

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE
REGULAR SESSION, 2020
TWENTY-FIRST DAY

Charleston, West Virginia, Tuesday, January 28, 2020

The Senate met at 11:10 a.m.

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

Prayer was offered by Pastor Jesse Waggoner, Senior Pastor, Mount Calvary Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Mark R. Maynard, a senator from the sixth district.

Pending the reading of the Journal of Monday, January 27, 2020,

At the request of Senator Lindsay, 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 passage by that body and requested the concurrence of the Senate in the passage of

Eng. Com. Sub. for House Bill 4011—A Bill to repeal §30-2-1, §30-2-2, §30-2-3, §30-2-4, §30-2-5, §30-2-5a, §30-2-6, §30-2-7, §30-2-8, §30-2-9, §30-2-10, §30-2-11, §30-2-12, §30-2-13, §30-2-14, §30-2-15, and §30-2-16 of the code of West Virginia, 1931, as amended; to repeal §30-6-1, §30-6-2, §30-6-3, §30-6-4, §30-6-5, §30-6-6, §30-6-7, §30-6-8, §30-6-9, §30-6-10, §30-6-11, §30-6-12, §30-6-13, §30-6-14, §30-6-15, §30-6-16, §30-6-17, §30-6-18, §30-6-19, §30-6-20, §30-6-21, §30-6-22, §30-6-22a, §30-6-23, §30-6-24, §30-6-25, §30-6-26, §30-6-27, §30-6-28, §30-6-29, §30-6-30, and §30-6-31 of said code; to repeal §30-9-1, §30-9-2, §30-9-3, §30-9-4, §30-9-5, §30-9-6, §30-9-7, §30-9-8, §30-9-9, §30-9-10, §30-9-11, §30-9-12, §30-9-13, §30-9-14, §30-9-15, §30-9-16, §30-9-17, §30-9-18, §30-9-19, §30-9-20, §30-9-21, §30-9-22, §30-9-23, §30-9-24, §30-9-25, §30-9-26, §30-9-27, §30-9-28, §30-9-29, §30-9-30, §30-9-31, §30-9-33, and §30-9-34 of said code; to repeal §30-12-1, §30-12-2, §30-12-3, §30-12-4, §30-12-5, §30-12-6, §30-12-7, §30-12-8, §30-12-9, §30-12-10, §30-12-11, §30-12-11a, §30-12-12, §30-12-13, and §30-12-14 of said code; to repeal §30-13-1, §30-13-2, §30-13-3, §30-13-4, §30-13-5, §30-13-6, §30-13-7, §30-

