

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE
REGULAR SESSION, 2024
THIRTY-FOURTH DAY

Charleston, West Virginia, Monday, February 12, 2024

The Senate met at 11:04 a.m.

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

Prayer was offered by Chaplain Ben Adams, St. Marys Correctional Center and Jail, St. Marys, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Jay Taylor, a senator from the fourteenth district.

Pending the reading of the Journal of Friday, February 9, 2024,

At the request of Senator Rucker, 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 Clerk presented the following communication from a state agency as required by the provisions of law:

Ethics Commission (Advisory Opinions) (§6B-2-3)

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 318, Modifying process of when parental rights are terminated.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 428, Establishing appeals from administrative rulings are to be filed with Intermediate Court of Appeals.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page 1, by striking everything after the enacting clause and inserting in lieu thereof the following:

"ARTICLE 11B. FROZEN DESSERTS AND IMITATION FROZEN DESSERTS LAW.

§19-11B-12. Hearings and appeals.

(a) Any person aggrieved by any action taken under this article shall be afforded the opportunity for a hearing before the commissioner under the rules promulgated by the commissioner.

(b) Hearings shall be conducted in accordance with procedures set forth by rule.

(c) All the testimony and evidence at a hearing shall be recorded by mechanical means, which may include the use of tape recordings. The mechanical record shall be maintained for 90 days from the date of the hearing and a transcript shall be made available to the aggrieved party.

(d) Any party who feels aggrieved of the suspension, revocation, or denial order may appeal ~~within 60 days to the circuit court of the county in which the person has located its principal place of business~~ Intermediate Court of Appeals pursuant to the provisions of §29A-5-4 of this code."

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 428, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Stover—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 428) passed with its title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 543, Relating to research and economic development agreements for state institutions of higher education.

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

Eng. Com. Sub. for House Bill 4704—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5B-2P-1 §5B-2P-2, and §5B-2P-3, relating to establishing Infrastructure Ready Jurisdictions; establishing the requirement for this designation; establishing rulemaking for these Infrastructure Ready Jurisdictions for the Department of Economic Development; awarding an additional five percent preferential scoring for entities on projects within these jurisdictions on all permissible grants; and providing that this is not available within an uncertified municipality even if the surrounding county or counties are certified.

Referred to the Committee on Economic Development.

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

Eng. Com. Sub. for House Bill 4851—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-52; to amend and reenact §15-2D-3 of said code; and to amend and reenact §61-7-11a of said code, all relating to creating school security officers; requiring the director of the Division of Protective Services to establish standards for school security officers and issue a certificate; providing definitions; authorizing local school boards, public charter schools, and private or religious schools to employ school security officers; providing standards for a school security officer to carry a firearm on school grounds; requiring a background check; specifying the detention powers of a school security officer and limitations on detention powers; requiring data sharing with the Division of Protective Services; specifying payment for equipment; requiring insurance for schools employing a school security officer; and clarifying that the prohibitions on carry a firearm in a school zone do not apply to certified school security officers.

Referred to the Committee on the Judiciary.

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

Eng. Com. Sub. for House Bill 4885—A Bill to amend and reenact §17C-10-6 of the Code of West Virginia, 1931, as amended, relating to prohibiting unlawful traffic interference; creating the offense of unlawful traffic interference; creating criminal penalties; and providing exceptions.

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

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

Eng. Com. Sub. for House Bill 5083—A Bill to amend and reenact §17A-2A-7 of the Code of West Virginia, 1931, as amended, relating to granting West Virginia companies operating towing and recovery vehicles access to driver registration information on demand, providing

Department of Motor Vehicles carry out steps needed to achieve this goal; and providing a date certain to meet this requirement.

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

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

Eng. Com. Sub. for House Bill 5179—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-34-1, §18-34-2, and §18-34-3, all relating to the creation of Jaycie's Law; providing for legislative intent; requiring the West Virginia Department of Education to establish a policy to support the educational and parenting goals and improve the educational outcomes of pregnant and parenting students; requiring an allotment of at least 8 weeks for a student's pregnancy and providing for an effective date.

