend and reenact §16-29E-2, §16-29E-3, §16-29E-5, §16-29E-6, and §16-29E-7 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto four new sections, designated §16-29E-8, §16-29E-9, §16-29E-10, and §16-29E-11, all relating to the Legislative Oversight Commission on Health and Human Resources Accountability; providing legislative finding; defining terms; updating the powers of the commission; permitting the commission to enter into executive sessions; exempting certain information from the Freedom of Information Act; requiring the development of performance measures; requiring departments to submit annual reports; and updating information the commission is required to report.

Referred to the Committee on Health and Human Resources; and then to the Committee on Government Organization.

By Senator Karnes:

Senate Bill 206—A Bill to amend and reenact §17C-6-2 of the Code of West Virginia, 1931, as amended, relating to the establishment of an 80 miles per hour speed limit on interstate highways and four-lane limited access highways in this state; and providing an exception for portions of those highways passing through city limits.

Referred to the Committee on Transportation and Infrastructure.

By Senator Karnes:

Senate Bill 207—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-12b, relating to collecting and analyzing statistical information pertaining to termination of pregnancies under the West Virginia Medicaid Program; declaring legislative objectives; requiring the submission of reporting forms by providers; providing for patient confidentiality; specifying required information; providing for the collection and aggregation of data; permitting access to de-identified data; and requiring the creation of analytical reports.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 208—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, and §11-13NN-9, all relating to establishing a tax credit for certain physicians who locate in this state to practice; providing for criteria for the tax credit; establishing education requirements; setting forth a time limit to claim the tax credit; setting forth length of residency requirements; setting forth findings; defining terms; authorizing the credit; specifying the amount of the tax credit; providing how the credit may be asserted; specifying no tax credit carryover; allowing forms and schedules to be established by the Tax Commissioner in rule; setting maximum amount of tax credit allowed per taxpayer per year; authorizing the Tax Commissioner to promulgate rules; and setting effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 209—A Bill to amend and reenact §11-21-3 of the Code of West Virginia, 1931, as amended, relating to the personal income tax; and exempting certain irrevocable trusts from the personal income tax.

Referred to the Committee on Finance.

By Senator Swope:

Senate Bill 210—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-32-1, §5-32-2, §5-32-3, §5-32-4, and §5-32-5, all relating to state recognition of Native American Tribes; defining terms; designating certain tribes as recognized by the state; establishing criteria for state recognition of additional tribes; authorizing unique trademarks for certain arts and crafts; prohibiting gambling and/or reservations; and providing penalty for unauthorized use of trademark.

Referred to the Committee on the Judiciary.

By Senator Phillips:

Senate Bill 211—A Bill to amend and reenact §20-2-27 of the Code of West Virginia, 1931, as amended, relating to wildlife resources; and allowing the children and grandchildren of a landowner in West Virginia to hunt and fish on private land regardless of residency status without a permit or license, or hunt and fish on their own land during open seasons in accordance with laws and rules.

Referred to the Committee on Agriculture and Natural Resources.

By Senator Phillips:

Senate Bill 212—A Bill to amend and reenact §11-13A-6a of the Code of West Virginia, 1931, as amended, relating to providing that all coal severance tax shall be provided to the county that produced the coal.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 213—A Bill to amend and reenact §17A-3-14 of the Code of West Virginia, 1931, as amended, relating to issuing license plates for medical conditions that might lead to erratic driving; providing requirements to obtain plates; and establishing initial and renewal fees for license plates.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Phillips:

Senate Bill 214—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §31A-9-1, §31A-9-2, §31A-9-3, and §31A-9-4, all relating to the creation of the Fair Access to Financial Services Act; providing for a short title; providing for definitions; providing for legislative findings; and providing for enactment of the article.

Referred to the Committee on Banking and Insurance.

By Senator Tarr:

Senate Bill 215—A Bill to amend and reenact §17C-15-36a of the Code of West Virginia, 1931, as amended, relating to modification of the permissible percentage of light transmission for sun-screening devices used in automotive safety glazing.

Referred to the Committee on Transportation and Infrastructure.

By Senator Woodrum:

Senate Bill 216—A Bill to amend and reenact §30-8A-1 of the Code of West Virginia, 1931, as amended, relating to extending the time that a prescription for contact lenses or spectacles remains valid; revising definitions; expanding scope of said section to include prescriptions by ophthalmologists; and extending length of time prescriptions for contact lenses and spectacles remain valid.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 217—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-22-4, relating to providing the state and its political subdivisions with the ability and a process by which to negotiate a lower price for construction work when all bids received exceed the maximum budgeted amount.

Referred to the Committee on Government Organization.

By Senator Weld:

Senate Bill 218—A Bill to amend and reenact §21A-2C-1, §21A-2C-2, §21A-2C-3, §21A-2C-4, §21A-2C-5, and §21A-2C-6 of the Code of West Virginia, 1931, as amended, all relating to renaming the act to Military Incentive Program; extending program to all veterans; updating definitions; naming Work Force West Virginia as the only agency administering program; and establishing rulemaking.

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 219—A Bill to amend and reenact §60A-4-416 of the Code of West Virginia, 1931, as amended, relating generally to the Uniform Controlled Substances Act; defining and clarifying

the phrases "engaged in the illegal use of a controlled substance with another person" and "seek medical assistance"; and establishing criminal penalties.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 220—A Bill to amend and reenact §23-4-1 of the Code of West Virginia, 1931, as amended, relating to compensable diseases of certain firefighters covered by workers' compensation; establishing rebuttable presumption of injury arising out of, and in the course of, employment for certain covered firefighters that develop bladder cancer, mesothelioma, and testicular cancer; and providing that the rebuttable presumption expires on July 1, 2026, unless extended by the Legislature.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 221—A Bill to amend and reenact §61-8-19 of the Code of West Virginia, 1931, as amended, relating to cruelty to animals; creating the felony offense of aggravated cruelty to animals; creating the felony offense of malicious killing, torture, or mutilation of an animal; providing criminal penalties for these offenses; modifying the elements of the existing offense of cruelty to animals; and defining a term.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 222—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-5-24, relating to the development of an incentive plan for West Virginia veterans which includes reductions and discounts in fees and charges at state parks.

Referred to the Committee on Military.

By Senator Rucker:

Senate Bill 223—A Bill to amend and reenact §16-3-1 of the Code of West Virginia, 1931, as amended, relating to ensuring that no law may require a person to receive or use a medical product; and ensuring there will be no penalties imposed, nor benefit denied, due to refusing a medical product or refusing to disclose whether a medical product has been used or not.

Referred to the Committee on Health and Human Resources.

By Senator Tarr:

Senate Bill 224—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-8D-4b, relating to providing a definition of "drag shows"; prohibiting funding from governmental entities for drag shows; prohibiting minors from being involved in or attending drag shows; and providing for penalties associated with violations of these provisions.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 225—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §12-3-21, relating to establishing the revocation of authority for spending by an agency in support of a challenge to West Virginia law.

Referred to the Committee on Finance.

By Senator Tarr:

Senate Bill 226—A Bill to amend and reenact §19-12A-5 of the Code of West Virginia, 1931, as amended, relating to precluding the Department of Agriculture from canceling certain leases; removing language allowing cancellation of any lease which the Department of Agriculture is a party and the consideration is less than \$5 an acre; and making technical corrections.

Referred to the Committee on Agriculture and Natural Resources.

By Senator Tarr:

Senate Bill 227—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §12-10-1 and §12-10-2, all relating to prompt payment of legitimate, uncontested invoices by state agencies providing that registered and qualified vendors shall be entitled to prompt payment upon presentation to a state agency of a legitimate, uncontested invoice; providing the rate of interest and manner of calculation; determining the date an invoice is considered received by a state agency; outlining rights of state agencies to receive updated invoices with interest prior to payment; requiring state agencies to explain and calculate interest on the payment claim at the time it is submitted to the State Auditor; providing the timeline in which state agencies shall process payments; providing the timeline in which state agencies shall process payments for other agencies; providing for the definition of a "state agency"; and providing for exceptions.

Referred to the Committee on Finance.

By Senator Woodrum:

Senate Bill 228—A Bill to amend and reenact §5-16-7 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §9-5-34; to amend said code by adding thereto a new section, designated §33-15-4x; to amend said code by adding thereto a new section, designated §33-16-3rr; to amend said code by adding thereto a new section, designated §33-24-7y; to amend said code by adding thereto a new section, designated §33-25-8v; and to amend said code by adding thereto a new section, designated §33-25A-8y, all relating to requiring medically necessary care and treatment to address congenital anomalies associated with cleft lip and cleft palate; setting forth eligibility age; required coverage; exclusions; coverage terms; and effective date.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Smith:

Senate Bill 229—A Bill to amend and reenact §7-18-14 of the Code of West Virginia, 1931, as amended, relating to the proceeds and application of the hotel occupancy tax; providing a legislative finding; and providing that the allocation of the hotel occupancy tax is subject to the sole discretion of the municipality or county commission.

Referred to the Committee on Economic Development.

By Senator Smith:

Senate Bill 230—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §22-37-1, §22-37-2, §22-37-3, and §22-37-4, all relating to creating the West Virginia Coal Marketing Program; providing for the purpose of the program;

creating funding for the program and empowering the Governor to report on the program to the Joint Committee on Government and Finance; providing for rules; and providing for an effective date.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Smith:

Senate Bill 231—A Bill to amend and reenact §11-6A-5a of the Code of West Virginia, 1931, as amended, relating to pollution control facilities tax treatment; clarifying that wind power projects are not pollution control facilities for certain purposes; and providing that wind power projects be taxed as real property.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Finance.

