

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE  
REGULAR SESSION, 2024  
FORTY-NINTH DAY

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Charleston, West Virginia, Tuesday, February 27, 2024

The Senate met at 11:01 a.m.

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

Prayer was offered by Pastor Bo Burgess, Jordan Baptist Church, Gallipolis Ferry, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Eric J. Tarr, a senator from the fourth district.

Pending the reading of the Journal of Monday, February 26, 2024,

At the request of Senator Takubo, 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 third order of business.

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

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

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

The following House of Delegates amendments to the bill were reported by the Clerk:

On page one, following the enacting clause, by striking out the remainder of the bill and inserting in lieu thereof the following:

**CHAPTER 8. MUNICIPAL CORPORATIONS.****ARTICLE 16. MUNICIPAL PUBLIC WORKS; REVENUE BOND FINANCING.****§8-16-5. Powers of board; bidding requirements; emergency repairs.**

(a) The board shall have plenary power and authority to take all steps and proceedings, and to make and enter into all contracts or agreements necessary, appropriate, useful, convenient or incidental to the performance of its duties and the execution of its powers and authority under this article: *Provided*, That any contract or agreement relating to the financing, or the construction, reconstruction, establishment, acquisition, improvement, renovation, extension, enlargement, increase, equipment, operation or maintenance of any such works, and any trust indenture with respect thereto as hereafter provided for, shall be approved by the governing body or bodies.

(b) The board may employ engineers, architects, inspectors, superintendents, managers, collectors, attorneys and such other employees as in its judgment may be necessary in the execution of its powers and duties, and may fix their compensation, all of whom shall do such work as the board may direct. All compensation and expenses incurred in carrying out the provisions of this article shall be paid solely from funds provided under the authority of this article, and the board shall not exercise or carry out any power or authority herein given it so as to bind said board or any municipality beyond the extent to which money shall have been, or may be provided under the authority of this article.

(c) No contract or agreement with any contractor or contractors for labor or materials, or both, exceeding in amount the sum of ~~\$25,000~~ \$50,000 shall ~~may~~ be made without advertising for bids, which bids shall be publicly opened and an award made to the lowest responsible bidder, with power and authority in the board to reject any and all bids: *Provided*, That for purposes of the bid requirements imposed by this section, the term "board" includes the governing body of any municipal public utility.

(d) After the construction, reconstruction, establishment, acquisition, renovation or equipment of any such works, the board shall maintain, operate, manage and control the same, and may order and complete any improvements, extensions, enlargements, increase or repair (including replacements) of and to the works that the board may consider expedient, if funds therefor be available, or are made available, as provided in this article, and shall establish rules for the use, maintenance and operation of the works, and do all things necessary or expedient for the successful operation thereof, and for stormwater systems and associated stormwater management programs, those activities which include, but are not limited to, stormwater and surface runoff water quality improvement activities necessary to comply with all federal and state requirements. All public ways or public works damaged or destroyed by the board in carrying out its authority under this article shall be restored or repaired by the board and placed in their original condition, as nearly as practicable, if requested so to do by proper authority, out of the funds provided under the authority of this article.

(e) Emergency repairs shall be exempt from the bidding requirements of subsection (c) of this section. For the purpose of this ~~subdivision~~ subsection, the term emergency repairs means repairs that if not made immediately will seriously impair the use of building components, systems, and public infrastructure or cause danger to persons using the building components, systems, and public infrastructure.

**CHAPTER 16. PUBLIC HEALTH.****ARTICLE 13A. PUBLIC SERVICE DISTRICTS.****§16-13A-7. Acquisition and operation of district properties; bidding requirements; contracts to respond to emergency situations.**

The board of these districts shall have the supervision and control of all public service properties acquired or constructed by the district, and shall have the power, and it shall be its duty, to maintain, operate, extend and improve the same, including, but not limited to, those activities necessary to comply with all federal and state requirements, including water quality improvement activities. All contracts involving the expenditure by the district of more than ~~\$25,000~~ \$50,000 for construction work or for the purchase of labor, materials equipment and improvements, extensions or replacements, shall be entered into only after notice inviting bids shall have been published as a Class I legal advertisement in compliance with the provision of article ~~three, chapter fifty-nine~~ §59-3-1, et seq. of this code, and the publication area for such publication shall be as specified in ~~section two of this article~~ §16-13A-2 of this code in the county or counties in which the district is located. The publication shall not be less than ten days prior to the making of any such contract. To the extent allowed by law, in-state contractors shall be given first priority in awarding public service district contracts. Each bid shall be publicly opened and an award made to the lowest responsible bidder, with power and authority in the board to reject any and all bids.

It shall be the duty of the board to ensure that local in-state labor shall be utilized to the greatest extent possible when hiring laborers for public service district construction or maintenance repair jobs. It shall further be the duty of the board to encourage contractors to use American made products in their construction to the extent possible. Any obligations incurred of any kind or character shall not in any event constitute or be deemed an indebtedness within the meaning of any of the provisions or limitations of the Constitution, but all such obligations shall be payable solely and only out of revenues derived from the operation of the public service properties of the district or from proceeds of bonds issued as hereinafter provided. No continuing contract for the purchase of materials or supplies or for furnishing the district with electrical energy or power shall be entered into for a longer period than fifteen years.

Emergency repairs shall be exempt from the bidding requirements of this section. For the purpose of this section, the term emergency repairs means repairs that if not made immediately will seriously impair the use of building components, systems, and public infrastructure or cause danger to persons using the building components, systems, and public infrastructure.

**ARTICLE 13D. REGIONAL WATER AND WASTEWATER AND STORMWATER AUTHORITY ACT.****§16-13D-4. Furnishing of funds, personnel or services by certain public agencies, agreements for purchase, sale, distribution, transmission, transportation, collection, disposal, and treatment of water, wastewater, or stormwater; terms and conditions; bidding requirements; emergency repairs.**

Any public agency acting individually to organize an authority or entering into an agreement pursuant to this article may appropriate funds and may sell, lease, give, or otherwise supply to the authority created the personnel or services for the operation of the authority as may be within its legal power to furnish.

Subject to the prior approval of the Public Service Commission pursuant to §24-2-12 of this code, any public agency, whether or not a party to an agreement pursuant to this article, and any publicly or privately owned water distribution company may enter into contracts with any regional authority created pursuant to this article for the purchase of water from the authority or the sale of water to the authority, the treatment of water by either party, and the distribution or transmission of water by either party and any such authority may enter into the contracts. The Public Service Commission shall, within 30 days of the filing date, notify the parties to the contract whether they have filed all required documentation regarding the contract. If the Commission determines that additional information is needed it will inform the agency of the information needed. The Public Service Commission shall act on a filing submitted hereunder within 90 days of the date that the Commission has before it all necessary information from the parties to the contract. Failure of the Commission to act on the filing within the 90-day period shall constitute approval thereof: *Provided*, That the 90-day Commission review period may be extended upon request of the parties to the contract.