13-8, §30-13-9, §30-13-10, §30-13-11, §30-13-12, §30-13-13, §30-13-13a, §30-13-14, §30-13-15, §30-13-16, §30-13-17, §30-13-18, §30-13-19, §30-13-20, §30-13-21, §30-13-22, §30-13-23, and §30-13-24; to repeal §30-13A-1, §30-13A-2, §30-13A-3, §30-13A-4, §30-13A-5, §30-13A-6, §30-13A-7, §30-13A-8, §30-13A-9, §30-13A-10, §30-13A-11, §30-13A-12, §30-13A-13, §30-13A-14, §30-13A-15, §30-13A-16, §30-13A-17, §30-13A-18, §30-13A-19, §30-13A-20, §30-13A-21, §30-13A-22, §30-13A-23, §30-13A-24, and §30-13A-25 of said code; to repeal §30-17-1, §30-17-2, §30-17-3, §30-17-4, §30-17-5, §30-17-6, §30-17-7, §30-17-8, §30-17-9, §30-17-10, §30-17-11, §30-17-12, §30-17-13, §30-17-14, §30-17-15, §30-17-16, §30-17-17, and §30-17-18, §30-17-19 of said code; to repeal §30-18-1, §30-18-2, §30-18-3, §30-18-4, §30-18-5, §30-18-6, §30-18-7, §30-18-8, §30-18-9, §30-18-10, §30-18-11, §30-18-12, and §30-18-13 of said code; to repeal §30-19-1, §30-19-2, §30-19-3, §30-19-4, §30-19-5, §30-19-6, §30-19-7, §30-19-8, §30-19-9, §30-19-10, §30-19-11, §30-19-12, §30-19-13, §30-19-14, §30-19-15, §30-19-16, and §30-19-17 of said code; to repeal §30-22-1, §30-22-2, §30-22-3, §30-22-4, §30-22-5, §30-22-6, §30-22-7, §30-22-8, §30-22-9, §30-22-10, §30-22-11, §30-22-12, §30-22-13, §30-22-14, §30-22-15, §30-22-16, §30-22-17, §30-22-18, §30-22-19, §30-22-20, §30-22-21, §30-22-22, §30-22-23, §30-22-24, §30-22-25, §30-22-26, §30-22-27, and §30-22-28 of said code; to repeal §30-25-1, §30-25-2, §30-25-3, §30-25-4, §30-25-5, §30-25-6, §30-25-7, §30-25-8, §30-25-9, §30-25-10, §30-25-11, §30-25-12, §30-25-13, §30-25-14, §30-25-15, §30-25-16, §30-25-17, and §30-25-18 of said code; to repeal §30-27-1, §30-27-2, §30-27-3, §30-27-4, §30-27-5, §30-27-6, §30-27-7, §30-27-8, §30-27-8a, §30-27-8b, §30-27-9, §30-27-10, §30-27-11, §30-27-11a, §30-27-12, §30-27-13, §30-27-14, §30-27-15, §30-27-16, §30-27-17, §30-27-18, §30-27-19, §30-27-20, §30-27-21, §30-27-22, §30-27-23, and §30-27-24 of said code; to repeal §30-29-1, §30-29-2, §30-29-3, §30-29-4, §30-29-5, §30-29-6, §30-29-7, §30-29-8, §30-29-9, §30-29-10, §30-29-11, §30-29-12, and §30-29-13 of said code; to repeal §30-38-1, §30-38-2, §30-38-3, §30-38-4, §30-38-5, §30-38-6, §30-38-7, §30-38-8, §30-38-9, §30-38-10, §30-38-11, §30-38-12, §30-38-13, §30-38-14, §30-38-15, §30-38-16, §30-38-17, §30-38-18, and §30-38-19 of said code; to repeal §30-38A-1, §30-38A-2, §30-38A-3, §30-38A-4, §30-38A-5, §30-38A-6, §30-38A-7, §30-38A-8, §30-38A-9, §30-38A-10, §30-38A-11, §30-38A-12, §30-38A-13, §30-38A-14, §30-38A-15, §30-38A-16, and §30-38A-17 of said code; to repeal §30-39-1, §30-39-2, §30-39-3, §30-39-4, §30-39-5, §30-39-6, §30-39-7, §30-39-8, §30-39-9, §30-39-10, §30-39-11, §30-39-12, §30-39-13, §30-39-14, §30-39-15, §30-39-16, §30-39-17, §30-39-18, §30-39-19, §30-39-20, and §30-39-21 of said code; to repeal §30-40-1, §30-40-2, §30-40-3, §30-40-4, §30-40-5, §30-40-6, §30-40-7, §30-40-8, §30-40-9, §30-40-10, §30-40-11, §30-40-12, §30-40-13, §30-40-14, §30-40-15, §30-40-16, §30-40-17, §30-40-18, §30-40-19, §30-40-20, §30-40-21, §30-40-22, §30-40-23, §30-40-24, §30-40-25, §30-40-26, and §30-40-27 of said code; to amend and reenact §30-1-5 and §30-1-19 of said code; to amend said code by adding thereto a new article, designated §30A-1-1, §30A-1-2, §30A-1-3, §30A-1-4, §30A-1-5, §30A-1-6, §30A-1-7, §30A-1-8, §30A-1-9, §30A-1-10, §30A-1-11, §30A-1-12, §30A-1-13, §30A-1-14, §30A-1-15, §30A-1-16, §30A-1-17, §30A-1-18, §30A-1-19, §30A-1-20, §30A-1-21, §30A-1-22, §30A-1-23, §30A-1-24, §30A-1-25, §30A-1-26, §30A-1-27, §30A-1-28, §30A-1-29, and §30A-1-30; to amend said code by adding thereto a new article, designated §30A-1B-1, §30A-1B-2, §30A-1B-3, §30A-1B-4, §30A-1B-5, §30A-1B-6, §30A-1B-7, and §30A-1B-8; to amend said code by adding thereto a new article, designated §30A-1C-1, §30A-1C-2, §30A-1C-3, and §30A-1C-4; to amend said code by adding thereto a new article, designated §30A-2-1, §30A-2-2, §30A-2-3, §30A-2-4, §30A-2-5, §30A-2-6, §30A-2-7, §30A-2-8, §30A-2-9, §30A-2-10, §30A-2-11, §30A-2-12, §30A-2-13, §30A-2-14, §30A-2-15, §30A-2-16, §30A-2-17, §30A-2-18, §30A-2-19, §30A-2-20, §30A-2-21, §30A-2-22, §30A-2-23, §30A-2-24, §30A-2-25, §30A-2-26, §30A-2-27, §30A-2-28, §30A-2-29, §30A-2-30, §30A-2-31, §30A-2-32, and §30A-2-33; to amend said code by adding thereto a new article, designated §30A-3-1, §30A-3-2, §30A-3-3, §30A-3-4, §30A-3-5, §30A-3-6, §30A-3-7, §30A-3-8, §30A-3-9, §30A-3-10, §30A-3-11, §30A-3-11a, §30A-3-12, §30A-3-13, and §30A-3-14; to amend said code by adding thereto a new article, designated §30A-4-1, §30A-4-2, §30A-4-3, §30A-4-4, §30A-4-5, §30A-4-6, §30A-4-7, §30A-4-8, §30A-4-9, §30A-4-10, §30A-4-11,