By Senator Smith:

Senate Bill 232—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-3-11; and to amend said code by adding thereto a new article, designated §17-30-1, §17-30-2, §17-30-3, §17-30-4, and §17-30-5, all relating generally to enhancing maintenance and repair of the state's roads and highways; creating the Special Road Repair Fund as a subaccount of the State Road Fund; authorizing the Commissioner of the Division of Highways to transfer certain funds into the subaccount for certain purposes; creating the Enhanced Road Repair and Maintenance Program; stating legislative findings and purpose of program; requiring Division of Highways county supervisors consult with county commissions and legislators to submit project requests to the Division of Highways; setting forth a funding formula; setting forth requirements concerning bidding, vendors, and contracts with private vendors; specifying uses of Special Road Repair Fund; providing requirements for the Commissioner of the Division of Highways and districts; requiring for rulemaking; and requiring reporting by the Division of Highways and the Legislative Auditor.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Smith:

Senate Bill 233—A Bill to amend and reenact §3-5-5 of the Code of West Virginia, 1931, as amended, relating to the nomination and election of candidates for U.S. Congress; setting forth legislative findings and purpose; defining terms; setting forth residency requirements for candidacy; establishing early filing window for candidates; authorizing the Secretary of State to investigate the validity of candidate's residency; providing for legal standing and defense of statute; and setting forth rule-making authority and penalties.

Referred to the Committee on the Judiciary.

By Senator Smith:

Senate Bill 234—A Bill to amend and reenact §20-2-5 of the Code of West Virginia, 1931, as amended, relating to prohibiting taking or attempting to take turkeys with a rifle.

Referred to the Committee on Agriculture and Natural Resources.

By Senator Smith:

Senate Bill 235—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §36-4-9c, relating to providing for enhanced damages for nonpayment of royalties due from oil, natural gas, or natural gas liquids production under the terms of a lease or other agreement.

Referred to the Committee on Energy, Industry, and Mining.

By Senator Rucker:

Senate Bill 236—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-7h; to amend said code by adding thereto a new section, designated §9-5-32; to amend said code by adding thereto a new section, designated §33-15-4x; to amend said code by adding thereto a new section, designated §33-16-3ii; to amend said code by adding thereto a new section, designated §33-24-7y; to amend said code by adding thereto a new section, designated §33-25-8v; and to amend said code by adding thereto a new section, designated §33-25A-8y, all relating to requiring coverage for certain conditions; requiring coverage treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections; requiring coverage for treatment of pediatric acute onset neuropsychiatric syndrome; requiring a prior authorization to be obtained; and requiring that a physician demonstrate that all other treatments have been exhausted.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Azinger:

Senate Bill 237—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-8A-2a, relating to making it a criminal offense for a person to engage in an adult cabaret performance where it may be viewed by a minor.

Referred to the Committee on the Judiciary.

By Senator Woodrum:

Senate Bill 238—A Bill to amend and reenact §7-14-17c of the Code of West Virginia, 1931, as amended, relating to clarifying the amount of a deputy sheriff's annual monetary payment for years of service.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 239—A Bill to amend and reenact §30-1-10 of the Code of West Virginia, 1931, as amended, relating to when excess funds accumulated by boards are to be transferred to the General Revenue Fund of the State Treasury.

Referred to the Committee on Finance.

By Senator Woodrum:

Senate Bill 240—A Bill to amend and reenact §59-1-14 of the Code of West Virginia, 1931, as amended, relating to fees charged by sheriffs.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 241—A Bill to amend and reenact §24-1-7 of the Code of West Virginia, 1931, as amended, relating to making rules and regulations of Public Service Commission subject to legislative rule-making review procedures.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 242—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-63, relating to exempting certain persons from fees for hunting, fishing, and trapping licenses and permits; providing that fees for hunting, trapping, and fishing licenses and permits are waived for certain volunteer firefighters; including eligibility requirements; requiring compliance with all other requirements to obtain license; and granting rule-making authority.

Referred to the Committee on Agriculture and Natural Resources; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 243—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-44, relating to requiring a moment of silence at the beginning of each school day; forbidding teachers from making suggestions as to the nature of the reflection that students may engage in during the moment of silence; and providing for the Attorney General to defend the provisions of this section.

Referred to the Committee on Education; and then to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 244—A Bill to amend and reenact §3-1-3 and §3-1-34 of the Code of West Virginia, 1931, as amended; and to amend and reenact §3-2-2 of said code, all relating to residency requirements for people entitled to vote and people eligible to register to vote; requiring that a person be a legal resident of the state, county, or municipality in which he or she offers to vote; requiring that a person be a legal resident of the state or county in which he or she applies to register to vote; defining the term "legal resident"; and requiring a state or federal photo identification in order to vote.

Referred to the Committee on the Judiciary.

By Senator Taylor:

Senate Bill 245—A Bill to amend and reenact §3-1-29 and §3-1-31 of the Code of West Virginia, 1931, as amended, relating to requiring municipal elections to be held on the same day as statewide elections.

Referred to the Committee on the Judiciary.

By Senator Taylor:

Senate Bill 246—A Bill to amend and reenact §16-2R-3 of the Code of West Virginia, 1931, as amended, relating to removing the rape and incest exception to obtain an abortion in West Virginia.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Caputo:

Senate Bill 247—A Bill to amend and reenact §3-1-34 and §3-1-41 of the Code of West Virginia, 1931, as amended; to amend and reenact §3-1A-5 of said code; to amend and reenact §3-3-1, §3-3-1a, §3-3-2, §3-3-2a, §3-3-5, §3-3-9, §3-3-10, and §3-3-12 of said code; to repeal §3-3-3a of said code; to amend and reenact §3-6-6, §3-6-7, and §3-6-9 of said code; to amend said code by adding thereto a new section, designated §3-9-14; and to amend and reenact §3-9-19 of said code, all relating to modernization of procedures for voting in public elections; modifying voter identification procedure at the polls; removing authority of election commissioners and poll clerks to dispute voter claims of disability; authorizing all registered voters to vote absentee ballot by mail; simplifying the requirements for an emergency absentee ballot; providing for secure receipt of hand-delivered absentee ballots; providing for stand-alone, drop-off locations for deposit of completed absentee ballots; revising terms and procedures for casting an absentee ballot by mail; reforming the procedures and grounds for challenging an absentee ballot; specifying the form and printed text of envelopes for absentee ballots; establishing a pre-canvass procedure for ballots received in advance of election day; authorizing voter cure for potentially deficient absentee ballots; establishing a criminal offense of coercion and intimidation of a voter; defining a criminal offense of unauthorized marking of another person's absentee ballot; providing criminal penalties for violations; and correcting citations and grammar throughout.

Referred to the Committee on the Judiciary.

By Senator Caputo:

Senate Bill 248—A Bill to amend and reenact §6B-2-5 of the Code of West Virginia, 1931, as amended, relating to prohibiting members of the Legislature and part-time public officials from having an interest in public contracts under certain circumstances; requiring certain disclosures; and requiring the Ethics Commission to conduct oversight and make a public statement in certain circumstances.

Referred to the Committee on Government Organization.

By Senator Caputo:

Senate Bill 249—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §1-2-2a, relating to increasing transparency in the apportionment process for congressional and legislative districts; defining procedures to enhance public access to and participation in the development of such districts; and establishing a period for public comment on district maps to be voted on by the Legislature prior to their adoption.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Caputo:

Senate Bill 250—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §33-15F-1, §33-15F-2, §33-15F-3, §33-15F-4, §33-15F-5, §33-15F-6, and §33-15F-7, all relating to requiring medical insurance providers to include infertility services in their policies; making findings; providing for determination of infertility; providing prohibited and permissible limitations on coverage; requiring rulemaking; establishing an effective date; providing for severability; and defining terms.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Caputo:

Senate Bill 251—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-11C-1, relating to enacting the Closed Captioning Act; requiring public places that have televisions for use by the public to have at least one half of those televisions to have their closed captioning feature activated at all times; providing an exception; defining terms; and establishing an effective date.

Referred to the Committee on Government Organization.

By Senator Clements:

Senate Bill 252—A Bill to amend and reenact §17-3-2 of the Code of West Virginia, 1931, as amended, relating to the use of the State Road Fund for state road purposes.

Referred to the Committee on Finance.

By Senator Clements:

Senate Bill 253—A Bill to amend and reenact §18-9A-2 of the Code of West Virginia, 1931, as amended, relating to the school aid formula; and establishing a minimum net enrollment of 1,200 students for each county.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 254—A Bill to amend and reenact §5-16-13 of the Code of West Virginia, 1931, as amended, relating to allowing a person who first becomes a member of the Teachers Retirement System on or after July 1, 2015, to apply his or her accrued annual and sick leave, on the basis of one day's retirement service credit for each one-day of accrued annual and sick leave, toward an increase in his or her retirement benefits with those days constituting additional credited service in computation of the benefits under the Teachers Retirement System.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Martin:

Senate Bill 255—A Bill to amend and reenact §17C-13-6 of the Code of West Virginia, 1931, as amended, relating to prohibiting public entities, including state, county, and municipal buildings and facilities, places of public accommodation, and commercial facilities from installing or maintaining a parking meter in an accessible parking space bearing the international symbol of access.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 256—A Bill to amend and reenact §37-13A-1 of the Code of West Virginia, 1931, as amended, relating to protecting landowners who allow others to access cemeteries from their private property or roadway; and ensuring that those persons who damage private property are solely responsible for any costs of repair associated therein.

