

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE
REGULAR SESSION, 2024
TWENTY-FIRST DAY

Charleston, West Virginia, Tuesday, January 30, 2024

The Senate met at 11:01 a.m.

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

Prayer was offered by the Honorable David Stover, a senator from the ninth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Mike Stuart, a senator from the seventh district.

Pending the reading of the Journal of Monday, January 29, 2024,

At the request of Senator Karnes, 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:

Lottery (§29-22-20)

The Senate 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, to take effect from passage, of

Eng. Senate Bill 462, Updating definitions of certain terms used in Personal Income Tax Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect from passage, of

Eng. Senate Bill 483, Amending Corporation Net Income Tax Act.

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. House Bill 4697—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17B-2-16; and to amend said code by adding thereto a new article, designated §33-63-1, all relating to adding protections for West Virginia residents who reside out of state for certain time periods from non-renewal of licenses and registration.

Referred to the Committee on Transportation and Infrastructure.

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 4759—A Bill to amend and reenact §21-1B-2, §21-1B-3, §21-1B-5, §21-1B-7, and §21-1B-8 of the Code of West Virginia, 1931, and to repeal §21-1B-6, of the Code of West Virginia, 1931, and amends and reenacts §21-5I-4 of the Code of West Virginia, 1931, all relating to E-Verify, the federal employment authorization program; defining terms; requiring businesses to participate in E-Verify as a condition for receiving state contracts, grants, or incentives; requiring subcontractors to participate in E-Verify prior to working on any project paid for by any state contract, grant, or incentive; providing rules for E-Verify participation for contractors and subcontractors; requiring employers in this state to enroll and participate in E-Verify; listing exceptions to said mandatory participation; providing rules for E-Verify participation for employers; imposing civil penalties; providing defenses; providing for enforcement; and requiring the Division of Labor to propose legislative rules to implement the article's provisions, and relating to the definition of independent contractor.

Referred to the Committee on Government Organization; 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 4764—A Bill to amend and reenact §17A-7-2 of the Code of West Virginia, 1931, as amended, relating to requiring the Commissioner of the Division of Motor Vehicles to allow the purchase of special one trip or one-way permits to be made and paid for online, and deleting obsolete language.

Referred to the Committee on Transportation and Infrastructure.

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 4766—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated as §17-4-5a, relating to requiring Division of Highways post signage for planned road closures 30 days prior to the closure, if the closure will last longer than 30 days and the detour is longer than one mile; and providing exceptions.

Referred to the Committee on Transportation and Infrastructure.

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. House Bill 4783—A Bill to amend and reenact §30-8-3, §30-8-6 and §30-8-9 of the Code of West Virginia, 1931, as amended, and to amend and reenact §30-8A-1 of said code; all

relating to the practice of optometry; defining terms; removing obsolete areas of the code; updating contract provisions; and permitting a licensee to perform certain procedures.

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

The Senate 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 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59, Insurance Commissioner rule relating to AIDS regulations.

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

Com. Sub. for Senate Bill 50 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-7-1 *et seq.* of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Revenue to promulgate legislative rules; authorizing the rules as filed, as modified, and as modified and amended by the Legislative Rule-Making Review Committee, and as amended by the Legislature; directing certain agencies of the Department of Revenue to amend current legislative rules; directing the Alcohol Beverage Control Commissioner to amend a legislative rule relating to private club licensing; directing the Alcohol Beverage Control Commissioner Beer to amend a legislative rule relating to nonintoxicating beer licensing and operations procedures; relating to authorizing the West Virginia Insurance Commissioner to promulgate a legislative rule relating to AIDS regulation; authorizing the West Virginia Insurance Commissioner to promulgate a legislative rule relating to health benefit plan network access and adequacy; authorizing the West Virginia Insurance Commissioner to promulgate a legislative rule relating to bail bondsmen in criminal cases; authorizing the West Virginia Racing Commission to promulgate a legislative rule relating to thoroughbred racing; authorizing the West Virginia Tax Department to promulgate a legislative rule relating to aircraft operated under a fractional ownership program; authorizing the West Virginia Tax Department to promulgate a legislative rule relating to a citizen tax credit for property taxes paid; authorizing the West Virginia Tax Department to promulgate a legislative rule relating to income tax paid at the entity level by electing pass-through entities; authorizing the West Virginia Tax Department to promulgate a legislative rule relating to income tax credits for property taxes paid; authorizing the West Virginia Tax Department to promulgate a legislative rule relating to administration of the tax on purchases of wine and liquor inside and outside of municipalities; and authorizing the West Virginia Tax Department to promulgate a legislative rule relating to the privilege tax on sales of hemp-derived cannabinoid and kratom products.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Hamilton, from the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration

Senate Bill 306, Equipment Right to Repair Act.