Any public agency, whether or not a party to an agreement pursuant to this act, and any publicly or privately owned wastewater transportation or treatment system may enter into contracts with any regional authority created pursuant to this article for the transportation and treatment of wastewater by either party and any authority may enter into the contracts, subject to the prior approval of the Public Service Commission pursuant to §24-2-12 of this code. The Public Service Commission shall, within 30 days of the filing date, notify the parties to the agreement whether they have filed all required documentation regarding the contract. If the Commission determines that additional information is needed it will inform the agency of the information needed. The Public Service Commission shall act on a filing submitted hereunder within 90 days of the date that the Commission has before it all necessary information from the parties to the contract. Failure by the Commission to act within the 90-day period shall constitute approval thereof: *Provided*, That the 90-day Commission review period may be extended on upon request of the parties to the contract.

No contract or agreement authorized by the provisions of this article with any contractor or contractors for labor or materials, or both, exceeding in amount the sum of \$50,000 may be made without advertising for bids, which bids shall be publicly opened and an award made to the lowest responsible bidder, with power and authority in the commission to reject any and all bids. Emergency repairs shall be exempt from the bidding requirements of this section. For the purpose of this section, the term emergency repairs means repairs that if not made immediately will seriously impair the use of building components, systems, and public infrastructure or cause danger to persons using the building components, systems, and public infrastructure.

Any public agency, whether or not a party to an agreement pursuant to this article, and any publicly or privately owned stormwater system may enter into contracts with any regional authority created pursuant to this article for the collection and disposition of stormwater by either party and any authority may enter into contracts.

Any contract may include an agreement for the purchase of water not actually received or the treatment of wastewater not actually treated, or the collection and disposition of stormwater not actually collected and disposed. No contract may be made for a period in excess of 40 years, but renewal options may be included therein. The obligations of any public agency under any contract shall be payable solely from the revenues produced from the public agency's water, stormwater and wastewater system, and the Public Service Commission, in the case of a public agency whose rates are subject to its jurisdiction, shall permit the public agency to recover through its rates revenues sufficient to meet its obligations under the agreement.;

And,

By striking out the title and substituting therefor a new title, to read as follows:

**Eng. Com. Sub. for Senate Bill 544**—A Bill to amend and reenact §8-16-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §16-13A-7 of said code; and to amend and reenact §16-13D-4 of said code, all relating to raising the threshold from \$25,000 to \$50,000 for the requirement of bids for municipal public works projects, including any municipal public utility projects, and for public service district projects; establishing the threshold at \$50,000 for bids for projects under the Regional Water And Wastewater And Stormwater Authority Act; and exempting emergency repairs from bidding requirements.

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

Engrossed Committee Substitute for Senate Bill 544, 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, Plymale, Queen, Roberts, Rucker, Smith, Stover, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: Stuart—1.

Absent: Phillips—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. 544) passed with its House of Delegates amended 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 600**, Revising criteria for receiving reenlistment or retention bonus.

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 the following resolutions:

**House Concurrent Resolution 21**—Requesting the Division of Highways name Bridge Numbers: 20-079/00-015.97 (NB & SB) (20A512, 25A213), (38.50709, -81.40960) locally known as I-79 GABES CR BR 2675 NB & SB, carrying IS 79 over CR 53 & GABES CREEK in Kanawha County, West Virginia, as the "Louie Patton Memorial Bridge".

**House Concurrent Resolution 47**—Requesting the Division of Highways name bridge number 49-020/10-000.29 ( ) (49A137), (38.87524, -80.26413) locally known as LAUREL FORK BOX BEAM, carrying CR 20/10 over LAUREL FORK in Upshur County, the "U. S. Army SGT John Claude Roby Memorial Bridge".

**House Concurrent Resolution 49**—Requesting the Division of Highways name Bridge Number: 20-043/04-000.02 () (20A801), (38.51797, -81.45128) locally known as BIG FORK RD BRIDGE, carrying CR 43/04 over LITTLE SANDY CREEK in Kanawha County, the "U. S. Air Force Airman 1st Class "Willis 'Arnold' Karickhoff Memorial Bridge".

**House Concurrent Resolution 67**—Requesting the Division of Highways name the bridge where U.S. Route 60 crosses Hurricane Creek, near the intersection of U.S. Route 60 and State Route 34, the "Kenneth R. Lucas Memorial Bridge."

The preceding resolutions were referred to the Committee on Transportation and Infrastructure.

The Senate proceeded to the sixth order of business.

Senators Blair (Mr. President), Barrett, Rucker, and Trump offered the following resolution:

**Senate Resolution 54**—Recognizing Leadership Berkeley for its services, dedication, and commitment to Berkeley County, West Virginia.

Which, under the rules, lies over one day.

Senators Blair (Mr. President), Azinger, Barrett, Boley, Caputo, Chapman, Clements, 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, and Woodrum

**Senate Resolution 55**—Memorializing the life of the Honorable William Wayne Bailey, Jr., former Sheriff of Wyoming County, former member of the West Virginia National Guard, former Deputy Secretary of the Department of Veterans Assistance, former member of the West Virginia Senate, statesman, and dedicated public servant.

Which, under the rules, lies over one day.

At the request of Senator Azinger, unanimous consent being granted, the Senate returned to the second order of business and the introduction of guests.

The Senate proceeded to the seventh order of business.

**Senate Resolution 53**, Designating February 27, 2024, as Domestic Violence Awareness Day.

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

At the request of Senator Grady, 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 Caputo demanded the yeas and nays.

The roll being taken, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio,

Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Phillips—1.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 53) adopted.

The Senate proceeded to the eighth order of business.

**Eng. Com. Sub. for Com. Sub. for Senate Bill 468**, Requiring course in public schools on human development.

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

Pending extended discussion,

(Senator Woodrum in the Chair.)

Pending discussion,

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 468 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Tarr, Taylor, Woodrum, and Blair (Mr. President)—27.

The nays were: Caputo, Plymale, Takubo, Trump, Weld, and Woelfel—6.

Absent: Phillips—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 Com. Sub. for S. B. 468) 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 Com. Sub. for Senate Bill 470**, Uniform Special Deposits Act.

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

Senators Trump and Nelson, respectively, requested rulings from the Chair as to whether they should be excused from voting under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senators Trump and Nelson would be as members of a class of persons and that they would be required to vote.

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, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Phillips—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 Com. Sub. for S. B. 470) 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 Com. Sub. for Senate Bill 482**, Relating to rule-making authority of Ethics Commission.

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, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Phillips—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 Com. Sub. for S. B. 482) 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 503**, Protecting belief-based student organizations from certain types of discrimination.

On third reading, coming up in regular order, with the right having been granted on yesterday, Monday, February 26, 2024, for amendments to be received on third reading, was read a third time.