Referred to the Committee on the Judiciary.

By Senator Taylor:

Senate Bill 257—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-3-4d, relating to prohibiting mandates for vaccines.

Referred to the Committee on Health and Human Resources.

By Senator Takubo:

Senate Bill 258—A Bill to amend and reenact §11-21-97 of the Code of West Virginia, 1931, as amended; and to amend and reenact §11-24-44 of said code, all relating to increasing tax credit for employers providing childcare for employees.

Referred to the Committee on Finance.

By Senator Takubo:

Senate Bill 259—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18C-7-8, relating to requiring the Higher Education Policy Commission to create and administer a PROMISE Plus Program for the purpose of supplementing the PROMISE Scholarship award of an individual who meets more rigorous standards so the total of both scholarships received by that individual is equal to the actual cost of tuition; addressing eligibility requirements; requiring the commission to promulgate a rule; requiring each award recipient to enter into an agreement which requires repayment of the amount of the grants awarded if the recipient chooses to reside outside the state within the number of years immediately after obtaining the degree or certificate that is equivalent to the number of years the scholarship was received; requiring that the annual award be used to supplement, but not supplant, certain other tuition and fee waivers for which an individual is eligible; clarifying no guarantee that a PROMISE Plus scholarship award or any specific amount of a PROMISE Plus scholarship award to any student, or that the qualification requirements for PROMISE Plus scholarship will not be changed before the student is eligible; providing that the total cost of all PROMISE Plus scholarships in any year cannot exceed the amount of funds available; creating a special revenue fund in the State Treasury designated as the PROMISE Plus Scholarship Fund; and giving the commission all the same powers and duties with respect to the PROMISE Plus Program as the commission has with respect to the PROMISE Scholarship Program.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Taylor:

Senate Bill 260—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-4a, relating to approving overtime pay for teachers.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 261—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §31-18F-1, §31-18F-2, §31-18F-3, §31-18F-4, §31-18F-5, and §31-18F-6; and to amend and reenact §36-8-13 of said code, all relating generally to creating the West Virginia Veterans' Home Loan Mortgage Program of 2024; establishing a fund known as the West Virginia Veterans' Home Loan Mortgage Fund; declaring the purpose of the fund; providing that the West Virginia Housing Development Fund shall administer the fund; setting forth terms

of the program; authorizing the West Virginia Housing Development Fund to make certain mortgage loans from the fund; and authorizing the unclaimed property administrator to transfer a certain amount from the Unclaimed Property Trust Fund to the fund.

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Woodrum:

Senate Bill 262—A Bill to amend and reenact §31D-14-1421 of the Code of West Virginia, 1931, as amended, relating to clarifying the procedure for administrative dissolution of corporations by the Secretary of State; and relating to the Secretary of State providing notice to corporations subject to administrative dissolution.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 263—A Bill to amend and reenact §51-9-6a of the Code of West Virginia, 1931, as amended, relating to expanding those who may be eligible for judicial retirement.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Woodrum:

Senate Bill 264—A Bill to amend and reenact §59-3-3 of the Code of West Virginia, 1931, as amended, relating to reducing rates for legal advertising.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 265—A Bill to amend and reenact §8-12-18 of the Code of West Virginia, 1931, as amended, relating to increasing the value at which municipal property must be sold through public auction, and allowing for the negotiated sale of real property to adjacent property owners.

Referred to the Committee on Government Organization.

By Senator Oliverio:

Senate Bill 266—A Bill to amend and reenact §11-6B-3 and §11-6B-7 of the Code of West Virginia, 1931, as amended, all relating to increasing the Homestead Property Tax Exemption for homeowners.

Referred to the Committee on Finance.

By Senator Rucker:

Senate Bill 267—A Bill to amend and reenact §17C-5A-3 and §17C-5A-3a of the Code of West Virginia, 1931, as amended, all relating to the addition of grievance and appellate procedures, and judicial review for individuals participating in, or who have participated in, the Division of Motor Vehicles' Safety and Treatment Program; authorizing the Commissioner of the Division of Motor Vehicles to promulgate a rule to add such procedures and judicial review for participants of the Safety and Treatment Program; eliminating minimum driving time, minimum mileage, and driving frequency requirements of Motor Vehicle Alcohol and Drug Test and Lock Program system, and further prohibiting removal of program participant for failure to meet such requirements; and directing commissioner to reinstate program participants for failing to meet

such requirements, at no cost to the program participant, upon participants meeting specified criteria.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Trump:

Senate Bill 268—A Bill to amend and reenact §29-6-5 of the Code of West Virginia, 1931, as amended, relating to ceasing operations of the Division of Personnel by June 30, 2024; providing for transfer of duties to individual agencies; and providing rule-making authority.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senators Deeds, Grady, and Takubo:

Senate Bill 269—A Bill to amend and reenact §47-19-3 of the Code of West Virginia, 1931, as amended; and to amend §60A-4-403a of said code, all relating to excluding test strips from the definition of drug paraphernalia; and specifying that possession, sale, or purchase of drug test strips are not prohibited.

Referred to the Committee on the Judiciary.

By Senator Phillips:

Senate Bill 270—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, §11-13NN-9, §11-13NN-10, and §11-13NN-11, all relating to establishing road or highway infrastructure improvement projects or coal production and processing facilities tax credit for taxpayers subject to the tax imposed in certain circumstances; specifying a short title; specifying legislative findings and purpose for new credit; defining terms; specifying the amount of the credit, application of credit, and carry forward of unused credit; requiring filing of application for road or highway infrastructure improvement project credit as condition precedent to claiming credit, specifying procedure for application for certification, contents of application and limitation on maximum amount of credits which can be approved; specifying computation of qualified investment in coal production and processing facilities; allowing transfer of credits to successors; providing for forfeiture of unused tax credits and redetermination of credit allowed; providing penalties for failure to maintain records of qualified property; and establishing an effective date.

Referred to the Committee on Economic Development; and then to the Committee on Finance.

By Senator Karnes:

Senate Bill 271—A Bill to amend and reenact §11-13DD-3 of the Code of West Virginia, 1931, as amended, relating to the Farm-to-Food Bank Tax Credit; raising the limit on the tax credit; and providing that the credit apply retroactively to January 1, 2024.

Referred to the Committee on Agriculture and Natural Resources; and then to the Committee on Finance.

By Senator Karnes:

Senate Bill 272—A Bill to amend and reenact §16-3-10 of the Code of West Virginia, 1931, as amended, relating to clarifying the rights of a parent or legal guardian in declining specific

required medication administered to a child at birth; permitting parents or legal guardians of newborn children to refuse certain medication that has been mandated for newborns; requiring that parents and legal guardians be made aware of the dangers of not receiving the otherwise required medication; providing for notation in medical records; providing for limitation of liability; prohibiting a refusal by the parents or legal guardian from being admissible in certain legal actions or investigations of those parents or legal guardians; and prohibiting discipline or penalties to certain health care professionals when a parent or legal guardian has refused or declined the otherwise mandated medication.

Referred to the Committee on Health and Human Resources.

By Senator Karnes:

Senate Bill 273—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-11-9b; to amend said code by adding thereto a new section, designated §11B-2-33; and to amend said code by adding thereto a new section, designated §18-2-44, all relating to prohibiting discriminatory divisive acts in the workplace and adding to the definition of the Human Rights Act; prohibiting the teaching of divisive acts in West Virginia schools; and prohibiting state funding to agencies that promote divisive acts.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Karnes:

Senate Bill 274—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10D-15, relating to permitting members of public retirement plans to cash out of their plans by opting to receive, in lieu of regular benefit payments, the total cash value of those benefits.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senator Karnes:

Senate Bill 275—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §12-1-16, relating generally to financial institutions engaged in boycotts of firearms companies; defining terms; authorizing the State Treasurer to prepare, maintain, and publish a list of financial institutions engaged in boycotts of firearms companies; requiring the Treasurer to post the list on his or her website and submit the list to certain public officials; setting forth sources of information on which the Treasurer may rely on preparing the list; requiring the Treasurer to send written notice to a financial institution of its inclusion on the list; requiring the Treasurer to remove a financial institution from the list if it presents information demonstrating that it is not engaged in a boycott of firearms companies; authorizing the Treasurer to exclude financial institutions on the list from the selection process for state banking contracts; authorizing the Treasurer to refuse to enter into a banking contract with a financial institution on the list; authorizing the Treasurer to require, as a term of a banking contract, an agreement by the financial institution not to engage in a boycott of firearms companies; and limiting liability of public officials, public employees, members or employees of financial institutions for actions taken in compliance with the new code section, and exempting the Investment Management Board.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Hamilton:

Senate Bill 276—A Bill to amend and reenact §60A-4-401, §60A-4-407, and §60A-4-407a of the Code of West Virginia, 1931, as amended, all relating to establishing the criminal offense of

using or being under the influence of a controlled substance unless obtained directly from, or pursuant to, a valid prescription or order of a practitioner; providing criminal penalties for violation; providing for conditional discharge of offense for first violation; and providing additional conditions for authorizing additional requirements to obtain a final order of discharge and dismissal.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 277—A Bill to amend and reenact §11A-3-2 of the Code of West Virginia, 1931, as amended, relating to requiring the sheriff to send notices to the owners of record and to each resident or occupant of real property prior to selling the property for which property taxes have not been paid.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 278—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-2S-1, §16-2S-2, §16-2S-3, §16-2S-4, §16-2S-5, and §16-2S-6, all relating to the creation of the West Virginia Chemical Abortion Prohibition Act; creating the offense; providing no liability to the patient; providing a rule of construction regarding ectopic pregnancy; providing for definitions; creating severability; and providing for disposal of discarded abortion drugs.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 279—A Bill to amend and reenact §16-1-6 of the Code of West Virginia, 1931, as amended, relating to the Commissioner of the Bureau for Public Health; requiring medical professionals to report to the Bureau for Public Health all injuries and side effects from vaccines and produce an annual report for the Legislature; requiring medical professionals that deliver vaccines to receive educational materials from the Bureau for Public Health about negative side effects from vaccines and to be formally trained every five years; and requiring the commissioner to make available a mechanism for individuals, including parents, to report adverse impact from vaccines.