§30A-4-12, §30A-4-13, §30A-4-13a, §30A-4-14, §30A-4-15, §30A-4-16, §30A-4-17, §30A-4-18, §30A-4-19, §30A-4-20, §30A-4-21, §30A-4-22, §30A-4-23, and §30A-4-24; to amend said code by adding thereto a new article, designated §30A-5-1, §30A-5-2, §30A-5-3, §30A-5-4, §30A-5-5, §30A-5-6, §30A-5-7, §30A-5-8, §30A-5-9, §30A-5-10, §30A-5-11, §30A-5-12, §30A-5-13, §30A-5-14, §30A-5-15, §30A-5-16, and §30A-5-17; to amend said code by adding thereto a new article, designated §30A-6-1, §30A-6-2, §30A-6-3, §30A-6-4, §30A-6-5, §30A-6-6, §30A-6-7, §30A-6-8, §30A-6-9, §30A-6-10, §30A-6-11, §30A-6-12, §30A-6-13, §30A-6-14, §30A-6-15, §30A-6-16, §30A-6-17, §30A-6-18, §30A-6-19, §30A-6-20, §30A-6-21, §30A-6-22, §30A-6-23, §30A-6-24, and §30A-6-25; to amend said code by adding thereto a new article, designated §30A-7-1, §30A-7-2, §30A-7-3, §30A-7-4, §30A-7-5, §30A-7-6, §30A-7-7, §30A-7-8, §30A-7-9, §30A-7-10, §30A-7-11, §30A-7-12, §30A-7-13, §30A-7-14, §30A-7-15, §30A-7-16, §30A-7-17, §30A-7-18, §30A-7-19, §30A-7-20, §30A-7-21, §30A-7-22, §30A-7-23, §30A-7-24, §30A-7-25, §30A-7-26, §30A-7-27, and §30A-7-28; to amend said code by adding thereto a new article, designated §30A-8-1, §30A-8-2, §30A-8-3, §30A-8-4, §30A-8-5, §30A-8-6, §30A-8-7, §30A-8-8, §30A-8-9, §30A-8-10, §30A-8-11, §30A-8-12, §30A-8-13, §30A-8-14, §30A-8-15, §30A-8-16, §30A-8-17, §30A-8-18, and §30A-8-19; to amend said code by adding thereto a new article, designated §30A-9-1, §30A-9-2, §30A-9-3, §30A-9-4, §30A-9-5, §30A-9-6, §30A-9-7, §30A-9-8, §30A-9-9, §30A-9-10, §30A-9-11, §30A-9-12, §30A-9-13, §30A-9-14, §30A-9-15, §30A-9-16, §30A-9-17, and §30A-9-18; to amend said code by adding thereto a new article, designated §30A-10-1, §30A-10-2, §30A-10-3, §30A-10-4, §30A-10-5, §30A-10-6, §30A-10-7, §30A-10-8, §30A-10-9, §30A-10-10, §30A-10-11, §30A-10-12, §30A-10-13, §30A-10-14, §30A-10-15, §30A-10-16, §30A-10-17, §30A-10-18, §30A-10-19, §30A-10-20, §30A-10-21, §30A-10-22, §30A-10-22a, §30A-10-23, §30A-10-24, §30A-10-25, §30A-10-26, §30A-10-27, §30A-10-28, §30A-10-29, §30A-10-30, and §30A-10-31; to amend said code by adding thereto a new article, designated §30A-11-1, §30A-11-2, §30A-11-3, §30A-11-4, §30A-11-5, §30A-11-6, §30A-11-7, §30A-11-8, §30A-11-9, §30A-11-10, §30A-11-12, §30A-11-13, §30A-11-14, §30A-11-15, §30A-11-16, §30A-11-17, §30A-11-18, and §30A-11-19; to amend said code by adding thereto a new article, designated §30A-12-1, §30A-12-2, §30A-12-3, §30A-12-4, §30A-12-5, §30A-12-6, §30A-12-7, §30A-12-8, §30A-12-9, §30A-12-10, §30A-12-11, §30A-12-12, §30A-12-13, §30A-12-14, §30A-12-15, §30A-12-16, and §30A-12-17; to amend said code by adding thereto a new article, designated §30B-1-1, §30B-1-2, §30B-1-3, §30B-1-4, §30B-1-5, §30B-1-6, §30B-1-7, §30B-1-8, §30B-1-9, §30B-1-10, §30B-1-11, §30B-1-12, §30B-1-13, §30B-1-14, §30B-1-15, §30B-1-16, §30B-1-17, §30B-1-18, §30B-1-19, §30B-1-20, §30B-1-21, §30B-1-22, §30B-1-23, §30B-1-24, §30B-1-25, §30B-1-26, §30B-1-27, §30B-1-28, and §30B-1-29; to amend said code by adding thereto a new article, designated §30B-1B-1, §30B-1B-2, §30B-1B-3, §30B-1B-4, §30B-1B-5, §30B-1B-6, §30B-1B-7, and §30B-1B-8; to amend said code by adding thereto a new article, designated §30B-1C-1, §30B-1C-2, §30B-1C-3, and §30B-1C-4; to amend said code by adding thereto a new article, designated §30B-2-1, §30B-2-2, §30B-2-3, §30B-2-4, §30B-2-5, §30B-2-6, §30B-2-7, §30B-2-8, §30B-2-8a, §30B-2-8b, §30B-2-9, §30B-2-10, §30B-2-11, §30B-2-11a, §30B-2-12, §30B-2-13, §30B-2-14, §30B-2-15, §30B-2-16, §30B-2-17, §30B-2-18, §30B-2-19, §30B-2-20, §30B-2-21, §30B-2-22, §30B-2-23, and §30B-2-24; to amend said code by adding thereto a new article, designated §30B-3-1, §30B-3-2, §30B-3-3, §30B-3-4, §30B-3-5, §30B-3-6, §30B-3-7, §30B-3-8, §30B-3-9, §30B-3-10, §30B-3-11, §30B-3-12, and §30B-3-13; to amend said code by adding thereto a new article, designated §30B-4-1, §30B-4-2, §30B-4-3, §30B-4-4, §30B-4-5, §30B-4-6, §30B-4-7, §30B-4-8, §30B-4-9, §30B-4-10, §30B-4-11, §30B-4-12, and §30B-4-13; to amend said code by adding there to a new article, designated §30B-5-1, §30B-5-2, §30B-5-3, §30B-5-4, §30B-5-5, §30B-5-6, §30B-5-7, §30B-5-8, §30B-5-9, §30B-5-10, §30B-5-11, §30B-5-12, §30B-5-13, §30B-5-14, §30B-5-15, §30B-5-16, §30B-5-17, §30B-5-18, §30B-5-19, §30B-5-20, §30B-5-21, §30B-5-22, §30B-5-23, §30B-5-24, §30B-5-25, §30B-5-26, and §30B-5-27; to amend said code by adding thereto a new article, designated §30B-6-1, §30B-6-2, §30B-6-3, §30B-6-4, §30B-6-5, §30B-6-6, §30B-6-7, §30B-6-8, §30B-6-9, §30B-6-10, §30B-6-11, §30B-6-12, §30B-6-13, §30B-6-14, §30B-6-15,

§30B-6-16, §30B-6-17, §§30B-6-18, §30B-6-19, §30B-6-20, and §30B-6-21 all relating to reorganizing various boards and authorities for the licensing and oversight of trades, occupations, and professions; dividing current articles and practice acts from one chapter into three chapters, organized by occupational subject matter, education criteria, and other common requirements; repealing provisions relating to administrative licensing of attorneys; retaining articles for the licensing authorities for all medically related professions and occupations in Chapter 30; requiring any licensing board with knowledge of violations of the practice acts in any of the three chapters to report this information to the appropriate licensing authority; authorizing licensing authorities to combine administrative functions with any other licensing authority, regardless of the chapter of the code; placing articles for the licensing authorities for nonmedical occupations that require a minimum of a baccalaureate degree in a new Chapter 30A; adding a new article conforming the authorities, duties, restrictions, and procedural requirements of these articles with those in the original Chapter 30; adding a new article conforming the provisions of the articles in Chapter 30A with those in the original Chapter 30 which provide for consideration of military training and experience, and for suspension of fees and continuing education requirements for members of the armed forces on active duty and for spouses accompanying such members; adding a new article conforming the provisions of these articles with those in the original Chapter 30 which provide for recognition of training and apprenticeship programs and requiring the proposal of legislative rules therefor; continuing rules previously promulgated by the boards; placing articles for the licensing authorities for nonmedical occupations that do not require a minimum of a baccalaureate degree in a new Chapter 30B; and adding a new article conforming the authorities, duties, restrictions, and procedural requirements of these articles with those in the original Chapter 30; adding a new article conforming the provisions of the articles in Chapter 30B with those in the original Chapter 30 which provide for consideration of military training and experience, and for suspension of fees and continuing education requirements for members of the armed forces on active duty and for spouses accompanying such members; adding a new article conforming the provisions of these articles with those in the original Chapter 30 which provide for recognition of training and apprenticeship programs and requiring the proposal of legislative rules therefor; and continuing rules previously promulgated by the boards.