On motions of Senators Grady and Trump, the following amendment to the bill was reported by the Clerk and adopted:

On page 1, section 5, line 8, after the word "mission" by inserting a comma and the word "expression,".

The bill, as just amended, was again ordered to engrossment.



Engrossed Committee Substitute for Senate Bill 503 was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Nelson, Oliverio, Plymale, Queen, Roberts, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: Caputo—1.

Absent: Phillips and Rucker—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. 503) passed.

On motion of Senator Grady, the following amendment to the title of the bill was reported by the Clerk and adopted:

**Eng. Com. Sub. for Senate Bill 503**—A Bill to amend and reenact §18B-20-5 of the Code of West Virginia, 1931, as amended, relating to prohibiting state institutions of higher education from discriminating against student organizations which limit membership to those persons who adhere to the organization's sincerely held beliefs, comply with the organization's standards of conduct, and further the organization's mission, expression, or purpose.

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

**Eng. Com. Sub. for Com. Sub. for Senate Bill 679**, Regulating certain plant-based derivatives, hemp-derived cannabinoid products, and Kratom.

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, Oliverio, 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: Nelson and Phillips—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 Com. Sub. for S. B. 679) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Boley, Caputo, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, 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: Nelson and Phillips—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 Com. Sub. for S. B. 679) 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 686**, Prohibiting actions for damages or attorney's fees in cases involving Board of Risk and Insurance Management.

On third reading, coming up in regular order, with the right having been granted on yesterday, Monday, February 26, 2024, for amendments to be received on third reading, was read a third time.

Senators Woelfel, Stuart, and Trump, respectively, requested rulings from the Chair as to whether they should be excused from voting on any matter pertaining to bill under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senators Woelfel, Stuart, and Trump would be as members of a class of persons and that they would be required to vote on any matter pertaining to the bill.

On motion of Senator Hunt, the following amendment to the bill was reported by the Clerk:

On page 9, section 5, line 218, after the word "apply", by striking the remainder of the sentence and inserting in lieu thereof the words "to all claims and actions accruing after the effective date of the amendments."

Following discussion,

The question being on the adoption of Senator Hunt's amendment to the bill, and on this question, Senator Tarr demanded the yeas and nays.

The roll being taken, the yeas were: Caputo, Chapman, Clements, Deeds, Hamilton, Hunt, Karnes, Maroney, Martin, Maynard, Oliverio, Roberts, Rucker, Smith, Stover, Stuart, Taylor, and Woelfel—18.

The nays were: Azinger, Barrett, Boley, Grady, Jeffries, Nelson, Plymale, Queen, Swope, Takubo, Tarr, Trump, Weld, Woodrum, and Blair (Mr. President)—15.

Absent: Phillips—1.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Hunt's amendment to the bill adopted.

The bill, as just amended, was again ordered to engrossment.

Engrossed Senate Bill 686 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, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Phillips—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 686) 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 717**, Prohibiting sale of tobacco products to individuals younger than 21 years of age.

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 Committee Substitute for Senate Bill 717 pass?"

On the passage of the bill, the yeas were: Barrett, Boley, Caputo, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Maroney, Nelson, Oliverio, Plymale, Queen, Roberts, Stover, Swope, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—24.

The nays were: Azinger, Chapman, Karnes, Martin, Maynard, Rucker, Smith, Stuart, and Taylor—9.

Absent: Phillips—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. 717) passed with its title.

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

At the request of Senator Trump, and by unanimous consent, Senator Trump addressed the Senate regarding Engrossed Committee Substitute for Senate Bill 717 (*Prohibiting sale of tobacco products to individuals younger than 21 years of age*).

**Eng. Senate Bill 732**, Requiring cooperation between law-enforcement agencies and military authorities.

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, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Phillips—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 732) passed with its title.

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

On motion of Senator Takubo, at 12:21 p.m., the Senate recessed until 12:45 p.m.

The Senate reconvened at 12:49 p.m. and resumed consideration of the remainder of its third reading calendar, the next bill coming up in numerical sequence being

**Eng. Com. Sub. for Senate Bill 769**, Prohibiting certain medical exams on anesthetized patients.

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, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Phillips—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. 769) passed.

The following amendment to the title of the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

**Eng. Com. Sub. for Senate Bill 769**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-8B-20, relating to prohibiting court ordered pelvic, rectal and breast examinations of victims in sexual offense cases; declaring that an alleged victim's refusal may not be used as a basis to exclude otherwise relevant evidence; and setting out proceedings to which the provisions of the section apply.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Phillips—1.

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. 769) 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 803**, Updating definitions for assessment of real property.

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, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Phillips—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 803) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Phillips—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 803) 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 813**, Allowing students to participate in non-school competitive activities.

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 Senate Bill 813 pass?"

Senator Taylor requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he is a SSAC coach for a middle school soccer team.

The Chair replied that any impact on Senator Taylor would be as a member of a class of persons and that he would be required to vote.

On the passage of the bill, the yeas were: Azinger, Barrett, Boley, Chapman, Deeds, Grady, Hunt, Jeffries, Karnes, Maroney, Maynard, Oliverio, Plymale, Roberts, Rucker, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woodrum, and Blair (Mr. President)—24.

The nays were: Caputo, Clements, Hamilton, Martin, Nelson, Queen, Smith, Stover, and Woelfel—9.

Absent: Phillips—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 813) 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 858**, Clarifying filing requirements and deadlines in property tax cases.

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, Plymale, Queen, Roberts, Rucker, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Phillips—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 858) passed.

On motion of Senator Woodrum, the following amendment to the title of the bill was reported by the Clerk and adopted:

**Eng. Senate Bill 858**—A Bill to amend and reenact §11-3-25b of the Code of West Virginia, 1931, as amended, relating to jurisdiction of Office of Tax Appeals; clarifying that Office of Tax Appeals has jurisdiction over property tax appeal cases even when taxpayer fails to take certain actions.

Senator Takubo moved that the bill take effect July 1, 2024.

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

The nays were: None.

Absent: Phillips—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 858) takes effect July 1, 2024.

*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 377**, Exempting certain physicians from specified traffic laws when responding to emergencies.

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 601**, Creating WV Women's Bill of Rights.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Takubo, and by unanimous consent, the bill was ordered to engrossment and advanced to third reading with the right for amendments to be considered on that reading.

**Com. Sub. for Senate Bill 618**, Authorizing Division of Forestry to administer certain exchange program.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Finance, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

**ARTICLE 37. FOREST MANAGEMENT EXCHANGE PROGRAM.**

**§22-37-1. Short title.**

This article shall be known and cited as the Forest Management Exchange Program.

**§22-37-2. Legislative findings.**

The Legislature finds that:

(1) West Virginia, as a national energy leader, is positioned to create a voluntary market for the sale and purchase of carbon offset credits.