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

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

Eng. Com. Sub. for House Bill 5248—A Bill to amend the Code of West Virginia, 1931, by adding thereto a new article, designated §16B-22-1, §16B-22-2, §16B-22-3, §16B-22-4, §16B-22-5, §16B-22-6, §16B-22-7, §16B-22-8, §16B-22-9, §16B-22-10 and §16B-22-11; and to repeal §27-9-1 and §27-9-2 of said code; and to repeal §27-17-1, §27-17-2, §27-17-3, and §27-17-4 of said code, all relating to the regulation of behavioral health centers; providing definitions; creating licenses for residential behavioral health centers and non-residential behavioral health centers; setting license fees for residential behavioral health centers and non-residential behavioral health centers; providing for the regulation and oversight of all behavioral health centers by the Office of Health Facility Licensure and Certification; designating the necessity for a governing body and administrator and prescribing duties and responsibilities; setting certain minimum standards in any behavioral health center; setting certain minimum standards for behavioral health centers; restricting the location of specific treatment settings for behavioral health centers; allowing for variances or waivers from licensure standards; providing for inspections and inspection warrants; designating license limitations; providing a procedure for denial, suspension, or revocation of a license; allowing civil money penalties; providing for administrative review and appeal rights; and permitting the Inspector General to promulgate rules, including emergency rules.

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

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 Trump:

Senate Bill 744—A Bill to amend and reenact §61-6-21 of the Code of West Virginia, 1931, as amended, relating to prohibiting civil rights violations based on disability, gender identity, or sexual orientation; criminal penalties; when evidence of constitutionally protected speech or

associations is not admissible in criminal prosecutions; exceptions; providing for sentencing alternatives for persons convicted of violations; and designating amendments to this section as Angel's Law.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 745—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §46A-9-1, §46A-9-2, and §46A-9-3, all relating to defining terms; requiring pharmacies in West Virginia to charge senior citizens the lowest national price for prescription drugs; and to granting enforcement powers to the Attorney General.

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

By Senator Woodrum:

Senate Bill 746—A Bill to amend and reenact §15A-8-2 and §15A-8-3 of the Code of West Virginia, 1931, as amended, all relating to the composition of the West Virginia Regional Jail and Correctional Facility Authority Board and scheduled meetings.

Referred to the Committee on Government Organization.

By Senator Woodrum:

Senate Bill 747—A Bill to amend and reenact §3-8-2c of the Code of West Virginia, 1931, as amended, relating to authorized uses of political party headquarters' funds and funding sources to include corporate contributors.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 748—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-44-1, §30-44-2, §30-44-3, §30-44-4, §30-44-5, §30-44-6, §30-44-7, §30-44-8, §30-44-9, §30-44-10, §30-44-11, §30-44-12, §30-44-13, §30-44-14, §30-44-14a, §30-44-14b, §30-44-15, §30-44-16, and §30-44-17, all relating generally to certified professional midwives; providing for definitions; setting forth the license required to practice; providing requirements for the license; providing for the license renewal and reinstatement; establishing temporary permits; detailing the contents of the license or certificate, providing for continuing education; clarifying the use of titles; providing for the denial, revocation, or suspension of license; listing exceptions; establishing prohibitions and penalties; creating an injunction or other relief against unlawful acts; providing for regulations governing the practice of midwifery; defining established medical tests, legend drug formulary, and medical devices; creating a drugs legend; creating a medical tests legend; providing for midwife responsibilities; providing for confidentiality; and providing for immunity.

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

By Senator Rucker:

Senate Bill 749—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §12-10-1, §12-10-2, §12-10-3, §12-10-4, §12-10-5, §12-10-6, §12-10-7, §12-10-8, and §12-10-9; and to amend and reenact §47-6-4 of said code, all relating

generally to the use of gold and silver as legal tender in the State of West Virginia; defining terms; authorizing the State Treasurer to establish the West Virginia Bullion Depository within the State Treasury; making the State Treasurer the administrator of the depository; providing that deposits are held in trust for account holders and are not subject to appropriation; prohibiting payment of interest on deposits; establishing the West Virginia Bullion Depository administrative account; setting forth the duties of the administrator; enumerating the powers of the administrator; setting forth requirements for deposits; authorizing the depository to issue transactional currency; requiring the administrator to promulgate legislative rules and emergency rules subject to certain requirements; exempting depository account contents from state taxation; providing for the confidentiality of depository records; recognizing gold coin issued by the United States as legal tender in West Virginia; and recognizing bullion, specie, and transaction currency, issued by the depository, as legal tender in West Virginia.