Referred to the Committee on Health and Human Resources.

By Senator Grady:

Senate Bill 280—A Bill to amend and reenact §18-5-46 of the Code of West Virginia, 1931, as amended, relating to allowing teachers in public schools that include any one or more of grades kindergarten through 12 to teach intelligent design as a theory of how the universe and/or humanity came to exist.

Referred to the Committee on Education.

By Senator Smith:

Senate Bill 281—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-5m, relating to the assessment of a wildlife impact fee by the Director of the Division of Natural Resources on operators of wind power projects that injure or kill a protected species of animal.

Referred to the Committee on Agriculture and Natural Resources; and then to the Committee on Finance.

By Senator Smith:

Senate Bill 282—A Bill to amend and reenact §8-15-8b of the Code of West Virginia, 1931, as amended; and to amend and reenact §16-4C-24 of said code, all relating to volunteer fire departments and emergency medical services units; and providing that any increased costs or expenditures to volunteer fire departments that result from the implementation of a state legislative rule shall be funded respectively by the State Fire Commission and the Commissioner of the Bureau for Public Health.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Smith:

Senate Bill 283—A Bill to amend and reenact §55-7-22 of the Code of West Virginia, 1931, as amended, relating to use of force, including deadly force, in defense of self, real, and personal property; providing immunity from civil and/or criminal prosecution against persons lawfully using force in defensive actions; providing for when there is no duty to retreat; and providing for the receipt of court costs, fees, and expenses for persons acting to protect self, real, and personal property, another person, or in other defined situations.

Referred to the Committee on the Judiciary.

By Senator Smith:

Senate Bill 284—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-2S-1, §16-2S-2, §16-2S-3, §16-2S-4, §16-2S-5, §16-2S-6, §16-2S-7, §16-2S-8, §16-2S-9, §16-2S-10, and §16-2S-11, all relating to enacting the Fetal Heartbeat Act; prohibiting abortions when a fetal heartbeat is detected; providing that the article applies only to intrauterine pregnancies; providing exceptions; making findings; providing for severability; establishing standards, requirements, and procedures; requiring documentation; requiring notice and acknowledgments; establishing criminal penalties; permitting civil actions; defining terms; and providing for rulemaking.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Smith:

Senate Bill 285—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §7-1-3uu, relating to allowing county commissions to impose an amusement tax.

Referred to the Committee on Government Organization; and then to the Committee on Finance.

By Senator Smith:

Senate Bill 286—A Bill to amend and reenact §23-4-15 of the Code of West Virginia, 1931, as amended, relating to clarifying that the time limitations provided for filing occupational pneumoconiosis claims do not apply or otherwise limit the ability of a claimant to obtain an evaluation from the Occupational Pneumoconiosis Board.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senator Smith:

Senate Bill 287—A Bill to amend and reenact §62-12-9 of the Code of West Virginia, 1931, as amended, relating to requiring probationers who have served 10 or more years to participate in a work release program and spend six months in a work release center; and requiring that 70 percent of their earnings be held in an account and provided to them at the successful completion of the six-month period.

Referred to the Committee on the Judiciary; and then to the Committee on Finance.

By Senator Smith:

Senate Bill 288—A Bill to amend and reenact §11-15-30 of the Code of West Virginia, 1931, as amended, relating to dedication of collections or proceeds of sales tax from the sale of parts, tires, and repair and maintenance services for motor vehicles to State Road Fund.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Chapman:

Senate Bill 289—A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exempting Social Security benefits from state personal income taxation for tax years beginning on or after January 1, 2024.

Referred to the Committee on Finance.

By Senator Grady:

Senate Bill 290—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-45b, relating to requiring the State Superintendent of Schools to establish a three-year nontraditional school week pilot project in up to five county school districts in which students in all grade levels are present four days per week and on the fifth day, educators engage in activities designed to improve instruction, bus drivers and cooks ensure that students have access to school breakfast and lunch, and instruction is delivered to students through alternative methods; addressing priority of school districts to designate for the pilot; requiring all school personnel to report for work, use personal leave, or forgo pay on fifth day; requiring each participating county board to determine day of week when students not present; designating allowable activities that educators may engage in on day when students not present; specifying allowable alternative methods of instruction; providing for updates to the Legislative Oversight Commission on Education Accountability on the status of the pilots; and allowing state superintendent to end the pilot in any county that he or she determines that the pilot is negatively impacting student achievement.

Referred to the Committee on Education.

By Senator Chapman:

Senate Bill 291—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §15-5A-1, §15-5A-2, §15-5A-3, §15-5A-4, §15-5A-5, §15-5A-6, §15-5A-7, and §15-5A-8, all relating to enacting the West Virginia Volunteer State Defense Guard Act.

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Grady:

Senate Bill 292—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18B-22-1, §18B-22-2, §18B-22-3, §18B-22-4, and §18B-22-5, all relating to creating the Hunger-Free Campus Act; providing for a short title; establishing the act and providing for a legislative purpose; authorizing the Higher Education Policy Commission to implement program; providing qualifications for campuses to be designated as hunger-free zones; allowing for grant funding of hunger-free zones; providing for reporting on the impact of any grants; and providing for an effective date.

Referred to the Committee on Education; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 293—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-2L-1, §18-2L-2, §18-2L-3, and §18-2L-4, all relating to creating the Glucagon for Schools Act; defining terms; allowing prescription for undesignated glucagon in the name of a school district or school; allowing school to maintain a supply of undesignated glucagon; allowing trained school personnel to administer undesignated glucagon if the student's prescribed glucagon is not available on site or has expired; prohibiting licensed health professional with prescribing authority and pharmacist from being held responsible for harm due to the administration of undesignated glucagon in certain instances; declaring school personnel, the school district or school of employment, members of the governing school board, and the chief administrator are not liable in any criminal action or for civil damages as a result of administering undesignated glucagon in certain instances; requiring a school to call local emergency assistance and notify certain others as soon as practicable after the administration of undesignated glucagon; stating that each school should have an easily accessible glucometer on site; allowing all school personnel in schools that have students with diabetes to receive certain training; allowing designated school personnel to be trained to perform tasks necessary to assist a student with diabetes in accordance with his or her diabetes medical management plan; allowing school district to coordinate staff training; allowing school nurses, where available, or certain health care providers to provide technical assistance, consultation, or both to school personnel; and requiring an information sheet to be provided to any school employee who transports a student for school-sponsored activities.

Referred to the Committee on Health and Human Resources.

By Senator Takubo:

Senate Bill 294—A Bill to amend and reenact §11-27-38 of the Code of West Virginia, 1931, as amended, relating to increasing the tax rate imposed on certain hospitals up to the maximum amount allowed by the Centers for Medicare and Medicaid Services.

Referred to the Committee on Finance.

By Senator Tarr:

Senate Bill 295—A Bill to amend and reenact §16-5Y-2, §16-5Y-3, §16-5Y-5, §16-5Y-6, §16-5Y-7, and §16-5Y-13 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §16-5EE-1, §16-5EE-2, §16-5EE-3, and §16-5EE-4, all relating to opioid treatment programs; defining terms; making opioid treatment programs unlawful; allowing for an administrative time frame for referral; requiring the imposition of fees for noncompliance; and permitting injunctive relief.

Referred to the Committee on Health and Human Resources.

By Senator Tarr:

Senate Bill 296—A Bill to repeal §16-64-1, §16-64-2, §16-64-3, §16-64-4, §16-64-5, §16-64-6, §16-64-7, §16-64-8, §16-64-9, and §16-64-10 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §16-64A-1, §16-64A-2, §16-64A-3, and §16-64A-4, all relating to syringe exchange services programs; defining terms; making syringe exchange service programs unlawful; setting date for closure of existing programs; permitting harm reduction services to continue to operate provided no syringe services are provided; allowing for an administrative time frame for referral; requiring the imposition of fees for noncompliance; and permitting injunctive relief.

Referred to the Committee on Health and Human Resources.

By Senator Woodrum:

Senate Bill 297—A Bill to amend and reenact §30-1-7a of the Code of West Virginia, 1931, as amended, relating to state boards of examination or registration; providing that continuing education credits shall be valid for three years; and providing that boards may choose to extend the amount of time credits may be valid, up to an additional three years.

Referred to the Committee on Government Organization.

By Senator Smith:

Senate Bill 298—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13NN-1, §11-13NN-2, and §11-13NN-3; to amend and reenact §20-2-28 of said code; and to amend and reenact §20-2B-7 of said code, all relating to tax credit offered to veterans who have been honorably discharged from the military for the cost of their lifetime hunting, trapping, and fishing license; defining "eligible veteran"; establishing amount of credit; setting procedures to claim credit; requiring that disabled veterans obtain a hunting, trapping, and fishing license; and requiring proposal of appropriate legislative rule.

Referred to the Committee on Military; and then to the Committee on Finance.