(2) Increased use of pollution prevention strategies, more cost-effective options for compliance with environmental standards, and improvement of environmental performance can be achieved through the establishment of a Forest Management Exchange Program.

(3) While West Virginia's existing environmental laws play an important role in protecting the environment, environmental protection could be further enhanced by authorizing innovative advances in environmental regulatory methods and approaches.

(4) A state regulated Forest Management Exchange Program will further West Virginia's role as an energy leader, incentivize economic investment, encourage environmental protection, and protect West Virginia forest landowners, forest product businesses, and consumers.

**§22-37-3. Purpose.**

The purpose of this article is to authorize the Division of Forestry to administer a Forest Management Exchange Program, known as the Forest Management Exchange, to regulate the sale and purchase of carbon credits, and which shall serve as the exclusive contracting platform for all carbon credit agreements encumbering or involving real property and standing timber located in West Virginia. The division shall develop scientific methodologies that calculate and include the long-term carbon captures from the production of forest products and a substitution factor (or product displacement factor) accounting for the use of forest products over products that would have a higher carbon emissions footprint.

**§22-37-4. Definitions.**

(a) "Carbon credit" means an emission reduction of one metric ton of carbon dioxide (or carbon dioxide equivalent) resulting from greenhouse gas emissions reductions.

(b) "Carbon credit agreement" means any contract for the sale or purchase of West Virginia carbon credits.

(c) "Carbon dioxide equivalent" means the number of tons of carbon dioxide emissions with the same global warming potential as one ton of another greenhouse gas.

(d) "Country of Particular Concern" means a country that has been designated as such by the Department of State of the United States of America pursuant to 22 U.S.C. § 6448.

(e) "Division" means the Division of Forestry.

(f) "Director" means the Director of the Division of Forestry.

(g) "Greenhouse gas" means carbon dioxide, methane, nitrous oxide, or fluorinated gases.

(h) "West Virginia carbon credit" means a division-certified carbon credit that is generated in, or originates principally as a result of activity in, West Virginia.

**§22-37-5. Scope; eligibility.**

(a) The director shall, by July 1, 2025, establish the West Virginia Forest Management Exchange on which all West Virginia carbon credits shall be listed. No carbon credit originating from real property or standing timber in West Virginia may be sold other than through the West Virginia Forest Management Exchange.

(b) The West Virginia Forest Management Exchange shall regulate all West Virginia carbon credits and carbon credit agreements.

(c) The West Virginia Forest Management Exchange shall be a public marketplace open to businesses and consumers alike: *Provided*, That all persons or businesses shall register with the division before participating in the West Virginia Forest Management Exchange.



(d) West Virginia carbon credits that are created as a result of activities or restrictions on state property, including state forests and parks, are the property of the state, and may be sold as such.

(e) Citizens of, or entities organized in or controlled by citizens or governments of, any country designated as a Country of Particular Concern by the Department of State of the United States of America are ineligible to register with the division for the West Virginia Forest Management Exchange.

(f) The division shall consider the production of forest products and the displacement effect of those products as meeting the definition of "additionality" when certifying carbon credits.

#### **§22-37-6. Program administration.**

(a) The West Virginia Forest Management Exchange shall allow landowners and timber owners to publish West Virginia carbon credits on the exchange for the solicitation of carbon credit agreements.

(b) The West Virginia Forest Management Exchange shall allow persons interested in purchasing West Virginia carbon credits to solicit offers for carbon credit agreements.

(c) The division shall certify carbon credits before their publication on the West Virginia Forest Management Exchange.

(d) Only West Virginia carbon credits are eligible for sale or purchase. The division shall maintain a public catalog of available West Virginia carbon credits along with a registry of all West Virginia lands encumbered by carbon agreements beginning upon the effective date of this article.

(e) The West Virginia Forest Management Exchange shall review all carbon credit agreements for compliance with the requirements of this article and associated regulations, including but not limited to:

(1) Carbon credit certification criteria;

(2) Price floors and ceilings; and

(3) Contract term limits.

(f) The division may propose rules, including emergency rules, pursuant to §29A-3-1 et seq. of this code to execute and implement the West Virginia Forest Management Exchange, including adopting a fee schedule to fund the administration of the exchange and setting standards for certification of carbon credits.

(g) The division may contract for operational and administration support services from third-party providers as necessary to execute, implement, and administer the West Virginia Forest Management Exchange: *Provided*, That for purposes of this article, the division shall be exempt from the provisions of §5A-3-1 et seq. of this code.

#### **§22-37-7. Appeals.**

Any person or business adversely affected by a final order or decision of the division, including, but not limited to, a carbon credit certification decision or imposition of a condition on a

carbon credit agreement, may pursue an appeal in accordance with the provisions of §29A-5-1 et seq. and §29A-6-1 et seq. of this code.

**§22-37-8. Cooperation with other state agencies; reports to Legislature.**

(a) The division shall cooperate with other state agencies to administer the West Virginia Forest Management Exchange in the best interest of the state.

(1) The West Virginia Geological and Economic Survey shall be available to provide its expertise and assistance.

(2) The West Virginia Department of Environmental Protection shall be available to provide its expertise and assistance.

(b) The division shall submit an annual report on the impacts of the West Virginia Forest Management Exchange to the Governor, the Speaker of the House of Delegates, and the President of the Senate.

The bill (Com. Sub. for S. B. 618), as amended, was then ordered to engrossment and third reading.

**Senate Bill 726**, Moving functions of Information Services and Communications Division into Office of Technology.

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 755**, Providing safeguards for online sales of tobacco products.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Takubo, and by unanimous consent, the bill was ordered to engrossment and advanced to third reading with the right for amendments to be considered on that reading.

**Com. Sub. for Senate Bill 766**, Relieving railroad companies of liability during parades.

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 816**, Truth in Giving Act.

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 822**, Relating generally to real property, tax, and registration requirements associated with carbon offset agreements.

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 826**, Creating exemption from bond or security requirement of banking institutions holding certain funds for county commissions.

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

**Senate Bill 837**, Reorganizing offices of Public Defender Corporations to conform to circuit reconfiguration.

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

**Senate Bill 840**, Modifying unemployment benefits.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Takubo, and by unanimous consent, the bill was ordered to engrossment and advanced to third reading with the right for amendments to be considered on that reading.

**Com. Sub. for Senate Bill 841**, Setting amount of unemployment taxes and benefits.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Takubo, and by unanimous consent, the bill was ordered to engrossment and advanced to third reading with the right for amendments to be considered on that reading.

**Com. Sub. for Senate Bill 850**, Updating Consumer Credit and Protection Act.

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

**Senate Bill 866**, Designating State Treasurer as chairperson of WV Investment Management Board.

On second reading, coming up in regular order, was read a second time.

At the request of Senator Takubo, and by unanimous consent, the bill was ordered to engrossment and advanced to third reading with the right for amendments to be considered on that reading.