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

By Senator Caputo (By Request):

Senate Bill 750—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-30, relating to fentanyl abuse prevention and drug poisoning awareness education in public schools; and establishing a Fentanyl Poisoning Awareness Week for grades 6 through 12, to be known as Laken's Law.

Referred to the Committee on Education.

By Senator Barrett:

Senate Bill 751—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §47-21A-101, §47-21A-102, §47-21A-103, §47-21A-104, §47-21A-105, §47-21A-106, §47-21A-107, §47-21A-108, §47-21A-109, §47-21A-110, §47-21A-111, §47-21A-112, §47-21A-113, §47-21A-114, §47-21A-115, §47-21A-116, §47-21A-117, §47-21A-118, §47-21A-119, §47-21A-120, §47-21A-121, §47-21A-122, §47-21A-123, §47-21A-124, §47-21A-125, §47-21A-126, §47-21A-127, §47-21A-128, §47-21A-129, and §47-21A-130, all relating to creating online charitable raffles.

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

By Senator Hamilton:

Senate Bill 752—A Bill to amend and reenact §19-1-4 of the Code of West Virginia, 1931, as amended, relating to authorizing the Department of Agriculture to complete certain land transfers.

Referred to the Committee on Agriculture and Natural Resources.

By Senators Hunt, Chapman, and Martin:

Senate Bill 753—A Bill to amend and reenact §30-5-7 of the Code of West Virginia, 1931, as amended, relating to authorizing the West Virginia Board of Pharmacy to propose a legislative rule establishing regulations permitting prescription of Schedule V drugs.

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

By Senator Barrett:

Senate Bill 754—A Bill to amend and reenact §17D-2A-6a of the Code of West Virginia, 1931, as amended, relating to requiring new and used motor vehicle dealerships in this state to utilize a search engine to determine if prospective buyers of vehicles have valid motor vehicle insurance.

Referred to the Committee on Transportation and Infrastructure.

By Senators Barrett and Caputo:

Senate Bill 755—A Bill to amend and reenact §16-9E-1, §16-9E-3, §16-9E-4, and §16-9E-5 of the Code of West Virginia, 1931, as amended, all relating to the delivery sales of tobacco; providing definitions; authorizing the delivery sales within state boundaries by retail sellers and remote delivery services; providing age verification requirements for online delivery sales; altering labeling requirements; and providing record retention requirements for information relating to delivery sales of tobacco products.

Referred to the Committee on the Judiciary.

By Senators Caputo, Chapman, Jeffries, Phillips, Plymale, Queen, and Smith:

Senate Bill 756—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22A-1-10a, relating to providing state mine inspectors with a \$4,000 raise.

Referred to the Committee on Finance.

By Senators Weld, Caputo, Martin, and Queen:

Senate Bill 757—A Bill to amend and reenact §11A-1-17 of the Code of West Virginia, 1931, as amended, relating to sheriff's commission for collection of taxes.

Referred to the Committee on Government Organization.

By Senator Grady:

Senate Bill 758—A Bill to amend and reenact §11-8-26 of the Code of West Virginia, 1931, as amended, relating to unlawful expenditures by local fiscal bodies; and prohibiting obligating local fiscal bodies beyond one year, subject to exceptions.

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

By Senators Rucker and Chapman:

Senate Bill 759—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-31-1, relating to requiring taxi companies and network transportation companies to provide human trafficking awareness training to employees; and providing for enforcement and rulemaking.

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

Senator Weld offered the following resolution:

Senate Resolution 34—Recognizing William Schwertfeger, decorated combat veteran of the United States Army in World War II and centenarian.

Which, under the rules, lies over one day.

Senator Stover offered the following resolution:

Senate Resolution 35—Recognizing the 152nd anniversary of Glenville State University.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 33, Designating February 12, 2024, as Corrections Day.

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

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

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 351, Expanding the definition of "small arms" for purposes of taxation.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 351) passed with its title.