By Senator Caputo:

Senate Bill 299—A Bill to amend and reenact §5-10-48 of the Code of West Virginia, 1931, as amended, relating to reemployment after retirement by public employees; and increasing the maximum compensation that may be earned by certain retired public employees who accept legislative per diem, temporary full-time, or temporary part-time employment from a participating employer without suspending his or her retirement annuity.

Referred to the Committee on Pensions; and then to the Committee on Finance.

By Senators Deeds, Grady, Plymale, Takubo, and Woodrum:

Senate Bill 300—A Bill to repeal §5-11-1, §5-11-2, §5-11-3, §5-11-4, §5-11-5, §5-11-6, §5-11-7, §5-11-8, §5-11-9, §5-11-10, §5-11-11, §5-11-12, §5-11-13, §5-11-14, §5-11-15, §5-11-16, §5-11-17, §5-11-18, §5-11-19, and §5-11-20 of the Code of West Virginia, 1931, as amended; to repeal §5-11A-1, §5-11A-2, §5-11A-3, §5-11A-3a, §5-11A-4, §5-11A-5, §5-11A-6, §5-11A-7, §5-11A-8, §5-11A-9, §5-11A-10, §5-11A-11, §5-11A-12, §5-11A-13, §5-11A-14, §5-11A-15, §5-11A-16, §5-11A-17, §5-11A-18, §5-11A-19, and §5-11A-20 of said code; to repeal §5-11B-1, §5-11B-2, §5-11B-3, §5-11B-4, §5-11B-5, §5-11B-6, and §5-11B-7 of said code; to repeal §16-1-22, §16-1-22a, §16-1-22b, and §16-1-22c of said code; to repeal §16-2E-1, §16-2E-2, §16-2E-3, §16-2E-4, and §16-2E-5 of said code; to repeal §16-2N-1, §16-2N-2, and §16-2N-3 of said code; to repeal §16-5B-1, §16-5B-2, §16-5B-3, §16-5B-4, §16-5B-5, §16-5B-5a, §16-5B-6, §16-5B-7, §16-5B-8,

§16-5B-9, §16-5B-10, §16-5B-11, §16-5B-12, §16-5B-13, §16-5B-14, §16-5B-15, §16-5B-16, §16-5B-17, §16-5B-18, §16-5B-19, and §16-5B-20 of said code; to repeal §16-5C-1, §16-5C-2, §16-5C-3, §16-5C-4, §16-5C-5, §16-5C-6, §16-5C-7, §16-5C-8, §16-5C-9, §16-5C-9a, §16-5C-10, §16-5C-11, §16-5C-12, §16-5C-12a, §16-5C-13, §16-5C-14, §16-5C-15, §16-5C-18, §16-5C-19, §16-5C-20, §16-5C-21, and §16-5C-22 of said code; to repeal §16-5D-1, §16-5D-2, §16-5D-3, §16-5D-4, §16-5D-5, §16-5D-6, §16-5D-7, §16-5D-8, §16-5D-9, §16-5D-10, §16-5D-11, §16-5D-12, §16-5D-13, §16-5D-14, §16-5D-15, and §16-5D-18 of said code; to repeal §16-5E-1, §16-5E-1a, §16-5E-2, §16-5E-3, §16-5E-3a, §16-5E-4, §16-5E-5, and §16-5E-6 of said code; to repeal §16-5H-1, §16-5H-2, §16-5H-3, §16-5H-4, §16-5H-5, §16-5H-6, §16-5H-7, §16-5H-8, §16-5H-9, and §16-5H-10 of said code; to repeal §16-5I-1, §16-5I-2, §16-5I-3, §16-5I-4, §16-5I-5, and §16-5I-6 of said code; to repeal §16-5N-1, §16-5N-2, §16-5N-3, §16-5N-4, §16-5N-5, §16-5N-6, §16-5N-7, §16-5N-8, §16-5N-9, §16-5N-10, §16-5N-11, §16-5N-12, §16-5N-13, §16-5N-14, §16-5N-15, and §16-5N-16 of said code; to repeal §16-5O-1, §16-5O-2, §16-5O-3, §16-5O-4, §16-5O-5, §16-5O-6, §16-5O-7, §16-5O-8, §16-5O-9, §16-5O-10, §16-5O-11, and §16-5O-12 of said code; to repeal §16-5R-1, §16-5R-2, §16-5R-3, §16-5R-4, §16-5R-5, §16-5R-6, and §16-5R-7 of said code; to repeal §16-5W-1, §16-5W-2, §16-5W-3, and §16-5W-4 of said code; to repeal §16-5Y-1, §16-5Y-2, §16-5Y-3, §16-5Y-4, §16-5Y-5, §16-5Y-6, §16-5Y-7, §16-5Y-8, §16-5Y-9, §16-5Y-10, §16-5Y-11, §16-5Y-12, and §16-5Y-13 of said code; to repeal §16-5AA-1, §16-5AA-2, §16-5AA-3, §16-5AA-4, §16-5AA-5, §16-5AA-6, §16-5AA-7, §16-5AA-8, §16-5AA-9, and §16-5AA-10 of said code; to repeal §16-49-1, §16-49-2, §16-49-3, §16-49-4, §16-49-5, §16-49-6, §16-49-7, §16-49-8, and §16-49-9 of said code; to amend said code by adding thereto a new chapter, designated §16B-1-1, §16B-2-1, §16B-2-2, §16B-2-3, §16B-2-4, §16B-3-1, §16B-3-2, §16B-3-3, §16B-3-4, §16B-3-5, §16B-3-5a, §16B-3-6, §16B-3-7, §16B-3-8, §16B-3-9, §16B-3-10, §16B-3-11, §16B-3-12, §16B-3-13, §16B-3-14, §16B-3-15, §16B-3-16, §16B-3-17, §16B-3-18, §16B-3-19, §16B-3-20, §16B-4-1, §16B-4-2, §16B-4-3, §16B-4-4, §16B-4-5, §16B-4-6, §16B-4-7, §16B-4-8, §16B-4-9, §16B-4-9a, §16B-4-10, §16B-4-11, §16B-4-12, §16B-4-12a, §16B-4-13, §16B-4-14, §16B-4-15, §16B-4-18, §16B-4-19, §16B-4-20, §16B-4-21, §16B-4-22, §16B-5-1, §16B-5-2, §16B-5-3, §16B-5-4, §16B-5-5, §16B-5-6, §16B-5-7, §16B-5-8, §16B-5-9, §16B-5-10, §16B-5-11, §16B-5-12, §16B-5-13, §16B-5-14, §16B-5-15, §16B-5-18, §16B-6-1, §16B-6-1a, §16B-6-2, §16B-6-3, §16B-6-3a, §16B-6-4, §16B-6-5, §16B-6-6, §16B-7-1, §16B-7-2, §16B-7-3, §16B-7-4, §16B-7-5, §16B-7-6, §16B-7-7, §16B-7-8, §16B-7-9, §16B-7-10, §16B-8-1, §16B-8-2, §16B-8-3, §16B-8-4, §16B-8-5, §16B-8-6, §16B-9-1, §16B-9-2, §16B-9-3, §16B-9-4, §16B-9-5, §16B-9-6, §16B-9-7, §16B-9-8, §16B-9-9, §16B-9-10, §16B-9-11, §16B-9-12, §16B-9-13, §16B-9-14, §16B-9-15, §16B-9-16, §16B-10-1, §16B-10-2, §16B-10-3, §16B-10-4, §16B-10-5, §16B-10-6, §16B-10-7, §16B-10-8, §16B-10-9, §16B-10-10, §16B-10-11, §16B-10-12, §16B-11-1, §16B-11-2, §16B-11-3, §16B-11-4, §16B-11-5, §16B-11-6, §16B-11-7, §16B-12-1, §16B-12-2, §16B-12-3, §16B-13-1, §16B-13-2, §16B-13-3, §16B-13-4, §16B-13-5, §16B-13-6, §16B-13-7, §16B-13-8, §16B-13-9, §16B-13-10, §16B-13-11, §16B-13-12, §16B-13-13, §16B-14-1, §16B-14-2, §16B-14-3, §16B-14-4, §16B-14-5, §16B-14-6, §16B-14-7, §16B-14-8, §16B-14-9, §16B-14-10, §16B-15-1, §16B-15-2, §16B-15-3, §16B-15-4, §16B-15-5, §16B-15-6, §16B-15-7, §16B-15-8, §16B-15-9, §16B-16-1, §16B-16-2, §16B-16-3, §16B-16-4, §16B-16-5, §16B-16-6, §16B-16-7, §16B-16-8, §16B-16-9, §16B-16-10, §16B-17-1, §16B-17-2, §16B-17-3, §16B-17-4, §16B-17-5, §16B-17-6, §16B-17-7, §16B-17-8, §16B-17-9, §16B-17-10, §16B-17-12, §16B-17-13, §16B-17-14, §16B-17-15, §16B-17-16, §16B-17-17, §16B-17-18, §16B-17-19, §16B-17-20, §16B-18-1, §16B-18-2, §16B-18-3, §16B-18-3a, §16B-18-4, §16B-18-5, §16B-18-6, §16B-18-7, §16B-18-8, §16B-18-9, §16B-18-10, §16B-18-11, §16B-18-12, §16B-18-13, §16B-18-14, §16B-18-15, §16B-18-16, §16B-18-17, §16B-18-18, §16B-18-19, §16B-18-20, §16B-19-1, §16B-19-2, §16B-19-3, §16B-19-4, §16B-19-5, §16B-19-6, §16B-19-7, §16B-20-1, §16B-20-2, §16B-20-3, §16B-20-4, §16B-20-5, §16B-21-1, §16B-21-2, and §16B-21-3; to amend and reenact §25-1B-7 of said code; to amend and reenact §27-1-9 of said code; to amend and reenact §27-1A-6 and §27-1A-7 of said code; to amend and reenact §27-9-1 and §27-9-2 of said code; to amend and reenact §27-17-1 and §27-

17-3 of said code; to amend and reenact §49-1-203 of said code; and to repeal §49-9-101, §49-9-102, §49-9-103, §49-9-104, §49-9-105, §49-9-106, §49-9-107, §49-9-108, §49-9-109, and §49-9-110 of said code, all relating to the organization of the Office of the Inspector General.