**Senate Bill 874**, Relating to WV Division of Multimodal Transportation.

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

**Senate Bill 875**, Relating to certain insurance coverage provided by BRIM.

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

**Senate Joint Resolution 10**, Homestead Exemption for Disabled Veterans Amendment.

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

**Eng. Com. Sub. for House Bill 4233**, Non-binary not permitted on birth certificates.

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

**Eng. Com. Sub. for House Bill 4874**, Relating to fatality and mortality review team.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Health and Human Resources, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

**ARTICLE 12A. FATALITY AND MORTALITY REVIEW TEAM.**

**§61-12A-1. Fatality and Mortality Review Team.**

(a) The Fatality and Mortality Review Team is ~~created~~ continued under the ~~Bureau for Public Health~~ Department of Health. The Fatality and Mortality Review Team is a multidisciplinary team created to oversee and coordinate the examination, review, and assessment of:

~~(1) The deaths of all persons in West Virginia who die as a result of unintentional prescription or pharmaceutical drug overdoses;~~

~~(2) The deaths of children under the age of eighteen years;~~

~~(3) The deaths resulting from suspected domestic violence; and~~

~~(4) The deaths of all infants and all women who die during pregnancy, at the time of birth, or within one year of the birth of a child, and the deaths of children under 18 years of age;~~

(b) The Fatality and Mortality Review Team shall consist of the following members:

~~(1) The Chief Medical Examiner in the Bureau for Public Health or his or her designee, The state health officer, who is to serve as the chairperson and who is responsible for calling and coordinating at least quarterly, or more often, if needed, meetings of the Fatality and Mortality Review Team; and meetings of any advisory panel created by the Fatality and Mortality Review Team~~

~~(2) The Commissioner of the Bureau for Public Health or his or her designee;~~

~~(3) The Superintendent of the West Virginia State Police or his or her designee; and~~

~~(4) A prosecuting attorney, as appointed by the Governor Prosecuting Attorneys Institute, who shall serve for a term of three years unless otherwise reappointed. to a second or subsequent~~

~~term.~~ A prosecuting attorney appointed to the team shall continue to serve until his or her term expires or until his or her successor has been appointed;

(5) A designee of the Chief Medical Examiner;

(6) A designee selected by the Chair of the Minority Health Institute at Marshall University that has an expertise in the causes of the disproportionate high mortality rates of minority births in West Virginia;

(7) A designee of the Perinatal Partnership;

(8) A licensed physician with training in obstetrics, appointed by the state health officer;

(9) A licensed physician with training in neonatology, appointed by the state health officer;

(10) A hospital-based nurse with experience in obstetrics, labor and delivery, post-partum, or maternity care, appointed by the state health officer;

(11) A licensed nurse or physician with training in domestic violence, appointed by the state health officer; and

(12) Any additional persons may be added on a case-by-case basis when expertise is needed, as determined by the chair. The designee may change based upon the circumstances of each particular case.

(c) Each member shall serve without additional compensation and may not be reimbursed for any expenses incurred in the discharge of his or her duties under the provisions of this article.

### **§61-12A-2. Responsibilities of the Fatality and Mortality Review Team.**

(a) The Fatality and Mortality Review Team shall: ~~establish the following advisory panels to carry out the purposes of this article, including~~

~~(1) An unintentional pharmaceutical drug overdose fatality review panel to examine, analyze, and review deaths resulting from unintentional prescription or pharmaceutical drug overdose;~~

~~(2) A child fatality review panel to examine, analyze, and review deaths of children under the age of 18 years;~~

~~(3) A domestic violence fatality review panel to examine, analyze, and review deaths resulting from suspected domestic violence; and~~

~~(4) An infant and maternal mortality review panel to examine, analyze, and review the deaths of infants and women who die during pregnancy, at the time of birth, or within one year of the birth of a child.~~

~~(b) The members of the Fatality and Mortality Review Team shall serve as members of each of the advisory panels established pursuant to this article.~~

~~(c) The Commissioner of the Bureau for Public Health, in consultation with the Fatality and Mortality Review Team, shall propose rules for legislative approval in accordance with §29A-3-1 et seq. of this code. that the advisory panels shall follow. Those rules shall include, at a minimum:~~

- ~~(1) The representatives that shall be included on each advisory panel;~~
- ~~(2) The responsibilities of each of the advisory panels, including but not limited to, each advisory panel's responsibility to:~~
- ~~(A) Review and analyze all deaths as required by this article the deaths resulting from suspected domestic violence, the deaths of all infants and all women who die during pregnancy, at the time of birth or within one year of the birth of a child, and the deaths of children under 18 years of age;~~
- (B) Ascertain and document the trends, patterns, and risk factors; and
- (C) Provide statistical information and analysis regarding the causes of certain fatalities; and
- ~~(3) The standard procedures for the conduct of the advisory panels;~~
- ~~(4) (D) The Establish processes and protocols for the review and analysis of fatalities and mortalities of those who were not suffering from mortal diseases shortly before death;~~
- ~~(5) The processes and protocols to ensure confidentiality of records obtained by the advisory panel;~~
- ~~(6) That the advisory panels must Submit a report to the Fatality and Mortality Review Team annually, the date the annual report must be submitted, and the contents of the annual report;~~
- ~~(7) That the advisory panel may include any additional persons with expertise or knowledge in a particular field that it determines are needed in the review and consideration of a particular case as a result of a death in §61-12A-1(a) of this code.~~
- ~~(8) That the advisory panel may provide training for state agencies and local multidisciplinary teams on the matters examined, reviewed, and analyzed by the advisory panel;~~
- ~~(9) The advisory panel's responsibility to promote public awareness on the matters examined, reviewed, and analyzed by the advisory panel~~
- ~~(10) (b) Actions the advisory panel team may not take or engage in, including:~~
- (A) Call witnesses or take testimony from individuals involved in the investigation of a fatality;
- (B) Contact a family member of the deceased, unless there is a clear public health interest which is approved by a majority vote of the team;
- (C) Enforce any public health standard or criminal law or otherwise participate in any legal proceeding; or
- (D) Otherwise take any action which, in the determination of a prosecuting attorney or his or her assistants, impairs the ability of the prosecuting attorney, his or her assistants or any law-enforcement officer to perform his or her statutory duties. and
- ~~(11) Other rules as may be deemed necessary to effectuate the purposes of this article.~~

~~(d)~~ (c) The Fatality and Mortality Review Team shall submit an annual report to the Governor, the Office of the Inspector General, and to the Legislative Oversight Commission on Health and Human Resources Accountability concerning its activities ~~within the state and the activities of the advisory panels~~. The report is due annually starting on December 1, 2024, and shall reflect the previous year's data. The report is to include statistical information and an epidemiological analysis concerning cases reviewed during the year, trends and patterns concerning these cases and the team's recommendations to reduce the number of fatalities and mortalities that occur in the state.