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 4129—A Bill to amend and reenact §48-22-201 and §48-22-501 of the Code of West Virginia, 1931, as amended, all relating to adoption; providing for the location of the adoption hearing; and eliminating a waiting period.

Referred to the Select Committee on Children and Families.

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 4146—A Bill to amend and reenact §33-4-15a of the Code of West Virginia, 1931, as amended, relating to credit for reinsurance; allowing a credit on an insurer's annual statement when reinsurance is ceded to an assuming insurer and the assuming insurer is licensed in a reciprocal jurisdiction; defining reciprocal jurisdiction; setting forth the criteria required regarding the credit for reinsurance; and requiring the Insurance Commissioner to create and publish a list of reciprocal jurisdictions and assuming insurers.

Referred to the Committee on Banking and Insurance.

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 4149—A Bill to amend and reenact §33-4-2 of the Code of West Virginia, 1931, as amended, relating to insurance; adding definitions.

Referred to the Committee on Banking and Insurance.

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 4166—A Bill to amend and reenact §62-12-26 of the Code of West Virginia, 1931, as amended, relating to prohibiting certain sex offenders from being in a supervisory position over children.

Referred to the Committee on the Judiciary.

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

Eng. House Bill 4411—A Bill to amend and reenact §31-17-8 of the Code of West Virginia, 1931, as amended, relating to the West Virginia Residential Mortgage Lender, Broker and Servicer Act; and adjusting the allowable final installment payment on mortgage loans.

Referred to the Committee on Banking and Insurance.

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 Bill 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, and 467, Dept of Commerce rule relating to small business innovation research and small business technology transfer matching funds program.

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

Com. Sub. for Senate Bill 449 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-10-1 *et seq.* of the Code of West Virginia, 1931, as amended, relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Department of Commerce to promulgate a legislative rule relating to small business innovation research and small business technology transfer matching funds program; authorizing the Division of Labor to promulgate a legislative rule relating to supervision of plumbing work; authorizing the Division of Labor to promulgate a legislative rule relating to regulation of heating, ventilating, and cooling work; authorizing the Division of Forestry to promulgate a legislative rule relating to sediment control during commercial timber-harvesting

operations—licensing; authorizing the Division of Forestry to promulgate a legislative rule relating to sediment control during commercial timber-harvesting operations—logger certification; authorizing the Office of Miners' Health, Safety, and Training to promulgate a legislative rule relating to substance abuse screening, standards, and procedures; authorizing the Office of Miners' Health, Safety, and Training to promulgate a legislative rule relating to rules governing the certification, recertification, and training of EMT-miners and the certification of EMT-M instructors; authorizing the Division of Natural Resources to promulgate a legislative rule relating to commercial whitewater outfitters; authorizing the Division of Natural Resources to promulgate a legislative rule relating to transporting and selling wildlife pelts and parts; authorizing the Division of Natural Resources to promulgate a legislative rule relating to boating; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special boating rules; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special requirements concerning boating; authorizing the Division of Natural Resources to promulgate a legislative rule relating to public use of campgrounds in West Virginia State Parks and State Forests and campsites in State Rail Trails under the Division of Natural Resources; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special projects and grants for the West Virginia State Parks, State Forests, and State Rail Trails under the Division of Natural Resources; authorizing the Division of Natural Resources to promulgate a legislative rule relating to defining terms used in all hunting and trapping; authorizing the Division of Natural Resources to promulgate a legislative rule relating to prohibitions when hunting and trapping; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special fishing rule; authorizing the Division of Natural Resources to promulgate a legislative rule relating to catching and selling bait fish; and authorizing the Division of Natural Resources to promulgate a legislative rule relating to falconry.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,
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 508, Removing mandate Board of Risk and Insurance Management purchase liability insurance for Division of Corrections.

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

Respectfully submitted,

Michael T. Azinger,
Chair.

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

Your Committee on Natural Resources has had under consideration

Senate Bill 517, Creating State Parks and Recreation Endowment Fund.

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

Com. Sub. for Senate Bill 517 (originating in the Committee on Natural Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §20-5A-1 and §20-5A-2, all relating to State Parks and Recreation Endowment Fund; establishing fund; providing for deposits; providing terms for expenditures; requiring investment of fund assets; and establishing board of trustees to administer fund.

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,

Bill Hamilton,
Chair.

The bill (Com. Sub. for S. B. 517), under the original double committee reference, was then referred to the Committee on Finance.

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 545, Authorizing transfer of moneys from Insurance Commission Fund to Workers' Compensation Old Fund.

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 Finance.

Respectfully submitted,

Michael T. Azinger,
Chair.

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

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

Your Committee on Natural Resources has had under consideration

Senate Bill 550, Permitting leashed dogs track mortally wounded deer or bear.

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

Com. Sub. for Senate Bill 550 (originating in the Committee on Natural Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-5j; and to amend and reenact §20-2-16 of said code, all relating to hunting;

permitting the use of leashed dogs to track mortally wounded deer or bear; and amending protocol for dogs hunting or chasing deer.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Bill Hamilton,
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

Senate Bill 597, Relating to judicial branch members' salaries and pensions.