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

Respectfully submitted,

Bill Hamilton,
Chair.

Senator Deeds, from the Committee on Agriculture and Natural Resources, submitted the following report, which was received:

Your Committee on Agriculture and Natural Resources has had under consideration

Senate Bill 397, Exempting high tunnels and greenhouses from personal property taxes.

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

Com. Sub. for Senate Bill 397 (originating in the Committee on Agriculture and Natural Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §11-1C-5b, relating to exempting high tunnels and greenhouses, whether heated or unheated, from personal property taxation; and providing an effective date.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Vince S. Deeds,
Vice Chair.

The bill (Com. Sub. for S. B. 397), under the original double committee reference, was then referred to the Committee on Finance.

Senator Clements, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration:

Senate Bill 436, Relating to prohibition of certain additives in diesel fuel.

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

Com. Sub. for Senate Bill 436 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17C-14-11a, relating to prohibiting drivers on highways from operating

motor vehicles that have been intentionally modified to cause smoke or other visible emission; and providing penalties.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles H. Clements,
Chair.

Senator Clements, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration:

Senate Bill 441, Regulating driving in left lane on four-lane interstate highways in WV.

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

Com. Sub. for Senate Bill 441 (originating in the Committee on Transportation and Infrastructure)—A Bill to amend and reenact §17C-7-1 of the Code of West Virginia, 1931, as amended, relating to the regulation of driving on the right side of roadways and restricting driving in the left lane of multilane highways; adding exemptions from the requirement of driving upon the right half of the roadway; specifying when a vehicle may not be driven in the left lane of a multilane highway and providing exemptions; and requiring the Division of Highways to erect signs.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Charles H. Clements,
Chair.

The bill (Com. Sub. for S. B. 441), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration:

Senate Bill 455, Relating generally to banking authority of State Treasurer's Office.

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

Com. Sub. for Senate Bill 455 (originating in the Committee on Banking and Insurance)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §12-1-1b; to amend and reenact §12-1-5 of said code; and to amend and reenact §12-1B-5 of said code; all relating generally to the banking and contractual authority of the State Treasurer's Office and the West Virginia Security for Public Deposits Program; setting forth prohibited terms and conditions in State Treasurer contracts consistent with general restrictions

on other state contracts; providing that the State Treasurer may propose rules for legislative approval to implement the West Virginia Security for Public Deposits Program; and requiring advance announcement by the State Treasurer of the commencement of the West Virginia Security for Public Deposits Program by publication in the State Register.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Michael T. Azinger,
Chair.

Senator Azinger, from the Committee on Banking and Insurance, submitted the following report, which was received:

Your Committee on Banking and Insurance has had under consideration:

Senate Bill 470, Uniform Special Deposits Act.

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

Com. Sub. for Senate Bill 470 (originating in the Committee on Banking and Insurance)—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, §31A-9-4, §31A-9-5, §31A-9-6, §31A-9-7, §31A-9-8, §31A-9-9, §31A-9-10, §31A-9-11, §31A-9-12, §31A-9-13, §31A-9-14, §31A-9-15, and §31A-9-16, all relating to the Uniform Special Deposits Act.

With the recommendation that the committee substitute do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Michael T. Azinger,
Chair.

The bill (Com. Sub. for S. B. 470), under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Clements, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration:

Senate Concurrent Resolution 11, US Marine Corps PFC Noel Harper Fields Memorial Bridge.

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

Com. Sub. for Senate Concurrent Resolution 11 (originating in the Committee on Transportation and Infrastructure)—Requesting the Division of Highways name bridge number 44-119/00-011.79 (44A110), locally known as Big Lick Run Bridge, located at 38°39'57.5"N

81°23'48.9"W, carrying U.S. Route 119 over Big Lick Run in Roane County, the "U.S. Marine Corps PFC Noel Harper Fields Memorial Bridge".

And,

Senate Concurrent Resolution 14, US Army PFC William Gorman Memorial Bridge.

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

Com. Sub. for Senate Concurrent Resolution 14 (originating in the Committee on Transportation and Infrastructure)—Requesting the Division of Highways name bridge 17-079/00-115.33 (NB-SB) (17A251,17A252), also known as the Quiet Dell Overpass and beginning at 39.22594, -80.29692, located in Clarksburg, Harrison County, the "U.S. Army PFC William Gorman Memorial Bridge".