~~(e)~~ (d) The Fatality and Mortality Review Team may provide reporting to birth facilities, practitioners, and government entities to inform internal peer review activities of recommend changes to practices or policies. Such ~~The~~ information ~~shall be deemed~~ is confidential and shall be used only for peer review purposes.

### **§61-12A-3. Access to information; other agencies of government required to cooperate.**

(a) Notwithstanding any other provision of this code to the contrary, the Fatality and Mortality Review Team ~~and the advisory panels established by the team pursuant to this article~~ may request information and records as necessary to carry out its responsibilities. Records and information that may be requested under this section include:

(1) Medical, dental, and mental health records;

(2) Substance abuse records to the extent allowed by federal law; and

(3) Information and records maintained by any state, county, and local government agency, except as provided in ~~subsection (c), section two of this article~~ §61-12A-2(b) of this code.

(b) State, county, and local government agencies shall provide the Fatality and Mortality Review Team ~~and the advisory panels established by the team~~ with any information requested in writing. ~~by the team or by an advisory panel.~~

### **§61-12A-4. Confidentiality.**

(a) Proceedings, records, and opinions of the Fatality and Mortality Review Team ~~and the advisory panels established by the team pursuant to this article~~ are confidential and are not subject to discovery, subpoena, or introduction into evidence in any civil or criminal proceeding. This section does not limit or restrict the right to discover or use in any civil or criminal proceeding anything that is available from another credible source and entirely independent of the proceedings of the team. ~~or advisory panels.~~

(b) Members of the Fatality and Mortality Review Team ~~and members of the advisory panels established by the team~~ may not be questioned in any civil or criminal proceeding regarding information presented in or opinions formed as a result of a meeting of the team. This subsection does not prevent a member of the team ~~or an advisory panel~~ from testifying to information obtained independently of the team ~~or advisory panel~~ which is public information.

(c) Proceedings, records, and opinions of the Fatality and Mortality Review Team ~~and the advisory panels established by the team~~ are exempt from disclosure under the Freedom of Information Act as provided in ~~chapter 29B of this code.~~ §29B-1-1 et seq. of this code.

(d) Notwithstanding any other provisions to the contrary, the Fatality and Mortality Review Team may prepare a data compilation to be shared, on an annual basis or more often as needed, with the Centers for Disease Control and Prevention to study maternal mortality in an effort to reduce mortality rates. No individually identifiable records may be produced.

**§61-12A-5. Required reporting and analysis.**

[Repealed]

The bill (Eng. Com. Sub. for H. B. 4874), as amended, was then ordered to third reading.

**Eng. Com. Sub. for House Bill 4933**, Relating to Medicaid dental coverage.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Health and Human Resources, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

**ARTICLE 5. MISCELLANEOUS PROVISIONS.**

**§9-5-12a. Medicaid program; dental care.**

(a) The following terms are defined:

(1) "Cosmetic services" means dental work that improves the appearance of the teeth, gums, or bite, including, but not limited to, inlays or onlays, composite bonding, dental veneers, teeth whitening, or braces.

(2) "Diagnostic and preventative services" means dental work that maintains good oral health and includes oral evaluations, routine cleanings, x-rays, fluoride treatment, fillings, and extractions.

(3) "Restorative services" means dental work that involves tooth replacement, including, but not limited to, dentures, dental implants, bridges, crowns, or corrective procedures such as root canals.

(b) The Department of Human Services shall extend Medicaid coverage to adults ~~age~~ aged 21 and over covered by the Medicaid program for diagnostic and preventative dental services and restorative dental services, excluding cosmetic services. This coverage is limited to ~~\$1,000 each budget year~~ \$2,000 per two-year budget period. Recipients must pay for services over the ~~\$1,000 yearly limit~~ \$2,000 limit. No provision in this section shall restrict the department in exercising new options provided by, or to be in compliance with, new federal legislation that further expands eligibility for dental care for adult recipients.

(c) The department is responsible for the implementation of, and program design for, a dental care system to reduce the continuing harm and continuing impact on the health care system in West Virginia. The dental health system design shall include oversight, quality assurance measures, case management, and patient outreach activities. The department shall assume responsibility for claims processing in accordance with established fee schedules and financial



aspects of the program necessary to receive available federal dollars and to meet federal rules and regulations. The department shall seek authority from the Centers for Medicare and Medicaid Services to implement the provisions of this section.

~~(d) The provisions of this section enacted during the 2020 regular legislative session shall only become effective upon approval from the federal Centers for Medicare and Medicaid Services of the provider tax as set forth in §11-27-10a of this code.~~

(d) On or before December 1 2027, the Bureau for Medical Services shall file a report with the Legislative Oversight Commission on Health and Human Resources Accountability and the Joint Committee on Government and Finance analyzing Medicaid expenditures related solely to the dental program for the plan year immediately prior to the passage of this legislation and each plan year until the date of submission of the required report. The report shall include at a minimum an analysis of the enrollees served, the state share of the Medicaid expenditures, and the federal share of expenditures.

The bill (Eng. Com. Sub. for H. B. 4933), as amended, was then ordered to third reading.

**Eng. House Bill 5593**, Relating to the creation, composition, qualifications, and compensation of the State Board of Risk and Insurance Management.

On second reading, coming up in regular order, was read a second time.

On motion of Senator Azinger, the following amendment to the bill was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

## **ARTICLE 12. STATE INSURANCE.**

### **§29-12-3. State Board of Risk and Insurance Management; creation, composition, qualifications, and compensation.**

~~(a)(1) The "state board of insurance of West Virginia" is hereby reestablished, reconstituted and continued as the state Board of Risk and Insurance Management. The board shall be composed of five members. One member shall be the vice chancellor of health sciences of the West Virginia Higher Education Policy Commission. The remaining four members shall be appointed by the Governor with the advice and consent of the Senate. One member shall be appointed by the Governor from a list of three eligible persons submitted to the Governor by the President of the Senate, and one member shall be appointed by the Governor from a list of three eligible persons submitted to the Governor by the Speaker of the House of Delegates. Each member shall be a resident of West Virginia and shall have experience in one or more of the following areas: law, accounting, business, insurance or actuarial science.~~

~~(2) Initial appointment of the members other than the vice chancellor for health sciences shall be for the following terms:~~

~~One member shall be appointed for a term ending June 30, 2003;~~

~~One member shall be appointed for a term ending June 30, 2004;~~

~~One member shall be appointed for a term ending June 30, 2005; and~~

~~One member shall be appointed for a term ending June 30, 2006.~~

~~(3) Except for appointments to fill vacancies, each subsequent appointment shall be for a term ending June 30 of the fourth year following the year the preceding term expired. In the event a vacancy occurs it shall be filled by appointment for the unexpired term. A member whose term has expired shall continue in office until a successor has been duly appointed and qualified. No member of the board may be removed from office by the Governor except for official misconduct, incompetency, neglect of duty, or gross immorality.~~