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

Com. Sub. for Senate Bill 597 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §50-1-3 of the Code of West Virginia, 1931, as amended; to amend and reenact §51-1-10a of said code; to amend and reenact §51-2-13 of said code; to amend and reenact §51-2A-6 of said code; and to amend and reenact §51-9-1a and §51-9-5 of said code, all relating generally to salaries and pensions of magistrates, justices of the Supreme Court of Appeals, circuit judges, and family court judges; adopting and codifying the 2019 recommendations of the Judicial Compensation Commission as to salary increases for magistrates, justices of the Supreme Court of Appeals, circuit judges, and family court judges; and allowing family court judges to participate in the Judge's Retirement System as it applies to judges first taking office after July 1, 2005.

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,

Charles S. Trump IV,
Chair.

The bill (Com. Sub. for S. B. 597), under the original double committee reference, was then referred to the Committee on Finance.

The Senate proceeded to the sixth order of business.

At the request of Senator Takubo, unanimous consent being granted, the following bills were considered introduced, read by their titles, and referred to the appropriate committees:

By Senators Smith, Takubo, Stollings, Pitsenbarger, Hardesty, Hamilton, Jeffries, Ihlenfeld, Trump, Clements, Beach, and Woelfel:

Senate Bill 632—A Bill to amend and reenact §23-4-15 of the Code of West Virginia, 1931, as amended, relating to clarifying that the time limitations provided for filing occupational

pneumoconiosis claims do not apply or otherwise limit the ability of a claimant to obtain an evaluation from the Occupational Pneumoconiosis Board.

Referred to the Committee on Banking and Insurance.

By Senators Carmichael (Mr. President) and Prezioso (By Request of the Executive):

Senate Bill 633—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-28, relating generally to creating in the State Treasury a special account known as Medicaid Families First Reserve Fund; specifying moneys that may be deposited in fund; providing for expenditures from fund; and authorizing investments.

Referred to the Committee on Finance.

By Senator Prezioso:

Senate Bill 634—A Bill to amend and reenact §29-3-5b of the Code of West Virginia, 1931, as amended, relating to authorizing a municipality to adopt and enforce the most recent edition of the ICC International Property Maintenance Code.

Referred to the Committee on Government Organization.

By Senator Trump:

Senate Bill 635—A Bill to repeal §44-1-8 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §44-1A-1, §44-1A-2, §44-1A-3, §44-1A-4, §44-1A-5, and §44-1A-6, all relating to allowing the administration of small estates containing under \$50,000 in personal property and under \$100,000 in real property by affidavit and without appointment of a personal representative; and allowing payment or delivery of small assets of a decedent to an authorized successor.

Referred to the Committee on the Judiciary.

By Senators Prezioso, Ihlenfeld, Jeffries, Lindsay, Palumbo, Romano, and Stollings:

Senate Bill 636—A Bill to amend and reenact §6B-2-8 of the Code of West Virginia, 1931, as amended, relating to blind trusts by public officials; requiring the Governor to transfer all or a portion of his or her assets to a blind trust; permitting other officials to voluntarily transfer assets to a blind trust; setting forth the responsibilities of a trustee; clarifying the contents and aspects to trust instrument; providing for the contents of statement to be filed with West Virginia Ethics Commission; requiring quarterly reports of the aggregate market value of assets in the trust; creating requirements related to communications regarding blind trust; granting the West Virginia Ethics Commission the authority to inspect records; and limiting a trustee's liability.

Referred to the Committee on the Judiciary.

By Senator Beach:

Senate Bill 637—A Bill to amend and reenact §18-8-1 of the Code of West Virginia, 1931, as amended, relating to prohibiting the home schooling of children in certain circumstances; prohibiting home schooling when a custodial parent or the person instructing the child is suspected or convicted of child abuse or neglect; and prohibiting home schooling when either custodial parent or a person instructing the child has been convicted of domestic violence.

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

By Senator Trump:

Senate Bill 638—A Bill to amend and reenact §60-7-2, §60-7-6, §60-7-8a, and §60-7-12 of the Code of West Virginia, 1931, as amended; and to amend and reenact §61-8-27 of said code, all relating to creating new private club licenses and requirements for a private multivendor fair and festival license, private night club license, private tennis club license, and a private wedding venue license; setting private club license requirements; setting private club license fees; setting private club hours of operations; and permitting certain exceptions to the accompanied minor requirements.

Referred to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 639—A Bill to amend and reenact §49-4-502 and §49-4-601 of the Code of West Virginia, 1931, as amended, all relating to the duties of the prosecuting attorney in child abuse and neglect matters; and providing for who may file a child abuse and neglect petition.

Referred to the Select Committee on Children and Families; and then to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 640—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new chapter, designated §15A-9-1, §15A-9-2, §15A-9-3, §15A-9-4, §15A-9-5, §15A-9-6, and §15A-9-7; and to amend and reenact §57-5-11 of said code; and to amend and reenact §62-1A-7 of said code, all relating to creating the Division of Biological Evidence Services of the Department of Military Affairs and Public Safety; creating definitions; providing for the appointment of a director and establishing qualifications therefor; establishing powers and duties of the division and its professional staff; creating a special fund for operation of the division; establishing procedures for storage and preservation of biological evidence; establishing remedies for noncompliance; and requiring disposition of evidence in the possession of courts and seized evidence with the division.

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

By Senator Maroney:

Senate Bill 641—A Bill to amend and reenact §5-16B-6d of the Code of West Virginia, 1931, as amended, relating to the requirement that provider reimbursement schedules shall be no lower than the reimbursement provided for the same services under the plans offered in §5-16-1 *et seq.* of said code; and making other technical changes.

Referred to the Committee on Health and Human Resources.

Senator Maynard offered the following resolution:

Senate Concurrent Resolution 13—Requesting the Division of Highways name bridge number 11-31-8, carrying Twelve Pole Creek Road/Old NW Railroad Bed Road 3/05 over West Fork Twelve Pole Creek west of Big Sang Kill Road in Mingo County, the “Ira ‘Noon’ Copley and Marie Copley Memorial Bridge”.