With the recommendation that the two committee substitutes be adopted.

Respectfully submitted,

Charles H. Clements,
Chair.

Senator Clements, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration:

Senate Concurrent Resolution 18, Stanley W. and Evelyn C. See Memorial Bridge.

And,

Senate Concurrent Resolution 19, US Army PFC Henry W. Baldwin Memorial Bridge.

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

Respectfully submitted,

Charles H. Clements,
Chair.

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

Your Committee on the Judiciary has had under consideration

Eng. House Bill 4026, Authorizing the Department of Administration to promulgate a legislative rule relating to state owned vehicles.

And reports the same back with the recommendation that it 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 and joint resolution were introduced, read by their titles, and referred to the appropriate committees:

By Senators Rucker, Maynard, and Taylor:

Senate Bill 592—A Bill to amend and reenact §3-2-11 of the Code of West Virginia, 1931, as amended, relating to authorizing the Division of Motor Vehicles to provide images of persons issued any identification or license to the Secretary of State for voter identification purposes.

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

By Senator Rucker:

Senate Bill 593—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §3-1-52, relating to prohibiting ranked choice voting in any election held in West Virginia.

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

By Senator Rucker:

Senate Bill 594—A Bill to amend and reenact §4-1-2 of the Code of West Virginia, 1931, as amended; and to amend and reenact §5B-2-3b and §5B-2-16 of said code, all relating to requiring that all appropriations that exceed \$1 million to any private business entity must be brought as a stand-alone bill to both the House of Delegates and the Senate; prohibiting either the House of Delegates or the Senate, or both, from authorizing a series of appropriations of less than \$1 million that combine to exceed \$1 million to a single private business entity; setting a limit of \$10 million on the annual balance of the Economic Development Promotion and Closing Fund; and setting a limit of \$100 million on the annual budget of the Entrepreneurship and Innovation Investment Fund.

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

By Senators Deeds and Woodrum:

Senate Bill 595—A Bill to amend and reenact §30-6-3, §30-6-8, and §30-6-9 of the Code of West Virginia, 1931, as amended, relating to amending the embalmer licensing requirements to permit a certain number of years of active military duty to substitute for college credit hours to qualify for licensure.

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

By Senators Smith and Phillips:

Senate Bill 596—A Bill to amend and reenact §22-11-4, §22-11-22, §22-11-22a, §22-11-24, and §22-11-25 of the Code of West Virginia, 1931, as amended; and to amend §22-11B-3 and §22-11B-12 of said code, all relating to administering the West Virginia Water Pollution Control

Act and Underground Carbon Dioxide Sequestration and Storage; and providing further assurances to the United States Environmental Protection Agency regarding the State of West Virginia's application for primary enforcement authority over underground carbon dioxide sequestration programs within the state.

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

By Senators Woelfel, Caputo, and Plymale:

Senate Bill 597—A Bill to amend and reenact §23-4-6a of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §23-4-26, all relating to occupational pneumoconiosis; eliminating the prohibition on permanent partial disability awards based solely on a diagnosis of occupational pneumoconiosis; declaring that an employee with occupational pneumoconiosis without measurable pulmonary impairment shall be paid certain benefits; and requiring certain claimants to receive permanent partial disability awards that may later be offset from a future disability award.

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

By Senator Rucker:

Senate Bill 598—A Bill to amend and reenact §18-8-1 and §18-8-12 of the Code of West Virginia, 1931, as amended; to amend and reenact §18-9A-25 of said code; to amend and reenact §18-31-2, §18-31-3, §18-31-4, §18-31-5, §18-31-6, §18-31-7, §18-31-8, §18-31-10, and §18-31-11 of said code; and to amend said code by adding thereto two new sections, designated §18-31-2a and §18-31-14, all relating generally to the Hope Scholarship Program; providing that microschoools and learning pods have the authority to issue secondary school diplomas; providing that the annual Hope Scholarship Program appropriation calculation will be based on the estimated number of participating students instead of the number of participating students in the prior year; providing that Hope Scholarship students have certain educational privileges made available to other nonpublic school students; clarifying reporting requirements of Hope Scholarship Students to the State Board of Education, county superintendents and county boards of education; clarifying that Hope Scholarship funds may only be utilized for expenses incurred in a kindergarten through secondary school education; specifying that a microschoool can be a participating school; permitting the State Treasurer to appear by designee at Hope Scholarship Board meetings; modifying the composition of members to the Hope Scholarship Board; modifying definitions; requiring parental agreement to include provisions requiring parents to notify the Board if a student reenrolls in public school or graduates from a secondary school program; clarifying that all records and personally identifying information of a Hope Scholarship student, applicant, or parent is confidential and not subject to disclosure pursuant to the West Virginia Freedom of Information Act; clarifying that a kindergarten-level applicant's Hope Scholarship participation does not commence if the student does not begin kindergarten-level education that school year; establishing a year-round application and awards process; clarifying annual renewal process for Hope Scholarship parents and students; clarifying that a public charter school may invoice a Hope Scholarship student for educational services; clarifying that the Hope Scholarship Board may take issues involving Hope Scholarship students in charter schools to the West Virginia Professional Charter School Board; authorizing the Hope Scholarship Board to request certain information from county superintendents and county boards of education; modifying qualifying expenses for Hope Scholarship accounts; requiring education service providers conducting background screenings of employees and other persons in contact with students to certify screening results to the board; clarifying that providers may not assess