~~(4) Members of the board appointed prior to the reenactment of this article during the sixth extraordinary session of the 2001 Legislature, shall serve until December 15, 2001.~~

~~(b) The Insurance Commissioner of West Virginia shall serve as secretary of the board without vote and shall make available to the board the information, facilities and services of the office of the state Insurance Commissioner.~~

~~(c) The members of the board shall receive from the executive director of the board the same compensation authorized by law for members of the Legislature for the interim duties for each day, or portion thereof, the member is engaged in the discharge of official duties. All board members shall be reimbursed for their actual and necessary expenses incurred in the discharge of official duties, except that mileage shall be reimbursed at the same rate as that authorized for members of the Legislature.~~

~~(d) Notwithstanding any provision of this section to the contrary, the board is subject to the provisions of section twelve of this article~~

(a) The State Board of Risk and Insurance Management is hereby continued. The board shall be composed of five voting members:

(1) The chancellor of the West Virginia Higher Education Policy Commission, or his or her designee; and

(2) Four members with at least 10 years of experience in the insurance industry who shall be appointed by the Governor with the advice and consent of the Senate: *Provided*, That one member shall be appointed by the Governor from a list of three eligible persons submitted to the Governor by the President of the Senate, and one member shall be appointed by the Governor from a list of three eligible persons submitted to the Governor by the Speaker of the House of Delegates.

(b) Initial appointment of the members shall be for the following terms:

(1) One member shall be appointed for a term ending June 30, 2026;

(2) One member shall be appointed for a term ending June 30, 2027;

(3) One member shall be appointed for a term ending June 30, 2028; and

(4) One member shall be appointed for a term ending June 30, 2029.

(c) Except for appointments to fill vacancies, each subsequent appointment of a member shall be for a term ending June 30 of the fourth year following the year the preceding term expired. In the event a vacancy occurs it shall be filled by appointment for the unexpired term. A member whose term has expired shall continue in office until a successor has been duly appointed and qualified. No member of the board may be removed from office by the Governor except for official misconduct, incompetency, neglect of duty, or gross immorality.

(d) Members of the board appointed prior to the effective date of the reenactment of this section during the 2024 regular session of the Legislature shall serve until June 30, 2024: Provided, That any member of the board appointed prior to the effective date of the reenactment of this section during the 2024 regular session of the Legislature who meets the experience requirement of this section as reenacted may be reappointed to serve on the board.

(e) The Insurance Commissioner of West Virginia shall serve as secretary of the board without vote and shall make available to the board the information, facilities, and services of the office of the State Insurance Commissioner.

(f) The members of the board shall receive from the executive director of the board the same compensation authorized by law for members of the Legislature for the interim duties for each day, or portion thereof, the member is engaged in the discharge of official duties. All board members shall be reimbursed for their actual and necessary expenses incurred in the discharge of official duties, except that mileage shall be reimbursed at the same rate as that authorized for members of the Legislature.

The bill (Eng. H. B. 5593), as amended, was then ordered to third reading.

The Senate proceeded to the tenth order of business.

**Eng. Com. Sub. for House Bill 5317**, Making it permissive for commercial motor vehicles registered in this state to pass an annual inspection of all safety equipment to be consistent with the federal motor carrier safety regulations.

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

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 1:25 p.m., the Senate recessed until 4:30 p.m. today.

The Senate reconvened at 5:01 p.m. and, at the request of Senator Takubo, unanimous consent being granted, returned to the fourth order of business.

Senator Tarr, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

**Com. Sub. for Senate Bill 805**, Modifying Medicaid reimbursements for services at residential substance abuse treatment facilities.

And has amended same.

Now on second reading, having been read a first time and referred to the Committee on Finance on February 23, 2024;

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

Respectfully submitted,

Eric J. Tarr,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Com. Sub. for S. B. 805) contained in the preceding report from the Committee on Finance was taken up for immediate consideration and read a second time.

At the further request of Senator Takubo, and by unanimous consent, the bill was ordered to engrossment and advanced to third reading with the unreported Finance committee amendment pending and the right for further amendments to be considered on that reading.

Senator Tarr, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

**Com. Sub. for Senate Bill 820**, Requiring automatic enrollment of substance abuse disorder population into managed care.

And has amended same.

Now on second reading, having been read a first time and referred to the Committee on Finance on February 23, 2024;

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

Respectfully submitted,

Eric J. Tarr,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Com. Sub. for S. B. 820) contained in the preceding report from the Committee on Finance was taken up for immediate consideration and read a second time.

At the further request of Senator Takubo, and by unanimous consent, the bill was ordered to engrossment and advanced to third reading with the unreported Finance committee amendment pending and the right for further amendments to be considered on that reading.

Senator Tarr, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

**Com. Sub. for Senate Joint Resolution 6**, Incorporation of Churches or Religious Denominations Amendment.

Now on second reading, having been read a first time and referred to the Committee on Finance on February 24, 2024;

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Eric J. Tarr,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the resolution (Com. Sub. for S. J. R. 6) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a second time, and ordered to engrossment and third reading.

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

Your Committee on the Judiciary has had under consideration

**Eng. Com. Sub. for House Bill 4086**, Authorizing certain agencies of the Department of Commerce to promulgate legislative rules.

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

Respectfully submitted,

Ryan W. Weld,  
*Vice Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4086) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Maroney, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

**Eng. Com. Sub. for House Bill 4376**, Relating to surgical smoke evacuation.

And has amended same.

And,

**Eng. Com. Sub. for House Bill 4431**, Permitting the cremation of unidentified remains.

And has amended same.

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

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bills (Eng. Com. Sub. for H. B. 4376 and 4431) contained in the preceding report from the Committee on Health and Human Resources were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

**Eng. House Bill 4814**, Relating to extending the reporting and sunset dates of the State Advisory Council on Postsecondary Attainment Goals.

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

Respectfully submitted,

Amy N. Grady,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Eng. H. B. 4814) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

**Eng. House Bill 4838**, Require county boards of education to provide long-term substitute teachers, upon hiring, with certain information.

And has amended same.

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

Respectfully submitted,

Amy N. Grady,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Eng. H. B. 4838) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Grady, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

**Eng. Com. Sub. for House Bill 4951**, To facilitate the interstate practice of School Psychology in educational or school settings.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Amy N. Grady,  
*Chair.*

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Woodrum, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

**Eng. Com. Sub. for House Bill 5017**, Relating to mobile food establishment reciprocity.

And has amended same.

And,

**Eng. Com. Sub. for House Bill 5122**, Relating to civil service for deputy sheriffs.

And has amended same.