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

Eng. Senate Bill 378, Prohibiting smoking in vehicle when minor 16 or under is present.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Senate Bill 378 pass?"

On the passage of the bill, the yeas were: Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Maroney, Martin, Nelson, Oliverio, Phillips, Plymale, Queen, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—25.

The nays were: Azinger, Chapman, Karnes, Maynard, Roberts, Rucker, Smith, and Stuart—8.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 378) passed with its title.

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

Eng. Com. Sub. for Senate Bill 542, Amending procedure for filling vacancies in certain county offices having more than three commissioners.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 542) passed with its title.

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

Eng. Com. Sub. for Senate Bill 587, Enabling State Fire Commission to propose legislative rules.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 587) passed with its title.

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

Eng. Com. Sub. for Senate Bill 590, Political Subdivision Labor Regulatory Limitation Act.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Clements, Deeds, Grady, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts,

Rucker, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—28.

The nays were: Caputo, Chapman, Hamilton, Plymale, and Woelfel—5.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 590) passed with its title.

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

Eng. Com. Sub. for Senate Bill 614, Relating to elementary behavior intervention and safety.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 614 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Trump—1.

Absent: Stover—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 614) passed with its title.

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

Eng. Com. Sub. for Senate Bill 616, Modifying definition of "family or household members" as it relates to domestic violence laws.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 616) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 544, Raising threshold for bid requirement of municipal public works projects.

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 laid over one day, retaining its place on the calendar.

Com. Sub. for Senate Bill 577, Limiting landowner liability when land is used for certain purposes.

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

Com. Sub. for Senate Bill 578, Clarifying offense of burglary.

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

Senate Bill 605, Requiring electronic funds transfer of retirement contributions by participating employers.

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

Senate Bill 606, Relating to Natural Resources Police Officers Retirement System.

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

Senate Bill 607, Clarifying Municipal Police Officers and Firefighters Retirement System surviving spouse benefits.

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

Com. Sub. for Senate Bill 608, Relating to Emergency Medical Services Retirement System.

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 laid over one day, retaining its place on the calendar.

Senate Bill 609, Deputy Sheriff Retirement System Act.

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 laid over one day, retaining its place on the calendar.

Senate Bill 658, Supplementing and amending appropriations to Department of Administration, Public Defender Services.

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

Eng. House Bill 5153, Relating to revising, updating and streamlining the requirements governing the West Virginia Science, Technology, Engineering, and Mathematics Scholarship..

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

The Senate proceeded to the tenth order of business.

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

Com. Sub. for Com. Sub. for Senate Bill 321, Limiting municipalities' authority to restrict purchase and storage of weapons and ammunition.

Com. Sub. for Senate Bill 352, Modifying Unborn Child Protection Act.

Com. Sub. for Senate Bill 370, Updating Public Employees Grievance Board procedure that certain decisions be appealed to Intermediate Court of Appeals.

Senate Bill 530, Removing requirement for counties to draft and adopt zoning ordinances.

Senate Bill 551, Modifying requirements related to levy of service fees.

Senate Bill 620, Establishing WV Mothers and Babies Pregnancy Support Program.

Com. Sub. for Senate Bill 628, Declaring certain claims as moral obligations of the state.

Com. Sub. for Senate Bill 629, Requiring builders to follow State Building Code when local inspection and enforcement not provided.

Com. Sub. for Senate Bill 632, Relating to Dangerousness Assessment Advisory Board multi-disciplinary study group.

Com. Sub. for Senate Bill 716, Relating to child support.

Eng. House Bill 4976, Providing the contact information of the Inspector General on the agencies and boards websites of the executive departments.

And,

Eng. Com. Sub. for House Bill 5157, Relating to contingent increase of tax rate on certain eligible acute care hospitals.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Trump.

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

The Senate then proceeded to the thirteenth order of business.

The following communication was reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD, EAST
CHARLESTON, WV 25305-0800
304-357-7800

February 9, 2024

The Honorable Jim Justice, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Justice,

The following bill, authenticated by the signature of the Clerk of each House, and signed by the President of the Senate and the Speaker of the House of Delegates, has been examined and found truly enrolled:

Com. Sub. for S. B. 31, Authorizing Department of Human Services to promulgate legislative rules.