Referred to the Committee on Health and Human Resources.

Senator Deeds offered the following resolution:

Senate Concurrent Resolution 8—Requesting the Division of Highways to name bridge number 13-060/00-009.57 (13A107), (37.95830, -80.68340), locally known as BIG CLEAR CREEK BRIDGE, carrying US 060 over BIG CLEAR CREEK in Greenbrier County as the "U.S. Army Corporal Clemon Knapp Memorial Bridge".

Which, under the rules, lies over one day.

Petitions

Senator Blair (Mr. President) presented a petition from Carolyn Beckett and numerous West Virginia residents, supporting the Chemical Abortion Prevention Act and the Clean Water for ALL Life Act.

Referred to the Committee on Health and Human Resources.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 1, Leon Charles Trader Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 2, US Army PFC John Henry Trail Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 3, Charlie Lee Jordan Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 4, US Army 2LT Eston Kuhn Memorial Road.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 5, US Army 1LT Hershel Jarrell Memorial Road.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 6, Orland Jackson "Tom" Meikles Memorial Road.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 7, Donald "Tiny" Lucas and Ronald Dale Lucas Veterans Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Resolution 2, Recognizing dedicated public service of Honorable Donna J. Boley.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Rucker, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

The question being on the adoption of the resolution, and on this question, Senator Phillips demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Deeds, Grady, Hamilton, Jeffries, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: None.

Absent: Clements, Hunt, Karnes, and Maroney—4.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 2) adopted.

Thereafter, at the request of Senator Takubo, and by unanimous consent, the remarks by Senators Rucker, Plymale, Azinger, and Stover regarding the adoption of Senate Resolution 2 were ordered extended in the Journal as follows:

SENATOR RUCKER: Thank you.

This resolution I am very honored to be leading on but every single one of us I know share the same sentiments that I have for the Honorable Donna Boley.

I am so honored and privileged that I have had the opportunity to serve with Senator Boley, but only for a few years. Some of you have known her for way longer.

I can tell you that she has been a mentor. She has been a leader. She has been a trailblazer. More importantly, she has been a friend. She is someone that I know I can go to and I will always get advice and support. She will never lead me astray. She's someone that every single person in this body respects. I do not know a single staff member or legislator, whether in this house or in the other, who does not consider her one of the best representations for what West Virginia is.

I won't read the entire resolution to you but I do want to highlight: Donna—or Senator Boley, sorry—she has been in office and been reelected nine times and has the honor of becoming the longest continuously serving senator in state history. She served as the lone Republican and she

has served as the lone woman, also. She has been Minority Leader, President *pro Tem*, and has had to do all the duties that we all now share . . . she had to do on her own.

I can tell you that when I first considered running for the West Virginia Senate everyone told me go talk to Donna Boley. And I did. And she gave me excellent advice on how to campaign and what it was going to be like.

There's really no words that I can say in gratitude for everything that I owe to Senator Boley. And I know, again, that many of us feel the same way. I'm so grateful that some members of her family were able to come. But, more than anything else, I'm just grateful to God for her continued health and her ability to be here and be part of our body. She embodies what a statesman should be.

And thank you for all you do.

SENATOR PLYMALE: Thank you, Mr. President.

I would be remiss if I didn't get up and say something because of those nine times that she's been elected, I've been here eight of those . . . through those election cycles. I consider Donna a great friend, a great colleague

And I will make a statement here that I don't think that we need to make very often. But, sometimes people serve here and they hold a position and they are in an institution that we revere. And some people come here and they become an institution of the institution. So, to me, she has done that. Her long service, her way that she served, her congeniality, her wisdom. I've talked to her many times about stories of when she was first in and conversations that she had with the former Governor Moore . . . and she kept introducing herself to Governor Moore and he says, "Donna"—excuse me, I know that's not what we're supposed . . . but "Donna, I know who you are."

And, I will say this, that, you know, you may leave your mark on longevity but you also leave your mark on our hearts.

Thank you.

SENATOR AZINGER: Mr. President, I have to stand up and say a few words because I share the same district as the esteemed senator and I'm the one who gets to hear at many of the places we go, "Hello, Senator Boley" and they turn to me and say, "Who are you?" Everybody, everybody, everybody knows who Senator Boley is in the third and all across the state.

I remember, I think the first time, Senator, that I ever had a conversation with you one on one was in 1996 at the San Diego convention for Bob Dole and Jack Kemp . . . who lost that one, but

I think that I've never asked Senator Boley a question on who to call, who to see, what do I do to which she didn't have an answer.

I think, Senator, you said it so well, that she is an institution of an institution. That's really well put.

She's the same as I've always remembered her. What a great lady and she is a servant. She loves doing what she does and she does it so very well. So, I support this resolution, 100 percent.

Thank you, Mr. President.

SENATOR STOVER: Thank you, Mr. President.

I would just like to say I came down once as a fairly brand new teacher and I wanted to see the last Republican senator. And I was told several times that I had to hurry that that might be the very last one ever.

And she treated me with She knew things. She was knowledgeable. She was pleasant, nice.

And I won't say the person that told me that might be the last Republican senator but they sure were wrong, weren't they?

Thank you.

At the request of Senator Takubo, unanimous consent being granted, at 11:24 a.m., the Senate recessed to present Senate Resolution 2.

The Senate reconvened at 11:31 a.m.

At the request of Senator Boley, and by unanimous consent, Senator Boley addressed the Senate regarding her legislative tenure.

Thereafter, at the request of Senator Takubo, unanimous consent being granted, the remarks by Senator Boley were ordered extended in the Journal as follows:

SENATOR BOLEY: I just want to thank you all for the speeches.

Bob and I go back a long time and I remember when he was Education chair.

But, I've enjoyed working with each and every one of you and it was a lonely time there for a while, '91-'92, but I'm so glad that you're all here and look forward to serving with you another four years.

Thank you very much.

At the request of Senator Takubo, and by unanimous consent, the Senate returned to the second order of business and the introduction of guests.

The Senate again proceeded to the seventh order of business.

Senate Resolution 3, Commemorating 150th anniversary of Keyser.

On unfinished business, coming up in regular order, was reported by the Clerk.

At the request of Senator Smith, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Thereafter, at the request of Senator Takubo, and by unanimous consent, the remarks by Senator Smith regarding the adoption of Senate Resolution 3 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the ninth order of business.

Senate Bill 142, Clarifying deadline to file annual report for companies authorized to do business in WV.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 143, Creating WV Guardian Program.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 144, Requiring each county board to ensure that its meetings are open to public through in-person attendance and broadcast live on its website.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 145, Limiting gubernatorial authority to spend certain federal funds without appropriation of Legislature.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Finance.

Senate Bill 146, Creating adult education taskforce.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 147, Adding definition of "ammunition" for purposes of obtaining state license to carry concealed deadly weapon.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 148, Establishing auto-renewal program for wildlife licenses.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 149, Relating to municipalities required to be represented on county authority boards.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 150, Clarifying when magistrate vacancies shall be filled.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 151, Clarifying terms and offense of human smuggling.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 152, Displaying official US motto in public schools.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Education.

Senate Bill 153, Making adoption records accessible for medical purposes.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 154, Increasing penalties for drug possession and updating list of offenses.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 155, Creating Violent Crime Prevention Act.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 156, Requiring certain documents that contain wage records be considered confidential.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 157, Requiring one-year residency within district or county to fill vacancy in Legislature.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 158, Enhancing penalties for fleeing officer.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 159, Prohibiting persons convicted of certain crimes against minors from holding positions on boards of education.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 160, Updating language and increasing penalties for indecent exposure.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 161, Creating emeritus physician license.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 162, Establishing Summer Feeding for All Program.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 163, Establishing aggravated felony offense of reckless driving resulting in death.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 164, Relating generally to trespassing.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 165, Creating pilot program for recovery residences in Cabell County.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 166, Updating contested elections procedures.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 167, Establishing statewide health and safety fee for tourism and recreational activities by county commissions.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Finance.

Senate Bill 168, Granting municipal fire marshal authority to assist law-enforcement officer.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 169, Allowing physician assistants to own practice.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 170, Relating to compensable diseases of certain firefighters covered by workers' compensation.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 171, Prohibiting county commissions from adopting authorization that exceeds state law regarding agriculture operations.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 172, Revising requirements of local school improvement councils.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 173, Modifying certain guidelines for motor vehicle dealers, distributors, wholesalers, and manufacturers.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 175, Updating offenses of extortion and attempted extortion.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 176, Relating to permissible expenditures by Water Development Authority from Infrastructure Fund.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 177, Protecting consumers against automatic renewals without consent.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 178, Relating to dental health care service plans.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 179, Requiring sheriff to serve child abuse and neglect petitions.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 180, Supplementary appropriation to Department of Economic Development.

On second reading, coming up in regular order, was reported by the Clerk.

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Finance.

The Senate proceeded to the eleventh order of business and the introduction of guests.

The Senate then proceeded to the twelfth order of business.

Remarks were made by Senator Oliverio.