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

Respectfully submitted,

Jack David Woodrum,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bills (Eng. Com. Sub. for H. B. 5017 and 5122) contained in the preceding report from the Committee on Government Organization were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Woodrum, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

**Eng. House Bill 5117**, Relating generally to waiver of initial licensing fees for certain individuals.

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

Respectfully submitted,

Jack David Woodrum,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Eng. H. B. 5117) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Maroney, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

**Eng. Com. Sub. for House Bill 5175**, Eliminate funding for the Center for Nursing and transfer its duties and authorities to the Higher Education Policy Commission.

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

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 5175) contained in the preceding report from the Committee on Health and Human Resources was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Maroney, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

**Eng. Com. Sub. for House Bill 5248**, Relating to the regulation of behavioral health centers.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Michael J. Maroney,  
*Chair.*



The bill, under the original double committee reference, was then referred to the Committee on Finance, with an amendment from the Committee on Health and Human Resources pending.

Senator Woodrum, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

**Eng. House Bill 5337**, Establishing the legislative oversight committee of the Division of Corrections and Rehabilitation.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on the Judiciary.

Respectfully submitted,

Jack David Woodrum,  
*Chair.*

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

Senator Maroney, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

**Eng. Com. Sub. for House Bill 5347**, Relating to establishing a program for emergency medical services personnel to become certified paramedics.

And has amended same.

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

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 5347) contained in the preceding report from the Committee on Health and Human Resources was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on the Judiciary has had under consideration

**Eng. Com. Sub. for House Bill 5395**, Relating to judicial review of Board decisions.

And has amended same.

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

Respectfully submitted,

Ryan W. Weld,  
*Vice Chair.*

At the request of Senator Takubo, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 5395) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

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

The Senate then 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 Phillips.

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 27, 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. 400**, Creating limited waiver from certificate of public convenience and necessity requirement for certain water or sewer services projects.

This bill is presented to you on this day, February 27, 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 26, 2024:

**Senate Bill 766:** Senator Hunt;

**Senate Bill 816:** Senators Deeds, Rucker, and Taylor;

**Senate Bill 837:** Senator Plymale;

**Com. Sub. for Senate Joint Resolution 5:** Senator Hamilton;

And,

**Senate Resolution 53:** Senators Caputo and Hamilton.

On motion of Senator Takubo, at 5:15, the Senate adjourned until tomorrow, Wednesday, February 28, 2024, at 11 a.m.

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## **SENATE CALENDAR**

**Wednesday, February 28, 2024  
11:00 AM**

### **UNFINISHED BUSINESS**

S. R. 54 - Recognizing Leadership Berkeley for its service, dedication and commitment to Berkeley County

S. R. 55 - Memorializing life of Honorable William Wayne Bailey, Jr.

### **THIRD READING**

Eng. Com. Sub. for S. B. 377 - Exempting certain physicians from specified traffic laws when responding to emergencies

Eng. Com. Sub. for S. B. 601 - Creating WV Women's Bill of Rights - (With right to amend)

Eng. Com. Sub. for S. B. 618 - Authorizing Division of Forestry to administer certain exchange program - (Com. title amend. pending)

Eng. S. B. 726 - Moving functions of Information Services and Communications Division into Office of Technology

Eng. Com. Sub. for S. B. 755 - Providing safeguards for online sales of tobacco products - (With right to amend)

Eng. Com. Sub. for S. B. 766 - Relieving railroad companies of liability during parades

Eng. Com. Sub. for S. B. 805 - Modifying Medicaid reimbursements for services at residential substance abuse treatment facilities - (Com. amend. and title amend. pending) - (With right to amend)

Eng. Com. Sub. for S. B. 816 - Truth in Giving Act

Eng. Com. Sub. for S. B. 820 - Requiring automatic enrollment of substance abuse disorder population into managed care - (Com. amend. and title amend. pending) - (With right to amend)

Eng. Com. Sub. for S. B. 822 - Relating generally to real property, tax, and registration requirements associated with carbon offset agreements

Eng. Com. Sub. for S. B. 826 - Creating exemption from bond or security requirement of banking institutions holding certain funds for county commissions

Eng. S. B. 837 - Reorganizing offices of Public Defender Corporations to conform to circuit reconfiguration

Eng. S. B. 840 - Modifying unemployment benefits - (With right to amend)

Eng. Com. Sub. for S. B. 841 - Setting amount of unemployment taxes and benefits - (With right to amend)

Eng. Com. Sub. for S. B. 850 - Updating Consumer Credit and Protection Act

Eng. S. B. 866 - Designating State Treasurer as chairperson of WV Investment Management Board - (With right to amend)

Eng. S. B. 874 - Relating to WV Division of Multimodal Transportation

Eng. S. B. 875 - Relating to certain insurance coverage provided by BRIM

Eng. Com. Sub. for S. J. R. 6 - Incorporation of Churches or Religious Denominations Amendment

Eng. S. J. R. 10 - Homestead Exemption for Disabled Veterans Amendment

Eng. Com. Sub. for H. B. 4233 - Non-binary not permitted on birth certificates

Eng. Com. Sub. for H. B. 4874 - Relating to fatality and mortality review team - (Com. title amend. pending)

Eng. Com. Sub. for H. B. 4933 - Relating to Medicaid dental coverage - (Com. title amend. pending)

Eng. H. B. 5593 - Relating to the creation, composition, qualifications, and compensation of the State Board of Risk and Insurance Management

## **SECOND READING**

Eng. Com. Sub. for H. B. 4086 - Authorizing certain agencies of the Department of Commerce to promulgate legislative rules

Eng. Com. Sub. for H. B. 4376 - Relating to surgical smoke evacuation - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. B. 4431 - Permitting the cremation of unidentified remains. - (Com. amends. and title amend. pending)

Eng. H. B. 4814 - Relating to extending the reporting and sunset dates of the State Advisory Council on Postsecondary Attainment Goals

Eng. H. B. 4838 - Require county boards of education to provide long-term substitute teachers, upon hiring, with certain information - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. B. 5017 - Relating to mobile food establishment reciprocity. - (Com. amend. and title amend. pending)

Eng. H. B. 5117 - Relating generally to waiver of initial licensing fees for certain individuals

Eng. Com. Sub. for H. B. 5122 - Relating to civil service for deputy sheriffs - (Com. title amend. pending)

Eng. Com. Sub. for H. B. 5175 - Eliminate funding for the Center for Nursing and transfer its duties and authorities to the Higher Education Policy Commission.

Eng. Com. Sub. for H. B. 5317 - Making it permissive for commercial motor vehicles registered in this state to pass an annual inspection of all safety equipment to be consistent with the federal motor carrier safety regulations - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. B. 5347 - Relating to establishing a program for emergency medical services personnel to become certified paramedics - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. B. 5395 - Relating to judicial review of Board decisions - (Com. amend. pending)

**ANNOUNCED SENATE COMMITTEE MEETINGS**

**Regular Session 2024**

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**Wednesday, February 28, 2024**

10 a.m.

Agriculture & Natural Resources

(Room 208W)