increased or additional fees against Hope Scholarship students based on participation in the program; and adding reporting requirements.

Referred to the Committee on School Choice; and then to the Committee on Finance.

By Senator Weld:

Senate Bill 599—A Bill to amend and reenact §18B-10-7 of the Code of West Virginia, 1931, as amended, relating to exempting certain military veterans and their dependents from the payment of tuition and fees.

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

By Senator Weld:

Senate Bill 600—A Bill to amend and reenact §15-1B-25 of the Code of West Virginia, 1931, as amended, relating generally to readiness enhancement and commission bonuses.

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

By Senators Grady, Boley, Chapman, and Rucker:

Senate Bill 601—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-67-1, §16-67-2, §16-67-3, §16-67-4, §16-67-5, and §16-67-6, all relating to the Women's Bill of Rights; providing short title; setting forth purpose; establishing application of act; defining terms; allowing for language substitution; establishing certain single sex environments are not discriminatory; creating parameters for certain data collection; and allowing severability.

Referred to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 602—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 cardiac emergency response plans; defining terms; establishing requirements for cardiac emergency response plan; and addressing funding.

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

By Senators Woelfel, Plymale, and Caputo:

Senate Joint Resolution 8—Proposing an amendment to the Constitution of the State of West Virginia, amending article IV thereof by adding thereto a new section, designated section 13, relating to the possession, manufacture, and sale of cannabis by adults 21 years of age or older; the expungement of criminal records as it pertains to cannabis convictions; numbering and designating the proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

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

Senator Woodrum offered the following resolution:

Senate Concurrent Resolution 21—Requesting the Division of Highways name a portion of County Route 17, from the intersection of Barger Springs Road (37.650321, -80.751025) to the

intersection of Talcott Back Road and Route 12 (37.648578, -80.745278) in Summers County, the "U. S. Army Master Sergeant James E. Jackson, Jr. Memorial Road".

Which, under the rules, lies over one day.

Senator Woodrum offered the following resolution:

Senate Concurrent Resolution 22—Requesting the Division of Highways name a portion of County Route 20, from 37.76953571727715, -80.89182448747788 to where Cooper Hollow Road connects with County Route 20, in Summers County, the "U. S. Army and Marine Corps Major and Olympic Gold Medalist Cornelius Burdette Memorial Road".

Which, under the rules, lies over one day.

Senators Plymale, Takubo, Grady, Maynard, Queen, and Woelfel offered the following resolution:

Senate Resolution 19—Designating January 31, 2024, as Marshall University Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 20, Proclaiming fourth Saturday of November to be annually designated as Ukrainian Holodomor-Genocide Remembrance Day.

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

At the request of Senator Weld, 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, the same was put and prevailed.

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

Senate Resolution 18, Designating January 30, 2024, as West Virginia University Day.

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

At the request of Senator Oliverio, 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 Caputo, and by unanimous consent, the remarks by Senator Oliverio regarding the adoption of Senate Resolution 18 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 189, Providing for substantial deference to state school superintendent's interpretations of school 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: Barrett, Boley, Chapman, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—30.

The nays were: Caputo and Woelfel—2.

Absent: Azinger and Clements—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 189) 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 451, Directing Prosecuting Attorneys Institute to make training available to certain new prosecuting attorneys.

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: Barrett, Boley, Caputo, Chapman, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Azinger and Clements—2.

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. 451) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Azinger and Clements—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 451) takes effect from passage.

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

Eng. Senate Bill 461, Relating to county economic opportunity development districts.

On third 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.

The Senate proceeded to the ninth order of business.

Senate Bill 265, Increasing value at which municipal property must be sold through public auction.

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

Senate Bill 402, Authorizing US Concealed Carry Association to provide concealed carry classes in WV.