Thereafter, at the request of Senator Caputo, and by unanimous consent, the remarks by Senator Oliverio were ordered printed in the Appendix to the Journal.

Pending announcement of a meeting of a standing committee of the Senate,

On motion of Senator Takubo, at 11:50 a.m., the Senate recessed until 4 p.m. today.

The Senate reconvened at 4:07 p.m.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of

House Concurrent Resolution 13—Commemorating the life of Marilyn Kay Parsons, devoted mother, grandmother, dedicated public servant and icon of the West Virginia Legislature.

At the request of Senator Takubo, unanimous consent being granted, reference of the resolution to a committee was dispensed with, and it was taken up for immediate consideration.

(Senator Weld in the Chair.)

The question being on the adoption of the resolution, and on this question, Senator Tarr demanded the yeas and nays.

(Senator Blair, Mr. President, in the Chair.)

The roll being taken, the yeas were: Azinger, Barrett, Caputo, Chapman, Deeds, Grady, Hamilton, Hunt, Jeffries, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—
27.

The nays were: None.

Absent: Boley, Clements, Karnes, Maroney, Martin, Plymale, and Woelfel—7.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (H. C. R. 13) adopted.

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

Thereafter, at the request of Senator Takubo, and by unanimous consent, the remarks by Senators Smith, Caputo, Azinger, Trump, and Blair (Mr. President) as to the adoption of House Concurrent Resolution 13 were ordered extended in the Journal as follows:

SENATOR SMITH: Thank you, Mr. President.

I stand in strong support of the resolution.

I first met Marilyn in 2012 when I first got elected to the Legislature. She was the first person I met. It was on the telephone when I talked to her. You got to realize back then I wasn't near as refined as I am now. And I was a little bit of a loose cannon and country boy. You might as well as have sent me to New York City than send me to Charleston. I mean I had no idea where I was going to stay, what to do, where to go. Marilyn, I called her and, you know, she set up for me to come down and get sworn in ahead of time and so she could show me around. She helped my wife and I find a place to . . . in fact, she found us the place to live.

I can remember I was in a mining accident when I got elected and I came down on a knee scooter and she made arrangements for me to pull right up to the door, took me through, through the elevators and, you know, it was like I got to bring my mom to Charleston because she was just that type. She was a motherly type.

You know, her and my whole family became really close. I guess she took me as a project child or then Minority Leader, Tim Armstead, asked her to, one or the other. But, we became really, really close and really good friends. She became friends with my wife, my son, my daughter, my grandchildren. You know, back then there wasn't that many Republicans. We were still in the minority but we had grown and she was just tickled to death. She never thought she would ever see us get that many. And then two years later then we took over. I can always remember that she said, "I always wanted more Republicans but now that I got them, I don't know if I should have wished for more Republicans. She'd always say, "It's like herding cats." And that's probably why she came to the Senate when she did.

She was the most wonderful person I've met since I, not only came to Charleston, I mean, just She always had a smile. She was loving. She loved her kids and grandkids. We talked about her grandkids all the time with her. She'd talk about hers. Many times I was just sitting in her office, you know, late at night . . . cause I don't know if she ever went home a lot of times. It didn't seem like it.

If I was having a bad day—and back then I had a lot of bad days—she would always make your day better after talking to Marilyn. I loved for her to tell the stories about when she worked for Governor Moore. You know, she'd tell about some of the delegates over the years that she worked for. She always had a good story. It don't matter what you were going through, she would tell you a story about somebody else that kind of went through the same thing. She was just . . .

. You know, when I came to the Senate, you know, I always told everybody they asked me how I liked the Senate and I said, "Well, I like it. I like it much better than the House but it would have been nice if I brought Marilyn with me. And lo and behold, Craig brought her over. So, thank you, Mr. President, for doing that.

But she She was just a wonderful person. And she was kind, loving, and, you know, I'm going to I miss her. We talked a good bit. You know, after I left the House, I would always go over and see her. When she got here it seemed like I got busy I didn't get to spend as much time

If there's a better person in the world, in my opinion, I haven't met them yet, you know, a public servant. I think, you know, most people here felt the same way about her that knew her, basically, if you knew her for any length of time She was a dedicated employee. You had to run her out of here. I can remember Speaker Armstead making her go home. You know, she was just I just can't say enough good about her because she was . . . she was definitely a bright spot in the House of Delegates when she was there and a bright spot in the Senate when she was here because anyone could go and ask her And, if you had a problem with, a constituent problem or anything, you'd call Marilyn and she would tell you who to call or she would call and take care of it for you. And she just had a wealth of information and she is just

She's going to be missed. I can tell you that. I know I'm going to miss her. There's definitely a spot in my heart and my family's heart.

I strongly urge a vote for the resolution.

SENATOR CAPUTO: Thank you, Mr. President.

I just want to speak briefly coming from the other side of the aisle.

I, too, met Marilyn very early in my career and we became very, very good friends. You know, if you ever needed just a little cheering up once in a while you just popped your head in to see Marilyn. And, you know, between her and I it was always, "How's my favorite Republican?" and she'd yell back, "How's my favorite Democrat?" We'd laugh and we'd carry on and . . . just, just a true delight.

One of the hardest workers that I've ever been around in my 27 plus years down here.

I think the resolution said she was the first person to come and always the last person to leave.

When I was in leadership and I'd leave late, her light would always be on when I'd walk by the office.

Just so dedicated to those that she worked for.

When my kids were small and my daughter was in to those little Beanie Babies, I bought Marilyn an elephant Beanie Baby. My wife was really upset with me for buying that elephant. She couldn't figure out what I was doing with that, but it was a gift for Marilyn. And she just laughed and carried on. And I know for years, every time I went in to see her she had that thing on her desk. And she kept that. And I always just appreciated that.

It was just a friendship that . . . I think I was telling someone the other day . . . every once in a while in life you just meet someone that immediately you just click with. We had probably nothing in common politically but we had a lot in common I think in our hearts. And we just clicked and became friends, and remained friends throughout my entire career.

I loved talking to her. I loved laughing with her. I loved how she could lighten the moment and lighten the air and someone who has dedicated so many years to public service. It's just incredible in this day and age.

You know, she has probably served with thousands of public servants and I would venture to bet, you could ask every one of them and you would never find one of them say a bad word about Marilyn Parsons. A true lady, a true public servant, and, Mr. President, she will always be my favorite Republican.

SENATOR AZINGER: Thank you, Mr. President.

I'll be quick.

I didn't know Marilyn nearly as many years as these guys, like the Senator from Marion. But my dad was in the House for 22 years and I don't know how many times during those years I heard him say, "Well, I'll ask Marilyn. Well, I'll call Marilyn. Let me get ahold of Marilyn."

So, I texted him when Marilyn passed away and asked him a few days later just to make a little statement. He texted me back and said: Marilyn probably knew more about state government than anyone with it she sure helped a lot of people. She will be sorely missed. She helped me a bunch.

So, I was honored also to be in the House for a couple of years and got to know her and she could stash a bunch of food for us to pig out on. You'll remember that. You'd go into her office and she always had food there and drinks and whatever you needed. And, like everyone said, a big smile for everyone.

I was shocked to turn around in the chamber—I didn't know she was coming over—and I looked and there was Marilyn. I went up to her and I said, "How am I supposed to tell my father that you defected to the Senate?" It was a shock to me. I couldn't believe she was over here after all these years. We laughed about that.

But she'll be greatly missed. What a great woman, a great woman she was.

Thank you, Mr. President.

SENATOR TRUMP: Thank you, Mr. President.

So, for me, it was 31 years ago. Thirty-one years ago. And like the Senator from Tucker, Marilyn may have been my first contact. It's amazing sometimes how fast 31 years can zip by.

It's always . . . over the years . . . seem to me, you know, it's such a privilege and an honor to

be here for all of us. And you want to come to Charleston, you want to do a good job for the people who had enough confidence in you to send you here to work. And the great truth that underlies all of it is, when you spend any time here, you realize that this building is full of people who are so dedicated.

My colleagues in both houses, the Senate and the House, the staff of both institutions . . . for me it started with Marilyn.

First of all I want to say, I know we have some House members with us, the House resolution is beautiful. It's a beautiful resolution and I certainly support it and thank the House of Delegates for sending that to us for consideration this afternoon. What it says about Marilyn is all true. She was fantastic, a bright light for everybody that came into her orbit.

And for me, 14 years in the House and then here and the years in between. You know, I still know it, it's (304) 340-3240. That was the number to House Minority Office. And I would call when I was out and talk to Marilyn, you know. Not necessarily about what was going on in politics but just . . . just to hear her voice. And it's hard for me to imagine a world without her voice.

She's in a better place now to be sure. But many of us, myself included, are going to miss her desperately. Her humor, her dedication The State of West Virginia owes a debt to Marilyn Parsons. Her dedication is indescribable.

I would want to say to her family who are assembled here thank you all so much for sharing her with us.

Thank you, Mr. President.

SENATOR BLAIR: Sorry about that, I'm hard of hearing.

Thank you, Mr. President.

I rise in support of this resolution. Listening to everybody else here, I looked and as you were talking, I realized that on my phone, on the very top, is Marilyn Parsons and it's been that way for I think as long as I've had a phone. I didn't realize that. That was not going to be part of my message tonight.

I want to go back to 2002 when I was first elected. I met Marilyn Parsons and I went home and I told my wife I fell in love with someone else. This is not a lie. This is the truth. And it was Marilyn Parsons.