Whereas, Ira “Noon” Copley was born in 1926 in Wilsondale, West Virginia, to Lawrence and Nora Copley; and

Whereas, Ira “Noon” Copley attended Burch High School in Delbarton, West Virginia; and

Whereas, After graduating, Ira “Noon” Copley enlisted in the Navy on January 22, 1944; and

Whereas, Upon his release from the Navy on November 6, 1945, Ira “Noon” Copley returned home and drove a taxicab, worked on a sawmill, and eventually owned his own sawmill and lumber yard. He started High Spur Coal Company with Shorty Hartman of Logan, West Virginia, and started Lady K Coal in Dingess, West Virginia. Ira “Noon” Copley was an innovator and risk-taker. He developed what was then called a “coal tube”. Although many said his idea would not work, he built and successfully maintained the only two in this part of the country; and

Whereas, Ira “Noon” Copley was responsible for an ambulance service in Dingess, West Virginia, and, when funds didn’t come in as expected, he gave quietly every month to keep it going. He also provided land and helped to bring in a medical facility, through Logan General Hospital, which served the community of Dingess for many years; and

Whereas, Ira and Marie Copley not only made an impact in Dingess, by providing jobs and giving thousands of dollars to local churches, but their impact was felt in faraway places. They built the Han Young Theological Seminary in Seoul Korea. Ira “Noon” Copley’s last project before his death was to provide a landfill in order to clean up garbage and debris littered across Mingo, Logan, and Wayne counties. Unfortunately, with his untimely death, the project came to a halt; and

Whereas, Ira and Marie Copley touched many lives with their heart for giving and helping others; and

Whereas, Ira “Noon” Copley died on April 30, 1988, and Marie Copley died on March 19, 2018; and

Whereas, It is fitting that an enduring memorial be established to commemorate Ira “Noon” Copley and Marie Copley and their contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 11-31-8, carrying Twelve Pole Creek Road/Old NW Railroad Bed Road 3/05 over West Fork Twelve Pole Creek west of Big Sang Kill Road in Mingo County, the “Ira ‘Noon’ Copley and Marie Copley Memorial Bridge”; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the “Ira ‘Noon’ Copley and Marie Copley Memorial Bridge”; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

Which, under the rules, lies over one day.

Senators Sypolt and Smith offered the following resolution:

Senate Resolution 20—Designating January 29, 2020, as Preston County Day at the Legislature.

Whereas, Preston County is home to many tourism opportunities; and

Whereas, Preston County tourism contributes to the economic success in Preston County; and

Whereas, Tourism in West Virginia generates \$4.6 billion and creates 45,400 direct jobs; and

Whereas, Preston County is home to unique tourism opportunities such as: Arthurdale, the nation's first New Deal community; Hovatter's Wildlife Zoo; the littlest church and mailing office at Silver Lake; the Cranesville Swamp; and the Himalayan Salt Spa Cave at Bruceton Mills; and

Whereas, Preston County is home to agritourism opportunities such as: Allegheny Treenware; Vested Heirs Farms; Shafer Heritage Farms; Crimson Shamrock Alpacas; Riffle Bison Farm; and Dream Mountain Ranch; and

Whereas, Preston County is home to the best new brewery in West Virginia, High Ground Brewing, and the best brewery in West Virginia, Screech Owl Brewing; and

Whereas, Preston County will host the 2020 ICF Wildwater Canoeing World Cup races in May; and

Whereas, Tourism creates jobs, supports communities, generates tax revenue, and helps drive the economy; and

Whereas, Tourism in Preston County attracts and sustains families and businesses, creates healthy communities, and fosters a high quality of life; and

Whereas, The citizens of Preston County are proud to welcome tourists to their county in the Mountain State; and

Whereas, The citizens of Preston County travel to the state capitol on an annual basis during the legislative session to share this heritage and participate in the democratic process and share their accomplishments, aspirations, and concerns with lawmakers; and

Whereas, It is fitting to recognize Preston County for its history, culture, economy, natural beauty, and future development in the state of West Virginia; therefore, be it

Resolved by the Senate:

That the Senate hereby designates January 29, 2020, as Preston County Day at the Legislature; and, be it

Further Resolved, That the Senate acknowledges the many important contributions the citizens and businesses of Preston County make in the state of West Virginia and encourages those citizens to participate in the democratic process; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the appropriate representatives of Preston County.

Which, under the rules, lies over one day.

Senators Beach, Prezioso, Sypolt, Smith, Clements, and Maroney offered the following resolution:

Senate Resolution 21—Celebrating the achievements and contributions of Monongalia County and its citizens to the great state of West Virginia.

Whereas, Monongalia County was founded in 1776 after being settled by a small group of people along the river valley and at the junction of Decker's Creek and the Monongahela River, and has grown to a present-day population of over 100,000 people and growing daily; and

Whereas, Monongalia County, being the third-largest county by population (106,420) of the 55 counties of West Virginia, has had an annual growth rate exceeding 1.6 percent for more than a decade; and

Whereas, Monongalia County is home to West Virginia University, a public land-grant institution, founded in 1867, and recognized as a top research university by the Carnegie Foundation for the Advancement of Teaching. West Virginia University welcomes and shapes the minds of students from across the state of West Virginia, every state in the United States, and approximately 100 other nations; and

Whereas, Monongalia County offers to its citizens, students, and visitors from around the world everything from a beautiful view from Cooper's Rock to a bicycle ride on the Caperton Trail; the best in medical care and hospitality; and is the proud home of the NYPL Champion West Virginia Black Bears baseball team; and

Whereas, Monongalia County offers recognized top-rated educational experiences at all levels, from preschool to graduate programs, and senior education opportunities; a competitive and innovative business community; a diversified economy that embraces health care, education, technology, energy development, and small business entrepreneurship; a nationally acclaimed economic model; and it has become known as a place that offers big-city amenities with the neighborly feel of small-town life; and

Whereas, Monongalia County has been recognized in recent years in the following ways: Top STEM Cities Award (Insurify); Best Performing Small Metros (Milken Institute); Best Small Metros for Business and Careers (Forbes); Best Quality of Life and Knowledge Worker Metros (Expansion Manage.); Smart Places to Live (Kiplinger's); Boom Town (Inc.); Morgantown-Top College Destination (American Institute for Economic Research); Designated Retirement Community (CLIC); Best Places to Retire for under \$100 a Day (AARP); Most Secure Small Cities (Farmers Insurance); and Best Sports Cities (Sporting News); and