This bill is presented to you on this day, February 9, 2024.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate

C: The Honorable Stephen J. Harrison
Clerk of the House of Delegates

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 February 9, 2024:

Senate Bill 224: Senator Rucker;

Senate Bill 246: Senator Rucker;

Senate Bill 452: Senator Plymale;

Senate Bill 517: Senator Rucker;

Senate Bill 632: Senator Rucker;

Senate Bill 667: Senator Plymale;

Senate Bill 694: Senator Caputo;

Senate Bill 727: Senators Roberts and Plymale;

Senate Bill 728: Senators Woelfel and Trump;

Senate Bill 731: Senator Plymale;

Senate Bill 732: Senator Deeds;

Senate Bill 736: Senator Caputo;

Senate Bill 739: Senators Woelfel and Rucker;

Senate Bill 740: Senators Woelfel, Chapman, Rucker, Deeds, Smith, and Stuart;

Senate Bill 741: Senators Chapman, Woelfel, Deeds, Smith, and Plymale;

Senate Bill 742: Senator Deeds;

Senate Joint Resolution 6: Senator Plymale;

Senate Joint Resolution 7: Senator Plymale;

And,

Senate Resolution 33: Senators Hamilton, Rucker, Caputo, Smith, and Plymale.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 12:20p.m., the Senate adjourned until tomorrow, Tuesday, February 13, 2024, at 11 a.m.

SENATE CALENDAR

**Tuesday, February 13, 2024
11:00 AM**

UNFINISHED BUSINESS

- S. R. 34 - Recognizing William Schwertfeger, decorated combat veteran of US Army, on his 100th birthday
- S. R. 35 - Recognizing 152nd anniversary of Glenville State University

THIRD READING

- Eng. Com. Sub. for S. B. 577 - Limiting landowner liability when land is used for certain purposes
- Eng. Com. Sub. for S. B. 578 - Clarifying offense of burglary
- Eng. S. B. 605 - Requiring electronic funds transfer of retirement contributions by participating employers
- Eng. S. B. 606 - Relating to Natural Resources Police Officers Retirement System
- Eng. S. B. 607 - Clarifying Municipal Police Officers and Firefighters Retirement System surviving spouse benefits
- Eng. S. B. 658 - Supplementing and amending appropriations to Department of Administration, Public Defender Services (original similar to HB5452)
- Eng. H. B. 5153 - Relating to revising, updating and streamlining the requirements governing the West Virginia Science, Technology, Engineering, and Mathematics Scholarship.

SECOND READING

- Com. Sub. for Com. Sub. for S. B. 321 - Limiting municipalities' authority to restrict purchase and storage of weapons and ammunition (original similar to HB4782)
- Com. Sub. for S. B. 352 - Modifying Unborn Child Protection Act (original similar to HB5073)
- Com. Sub. for S. B. 370 - Updating Public Employees Grievance Board procedure that certain decisions be appealed to Intermediate Court of Appeals
- S. B. 530 - Removing requirement for counties to draft and adopt zoning ordinances
- Com. Sub. for S. B. 544 - Raising threshold for bid requirement of municipal public works projects (original similar to HB5441)
- S. B. 551 - Modifying requirements related to levy of service fees
- Com. Sub. for S. B. 608 - Relating to Emergency Medical Services Retirement System
- S. B. 609 - Deputy Sheriff Retirement System Act

S. B. 620 - Establishing WV Mothers and Babies Pregnancy Support Program

Com. Sub. for S. B. 628 - Declaring certain claims as moral obligations of the state

Com. Sub. for S. B. 629 - Requiring builders to follow State Building Code when local inspection and enforcement not provided

Com. Sub. for S. B. 632 - Relating to Dangerousness Assessment Advisory Board multi-disciplinary study group

Com. Sub. for S. B. 716 - Relating to child support

Eng. H. B. 4976 - Providing the contact information of the Inspector General on the agencies and boards websites of the executive departments - (Com. title amend. pending)

Eng. Com. Sub. for H. B. 5157 - Relating to contingent increase of tax rate on certain eligible acute care hospitals

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2024

Tuesday, February 13, 2024

10 a.m.	Education	(Room 451M)
10 a.m.	Government Organization	(Room 208W)