When I became Senate President, the first thing I did was steal Marilyn Parsons and I had to go to the Speaker and apologize because I misstepped and I didn't talk to him beforehand on doing that. But I'd offered her a job twice before working for me and she always told me no. I think that the House of Delegates had went to 80 some or whatever, I said, "Come on over to the Senate. It's a retirement plan for you." Because she takes care of everybody. As the Senator from Marion was talking about, regardless of the party, regardless of the individual, she did everything that she could to be able to help us do our jobs better here for the people of West Virginia.

There was many days that I'm sitting back here and I'm working late and it's 8 - 9 o'clock in the evening and—I'm back here trying to catch up on paperwork because there's nobody here and I'm able to get some of this done—and I walk out and she's sitting at the desk. I'm like, "Why

are you here?" And she goes, "I don't go home until the President goes home." I said, "Well, we need to change that rule." But it didn't change for her.

I'm not good with names . . . and Marilyn Parsons did something that most others couldn't. She had an institutional knowledge being at this job for 40 years. She went way back and she knew everybody and knew when things happened. Do you realize how advantageous that is if you're the Speaker, or Senate President, or just a member, where she can sit there and say, "No, that's been tried before and here's why it was a bad idea at least at that point in time." What a wealth of knowledge. A wealth of knowledge in making it so that we could actually do better what we do.

How many people in here knew that she did shorthand? That was the most amazing thing to sit there and . . . she could take notes in shorthand. And there's not a one of us in this room that could have read what she was doing, what was on there, but those notes were there. And that's an art that's gone. But that was something that Marilyn was quite excellent at.

Now, there was another thing that . . . this about goes back to 2003, is whenever you ask Marilyn a question, she had this drawer down there, she'd pull it out, and out comes the answer to your question. I used to talk to her about that all the time and say how is it that you have all the answers that get asked on this. And lots of times the stuff wasn't in the drawer, she was just messing with me. But it worked.

I'm so blessed to have had her in my political life and personal life. Words don't do it justice to talk about.

I got one other thing that's a good story and I didn't bring it out. It's a prop. I'll use it later tonight at the memorial service. (You're here. Yes. I'm glad you're here.) There was a picture When I was in seventh grade I wrote letters to Nixon and Agnew, and all them and got them to send me a picture. They'd send campaign buttons. You know, when you're young getting a package in the mail is a big deal. It was fun. And I didn't realize that these people would actually send you stuff. So, they did and I started collecting campaign buttons and stuff like that.

Well, I wrote to Arch Moore. He sent me a color picture when everybody else's was black and white. And then the ink on it was in gold: "To my friend Craig Blair". I forget exactly what it says—I'm getting to your part of the story here in a minute. And, I know it wasn't two weeks because I brought that picture down with me to the capitol to hang up on the wall because I was a fan of Arch Moore. And she goes, "I worked for Arch." She goes, "I was there. I know exactly how he did the gold ink. He took gold foil and wrote on top of it and peeled it up." That's how that was on there. The reason I'm telling this story is because she had the answers just about to everything's going on. It's tied back into that institutional knowledge.

She's sorely going to be missed by each one of us in this chamber and the staff. All of us. She's irreplaceable.

But times change. All of us will be joining Marilyn in the future and that's a guarantee from my standpoint.

I left your part of the story out. I decided I was going to Well, I'll go ahead and tell it. You should have seen this guy's face. He got an Arch Moore picture just like mine and I went up and swapped it out one day. He thought I'd defaced it by putting my name on there [inaudible] his. He was in the House of Delegates at the time. The first person I went to tell the story to was Marilyn

Parsons. I said, "Aw, I got over on Delegate Nelson like you wouldn't believe. And she laughed and laughed and laughed. You weren't laughing at first then you realized what I was doing. And I was in his office, I shouldn't have done what I did, but it was irresistible.

And so, I guess that's the word I should use to close out, that Marilyn Parsons was irresistible. You couldn't keep her down. And what she's done for this state, and our family here, and her family back there—you guys sacrificed by giving her up, there's no question about that, but the game that we play here is about sacrifice—and our state. There's nobody in this chamber, in this building that has not had a greater impact on the State of West Virginia than Marilyn Parsons and she never took one vote. She made it so that we were informed on what we did.

Join us this evening as we celebrate Marilyn's life and her contributions to our world that we call the State of West Virginia.

And I strongly, strongly, strongly support this resolution, Mr. Speaker.

At the request of Senator Takubo, unanimous consent being granted, at 4:36 p.m., the Senate recessed to present House Concurrent Resolution 13.

The Senate reconvened at 4:44 p.m. and proceeded to the thirteenth order of business.

At the request of Senator Takubo, unanimous consent being granted, a leave of absence for the day was granted Senator Karnes.

Senator Blair (Mr. President) announced the replacement of Senator Stover as Vice Chair of the Committee on Agriculture and Natural Resources with Senator Deeds.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on January 10, 2024:

Senate Bill 142: Senators Hamilton and Jeffries;

Senate Bill 143: Senators Weld, Jeffries, and Grady;

Senate Bill 144: Senators Jeffries, Grady, Taylor, and Nelson;

Senate Bill 146: Senator Hamilton;

Senate Bill 147: Senators Chapman and Jeffries;

Senate Bill 148: Senators Trump and Grady;

Senate Bill 149: Senator Deeds;

Senate Bill 150: Senator Hamilton;

Senate Bill 151: Senators Grady, Stuart, and Jeffries;

Senate Bill 152: Senators Grady, Stuart, and Jeffries;

- Senate Bill 153:** Senators Chapman, Grady, and Jeffries;
- Senate Bill 154:** Senators Stuart and Jeffries;
- Senate Bill 156:** Senator Stuart;
- Senate Bill 157:** Senators Deeds, Caputo, Stuart, and Jeffries;
- Senate Bill 158:** Senators Stuart, Grady, and Jeffries;
- Senate Bill 159:** Senators Hamilton, Trump, Stuart, Grady, and Jeffries;
- Senate Bill 160:** Senators Stuart and Jeffries;
- Senate Bill 161:** Senator Hamilton;
- Senate Bill 162:** Senators Hamilton, Caputo, Grady, Nelson, and Plymale;
- Senate Bill 163:** Senators Hamilton and Barrett;
- Senate Bill 164:** Senator Deeds;
- Senate Bill 165:** Senators Hamilton, Phillips, Grady, Stuart, and Plymale;
- Senate Bill 166:** Senator Stuart;
- Senate Bill 167:** Senator Deeds;
- Senate Bill 168:** Senators Stuart, Jeffries, and Roberts;
- Senate Bill 169:** Senators Hamilton, Smith, and Jeffries;
- Senate Bill 170:** Senators Stuart, Jeffries, and Grady;
- Senate Bill 171:** Senators Trump and Jeffries;
- Senate Bill 172:** Senators Deeds, Swope, and Jeffries;
- Senate Bill 173:** Senator Stuart;
- Senate Bill 174:** Senators Smith and Stuart;
- Senate Bill 175:** Senators Hamilton, Deeds, and Caputo;
- Senate Bill 176:** Senators Deeds and Jeffries;
- Senate Bill 177:** Senators Deeds, Trump, Caputo, Smith, and Plymale;
- Senate Bill 178:** Senators Stuart and Jeffries;
- Senate Bill 180:** Senators Swope and Plymale;

- Senate Bill 181:** Senators Chapman and Deeds;
- Senate Bill 183:** Senators Deeds, Trump, and Caputo;
- Senate Bill 184:** Senators Chapman, Deeds, and Caputo;
- Senate Bill 185:** Senators Swope and Jeffries;
- Senate Bill 186:** Senators Hamilton, Chapman, Stuart, Grady, and Jeffries;
- Senate Bill 187:** Senators Deeds, Stuart, and Jeffries;
- Senate Bill 188:** Senators Deeds, Phillips, and Jeffries;
- Senate Bill 189:** Senators Deeds, Trump, and Rucker;
- Senate Bill 190:** Senators Deeds, Trump, and Woelfel;
- Senate Bill 191:** Senator Deeds;
- Senate Bill 193:** Senator Chapman;
- Senate Bill 194:** Senators Chapman and Swope;
- Senate Bill 196:** Senators Deeds, Plymale, and Jeffries;
- Senate Bill 198:** Senator Swope;
- Senate Bill 199:** Senators Chapman and Swope;
- Senate Joint Resolution 2:** Senator Hamilton;
- Senate Joint Resolution 3:** Senator Phillips;
- Senate Joint Resolution 4:** Senators Hamilton, Deeds, Phillips, Stuart, Jeffries, and Roberts;
- Senate Joint Resolution 5:** Senators Deeds, Phillips, Smith, and Jeffries;
- Senate Concurrent Resolution 1:** Senator Jeffries;
- Senate Concurrent Resolution 2:** Senators Nelson and Jeffries;
- Senate Concurrent Resolution 3:** Senator Phillips;
- Senate Concurrent Resolution 4:** Senator Phillips;
- Senate Concurrent Resolution 5:** Senator Phillips;
- Senate Concurrent Resolution 6:** Senator Phillips;
- Senate Concurrent Resolution 7:** Senator Phillips;

Senate Resolution 2: Senators Deeds, Swope, Phillips, Smith, Nelson, Jeffries, Caputo, Roberts, Woelfel, Azinger, Barrett, Clements, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Oliverio, Plymale, Queen, Stover, Stuart, Takubo, Tarr, Taylor, Trump, Weld, and Woodrum;

And,

Senate Resolution 3: Senators Hamilton, Phillips, Taylor, Rucker, and Jeffries.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 4:45 p.m., the Senate adjourned until tomorrow, Friday, January 12, 2024, at 9 a.m.