Whereas, In Monongalia County, the citizen's focus and vision has been on collaborative public/private partnerships and alliances that bear great accomplishments for the region and the state; and

Whereas, In Monongalia County, Mylan Park is recognized as one of West Virginia's most dynamic venues for users and events of all types and offers 14 different indoor and outdoor

facilities comprising over 60 acres of athletic field and track facilities and more than 180,000 square feet of indoor sport, recreation, and event venues; and

Whereas, A public/private accomplishment that serves both West Virginia University and the entire community is the Mylan Park Aquatic Center, an impressive, state-of-the-art, fully accessible 90,000 square foot facility featuring a 50-meter Olympic pool, diving well, community pool, and waterslides; and

Whereas, In Monongalia County, the Morgantown Area Partnership (the Partnership) is a newly formed public/private alliance for the betterment of economic, business, and community development in the area; and

Whereas, The Partnership encompasses four entities including the Morgantown Area Chamber of Commerce, the Monongalia County Development Authority, the Morgantown Area Economic Partnership, and the Campus Neighborhoods Revitalization Corporation (Sunnyside Up), (business, government, non-profit, and quasi-governmental partners). The Partnership will work to continue to lead the state forward, become a destination of choice within the mid-Atlantic region, and demonstrate how passion and collaboration fueled by one, unified vision can ensure prosperity for future generations; therefore, be it

Resolved by the Senate:

That the Senate hereby celebrates the achievements and contributions of Monongalia County and its citizens to the great state of West Virginia; and, be it

Further Resolved, That the Senate acknowledges the vibrancy and contributions made to our state and nation by the people, past and present, of Monongalia County; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the appropriate representatives from Monongalia County.

Which, under the rules, lies over one day.

Petitions

Senator Sypolt presented a petition from David Umling and 102 West Virginia residents, supporting Senate Bill 320 (*Creating WV Farm Fresh Dairy Act*).

Referred to the Committee on Health and Human Resources.

At the request of Senator Takubo, unanimous consent being granted, the Senate returned 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 Bill 642 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §46A-1-105 of the Code of West Virginia, 1931, as amended, relating to correcting an incorrect code citation in the West Virginia Consumer Credit and Protection Act.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

The Senate then proceeded to the seventh order of business.

Senate Concurrent Resolution 12, US Army PFC Gary Alcott Birkhimer Memorial Bridge.

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

Senate Resolution 18, Congratulating Chad Nuzum for winning Earle S. Dillard Insurance Agent of Year Award.

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

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

On motion of Senator Takubo, at 11:32 a.m., the Senate recessed to present Senate Resolution 18.

The Senate reconvened at 11:36 a.m. and resumed business under the seventh order.

Senate Resolution 19, Recognizing Prester Center for Mental Health Services.

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

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

On motion of Senator Takubo, at 11:42 a.m., the Senate recessed to present Senate Resolution 19.

The Senate reconvened at 11:46 a.m. and proceeded to the eighth order of business.

Eng. Senate Bill 51, Specifying forms of grandparent visitation.

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, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 51) 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 191, Creating felony offense of aggravated cruelty to animals.

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: Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—31.

The nays were: Azinger and Pitsenbarger—2.

Absent: Maroney—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. 191) 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 201, Relating generally to criminal offenses of stalking and harassment.

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, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—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. 201) 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 523, Extending deadline for municipalities to offer Social Security coverage to certain municipal retirement system members.

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, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 523) 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 529, Establishing limitations on claims and benefits against state.

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, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—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. 529) passed with its title.

Senator Takubo moved that the bill take effect July 1, 2020.

On this question, the yeas were: Azinger, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—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. 529) takes effect July 1, 2020.

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 532, Distributing assets remaining in municipal policemen's or firemen's pension and relief fund on death of last retiree or beneficiary.

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, Baldwin, Beach, Blair, Boley, Clements, Cline, Facemire, Hamilton, Hardesty, Ihlenfeld, Jeffries, Lindsay, Mann, Maynard, Palumbo, Pitsenbarger, Plymale, Prezioso, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Maroney—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. 532) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 209, Relating to annexation by minor boundary adjustment.

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 241, Requiring State Board of Education develop method for student transportation costs as stand-alone consideration.

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 2696, Creating an additional index system for state-owned lands.

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

Eng. House Bill 4103, Relating to office of drug control policy.

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

At the request of Senator Takubo, unanimous consent being granted, the bill was laid over one day, retaining its place on the calendar.

Eng. House Bill 4130, Relating to competitive bidding for government construction contracts arising out of declared states of emergency.

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

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

On page two, section one-a, line twenty-five, after the word “required” by changing the period to a colon and inserting the following proviso: Provided, That in the event a payment or performance bond is not required, the entity responsible for the contract shall provide to the state agency responsible for overseeing the work a document certifying that all of the claims of subcontractors, laborers, materialmen, and all persons furnishing material have been paid, satisfied, and discharged before final payment is released.

The bill (Eng. H. B. 4130), as amended, was then ordered to third reading.

The Senate proceeded to the tenth order of business.

At the request of Senator Takubo, unanimous consent being granted, the following bills on first reading were considered read a first time and ordered to second reading:

Com. Sub. for Senate Bill 175, Requiring certain agencies maintain website which contains specific information.

Com. Sub. for Senate Bill 261, Creating criminal penalties for introducing ransomware into computer with intent to extort.

And,

Com. Sub. for Senate Bill 339, Authorizing DHHR promulgate legislative rules.