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 474, Creating critical incident review team.

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 475, Relating to recovery residences.

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 477, Prohibiting public disclosure of personal information on internet.

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

Senate Bill 487, Requiring periodic review of professional development for teachers and education staff.

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

Eng. House Bill 4252, Uniform Recognition and Enforcement of Canadian Domestic Violence Protective Orders Act.

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.

Com. Sub. for Senate Bill 320, Removing requirement for wineries to serve food when serving wine.

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

The Senate proceeded to the thirteenth order of business.

At the request of Senator Hamilton, unanimous consent being granted, it was ordered that the Journal show had Senator Hamilton been present in the chamber on Monday, January 29, 2024, he would have voted "yea" on the passage of Engrossed Committee Substitute for Senate Bill 36, Engrossed Committee Substitute for Senate Bill 196, Engrossed Committee Substitute for Senate Bill 222, Engrossed Committee Substitute for Senate Bill 261, and Committee Substitute for Senate Bill 445 and "yea" on the adoption of Senate Resolution 17.

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 29, 2024:

Senate Bill 455: Senators Tarr and Azinger;

Senate Bill 470: Senator Nelson;

Senate Bill 495: Senator Woelfel;

Senate Bill 498: Senator Woelfel;

Senate Bill 532: Senator Woelfel;

Senate Bill 554: Senator Woelfel;

Senate Bill 581: Senator Chapman;

Senate Bill 584: Senator Caputo;

Senate Bill 587: Senator Deeds;

Senate Bill 588: Senator Deeds;

Senate Bill 589: Senator Hamilton;

Senate Joint Resolution 7: Senator Taylor;

Senate Concurrent Resolution 18: Senators Barrett and Chapman;

Senate Concurrent Resolution 19: Senator Chapman;

Senate Concurrent Resolution 20: Senators Trump and Hamilton;

And,

Senate Resolution 18: Senators Trump, Hamilton, and Chapman.

Pending announcement of meetings of standing committees of the Senate, including the Committee on Rules,

On motion of Senator Takubo, at 11:36 a.m., the Senate adjourned until tomorrow, Wednesday, January 31, 2024, at 11 a.m.

SENATE CALENDAR

**Wednesday, January 31, 2024
11:00 AM**

UNFINISHED BUSINESS

- Com. Sub. for S. C. R. 11 - US Marine Corps PFC Noel Harper Fields Memorial Bridge
- Com. Sub. for S. C. R. 14 - US Army PFC William Gorman Memorial Bridge
- S. C. R. 18 - Stanley W. and Evelyn C. See Memorial Bridge
- S. C. R. 19 - US Army PFC Henry W. Baldwin Memorial Bridge
- S. C. R. 21 - US Army MSG James E. Jackson Jr. Memorial Road
- S. C. R. 22 - US Army and Marine Corps Major and Olympic Gold Medalist Cornelius Burdette Memorial Road
- S. R. 19 - Designating January 31, 2024, as Marshall University Day

THIRD READING

- Eng. S. B. 265 - Increasing value at which municipal property must be sold through public auction
- Eng. S. B. 402 - Authorizing US Concealed Carry Association to provide concealed carry classes in WV (original similar to HB4918)
- Eng. S. B. 461 - Relating to county economic opportunity development districts
- Eng. Com. Sub. for S. B. 474 - Creating critical incident review team
- Eng. Com. Sub. for S. B. 475 - Relating to recovery residences
- Eng. Com. Sub. for S. B. 477 - Prohibiting public disclosure of personal information on internet (original similar to HB5156)
- Eng. S. B. 487 - Requiring periodic review of professional development for teachers and education staff
- Eng. H. B. 4252 - Uniform Recognition and Enforcement of Canadian Domestic Violence Protective Orders Act

SECOND READING

- Com. Sub. for S. B. 320 - Removing requirement for wineries to serve food when serving wine

FIRST READING

- Com. Sub. for S. B. 50 - Authorizing Department of Revenue to promulgate legislative rules (original similar to HB4075)

S. B. 306 - Equipment Right to Repair Act

Com. Sub. for S. B. 436 - Prohibiting intentional motor vehicle emissions that create hazards

Com. Sub. for S. B. 455 - Relating generally to banking and contractual authority of State
Treasurer's Office (original similar to HB4801)

Eng. H. B. 4026 - Authorizing the Department of Administration to promulgate a legislative rule
relating to state owned vehicles

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2024

Wednesday, January 31, 2024

10 a.m.	Agriculture & Natural Resources	(Room 208W)
10:45 a.m.	Rules	(Room 219M)