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills:

Senate Bill 274 (*Authorizing year-round hunting of coyote*): Senator Stollings;

Senate Bill 486 (*Permitting ABCC licensees operating at state park locations pay in arrears*): Senator Hamilton;

And,

Com. Sub. for Senate Bill 517 (*Creating State Parks and Recreation Endowment Fund*): Senator Beach.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills:

Senate Bill 52 (*Supplementary appropriation of public moneys to DHHR, Center for End of Life*): Senator Unger;

Senate Bill 53 (*Supplementary appropriation of public moneys to DHHR, CARDIAC Project*): Senator Unger;

Senate Bill 200 (*Including certain types of cancers for which rebuttable presumption of injury exists for firefighters*): Senators Jeffries and Lindsay;

Senate Bill 226 (*Providing special obligation notes to finance construction of Interstate 73 and Interstate 74 through WV*): Senator Hamilton;

Com. Sub. for Senate Bill 230 (*Requiring State Board of Education provide routine education in suicide prevention*): Senator Jeffries;

Senate Bill 238 (*Making state's whistleblower law applicable to private employment sector*): Senator Jeffries;

Senate Bill 255 (*Providing certain persons be allowed to carry pepper spray in State Capitol Complex*): Senator Unger;

Senate Bill 274 (*Authorizing year-round hunting of coyote*): Senator Sypolt;

Senate Bill 279 (*Requiring dental insurance plans honor assignment made in writing by person covered*): Senator Hamilton;

Senate Bill 292 (*Relating to criminal offenses of stalking and harassment*): Senator Hamilton;

Com. Sub. for Senate Bill 517 (*Creating State Parks and Recreation Endowment Fund*): Senator Lindsay;

Senate Bill 527 (*Creating small business and minority populations economic and workforce development taskforce*): Senators Lindsay and Unger;

Senate Bill 536 (*Relating to disclosure of fundraising contributions during legislative session*): Senator Lindsay;

Com. Sub. for Senate Bill 550 (*Permitting leashed dogs track mortally wounded deer or bear*): Senator Stollings;

Senate Bill 558 (*Relating to study of health care workforce*): Senator Unger;

Senate Bill 583 (*Creating program to further development of renewable energy resources*): Senator Weld;

Senate Bill 590 (*Implementing trauma-informed practices in schools*): Senator Unger;

Com. Sub. for Senate Bill 597 (*Relating to judicial branch members' salaries and pensions*): Senator Unger;

Senate Bill 602 (*Relating to judicial branch members' salaries and pensions*): Senator Unger;

Senate Bill 614 (*Changing method of allocating funding from Safe School Funds*): Senator Roberts;

Senate Bill 623 (*Allowing noncitizen of US be eligible for teaching certificate*): Senator Roberts;

Senate Bill 624 (*Creating WV Black Lung Program*): Senators Plymale and Unger;

Senate Bill 625 (*Creating one-day annual license to permit charitable auction of sealed rare, antique, or vintage liquor bottles*): Senator Weld;

Senate Bill 627 (*Authorizing local board of health to engage in office-based medication-assisted treatment*): Senators Unger and Woelfel;

Senate Bill 628 (*Creating WV Children's Vision Act*): Senators Cline, Hardesty, Palumbo, Pitsenbarger, Unger, and Weld;

Senate Bill 630 (*Creating WV Call Center Jobs Act of 2020*): Senator Ihlenfeld;

And,

Senate Bill 631 (*Authorizing Commissioner of Highways designate road as "Historic Route"*): Senators Cline and Stollings.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following resolutions:

Senate Joint Resolution 3 (*Protection of the Right to Bear Arms Amendment*): Senator Rucker;

Senate Joint Resolution 5 (*Homestead Exemption Increase Amendment*): Senators Rucker and Unger;

Senate Joint Resolution 7 (*Preserving the Separation of Powers Amendment*): Senator Rucker;

Senate Concurrent Resolution 10 (*Requesting study of current WV laws relating to anti-bullying measures in schools*): Senator Roberts;

Senate Concurrent Resolution 12 (*US Army PFC Gary Alcott Birkhimer Memorial Bridge*): Senators Jeffries and Stollings;

Senate Resolution 18 (*Congratulating Chad Nuzum for winning Earle S. Dillard Insurance Agent of Year Award*): Senators Hamilton, Plymale, Stollings, and Unger;

And,

Senate Resolution 19 (*Recognizing Pretera Center for Mental Health Services*): Senators Baldwin, Jeffries, Plymale, and Stollings;

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 12:06 p.m., the Senate adjourned until tomorrow, Wednesday, January 29, 2020, at 11 a.m.

SENATE CALENDAR

**Wednesday, January 29, 2020
11:00 AM**

UNFINISHED BUSINESS

- S. C. R. 13 - Ira "Noon" Copley and Marie Copley Memorial Bridge
- S. R. 20 - Designating January 29, 2020, as Preston County Day **[ADOPT]**
- S. R. 21 - Celebrating achievements and contributions of Monongalia County **[ADOPT]**

THIRD READING

- Eng. Com. Sub. for S. B. 209 - Relating to annexation by minor boundary adjustment
- Eng. Com. Sub. for S. B. 241 - Requiring State Board of Education develop method for student transportation costs as stand-alone consideration
- Eng. Com. Sub. for H. B. 2696 - Creating an additional index system for state-owned lands
- Eng. H. B. 4130 - Relating to competitive bidding for government construction contracts arising out of declared states of emergency

SECOND READING

- Com. Sub. for S. B. 175 - Requiring certain agencies maintain website which contains specific information
- Com. Sub. for S. B. 261 - Creating criminal penalties for introducing ransomware into computer with intent to extort
- Com. Sub. for S. B. 339 - Authorizing DHHR promulgate legislative rules
- Eng. H. B. 4103 - Relating to office of drug control policy - (Com. amend. pending)

FIRST READING

- Com. Sub. for S. B. 449 - Authorizing Department of Commerce promulgate legislative rules
- S. B. 508 - Removing mandate Board of Risk and Insurance Management purchase liability insurance for Division of Corrections
- Com. Sub. for S. B. 550 - Permitting leashed dogs track mortally wounded deer or bear
- S. B. 642 - Correcting incorrect code citation in WV Consumer Credit and Protection Act

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2020

Wednesday, January 29, 2020

10 a.m. Workforce (Room 208W)

Thursday, January 30, 2020

1 p.m. Health & Human Resources (Room 451M)