

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE  
REGULAR SESSION, 2024  
EIGHTH DAY

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Charleston, West Virginia, Wednesday, January 17, 2024

The Senate met at 11:01 a.m.

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

Prayer was offered by the Honorable Mark R. Maynard, a senator from the sixth district.

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

Pending the reading of the Journal of Tuesday, January 16, 2024,

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

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

The Clerk presented the following communication from a state agency as required by the provisions of law:

Motor Vehicles, Division of (Safety and Treatment Program) (§17C-5A-3)

The Senate then proceeded to the fourth order of business.

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

Your Committee on the Judiciary has had under consideration

**Senate Bills 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, and 33**, Department of Health rule relating to public water systems operators.

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

**Com. Sub. for Senate Bill 17** (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-5-1 *et seq.* of the Code of West Virginia, 1931, as amended, all relating to

generally authorizing certain agencies of the Department of Health to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Department of Health to promulgate a legislative rule relating to public water systems operators; authorizing the Department of Health to promulgate a legislative rule relating to wastewater systems and operators; authorizing the Department of Health to promulgate a legislative rule relating to behavioral health centers licensure; authorizing the Department of Health to promulgate a legislative rule relating to hospital licensure; authorizing the Department of Health to promulgate a legislative rule relating to assisted living residences; authorizing the Department of Health to promulgate a legislative rule relating to cross-connection control and backflow prevention; authorizing the Department of Health to promulgate a legislative rule relating to fees for permits; authorizing the Department of Health to promulgate a legislative rule relating to fees for services; authorizing the Department of Health to promulgate a legislative rule relating to medical examiner requirements for postmortem inquiries; authorizing the Department of Health to promulgate a legislative rule relating to newborn screening system; authorizing the Department of Health to promulgate a legislative rule relating to distribution of funds from Emergency Medical Services Salary Enhancement Fund; authorizing the Department of Health to promulgate a legislative rule relating to West Virginia Clearance for Access: registry and employment screening; authorizing the Department of Health to promulgate a legislative rule relating to cooperative agreement approval and compliance; authorizing the Department of Health to promulgate a legislative rule relating to certificate of need; authorizing the Department of Health to promulgate a legislative rule relating to chronic pain management clinic licensure; and authorizing the Department of Health to promulgate a legislative rule relating to medication assisted treatment and office-based medication-assisted treatment.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,  
*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 Bills 31, 34, and 35**, Department of Human Services rule relating to collection and exchange of data related to overdoses.

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

**Com. Sub. for Senate Bill 31** (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §64-5A-1 and §64-5A-2, all relating to generally authorizing certain agencies of the Department of Human Services to promulgate legislative rules; authorizing the rules as modified by the Legislative Rule-Making Review Committee and as amended by the Legislature; relating to authorizing the Department of Human Services to promulgate a legislative rule relating to collection and exchange of data related to overdoses; authorizing the Department of Human Services to promulgate a legislative rule relating to procedure to contest the substantiation of child abuse or neglect; and authorizing the Family Protection Services Board to promulgate a legislative rule relating to domestic violence program licensure standards.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,  
*Chair.*

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

Your Committee on Education has had under consideration

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

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

**Com. Sub. for Senate Bill 152** (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-34-1, relating to the display of the official motto of the United States in public elementary and secondary schools and in institutions of higher education.

And,

**Senate Bill 280**, Allowing teachers in public schools to teach intelligent design.

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

**Com. Sub. for Senate Bill 280** (originating in the Committee on Education)—A Bill to amend and reenact §18-5-46 of the Code of West Virginia, 1931, as amended, relating to allowing a public school classroom teacher to discuss scientific theories of how the universe and/or life came to exist.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Amy N. Grady,  
*Chair.*

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

**Senate Bill 208**, Establishing tax credit for certain physicians who locate to practice in WV.

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

**Com. Sub. for Senate Bill 208** (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, §11-13NN-5, §11-13NN-6, §11-13NN-7, §11-13NN-8, and §11-13NN-9, all relating to establishing a tax credit for

certain physicians who locate in this state to practice; setting forth findings; defining terms; setting forth eligibility for tax credit; creating the tax credit; establishing maximum allowable amount of tax credit; setting forth procedure to claim tax credit; authorizing the Tax Commissioner to promulgate rules; and setting effective date.

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

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

The bill (Com. Sub. for S. B. 208), under the original double committee reference, was then referred to the Committee on Finance.

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

Your Committee on Government Organization has had under consideration

**Senate Bill 217**, Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget.

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

**Com. Sub. for Senate Bill 217** (originating in the Committee on Government Organization)—  
A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-22-4, relating to providing state and its political subdivisions with ability and process by which to negotiate lower price for construction work when all bids received exceed the maximum budgeted amount; establishing ability to make negotiated award to lowest responsive and responsible bidder when there are multiple bidders; and setting sunset date.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Jack David Woodrum,  
*Chair.*

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

Your Committee on Government Organization has had under consideration

**Senate Bill 240**, Increasing fees charged by sheriff.

**Senate Bill 264**, Reducing rates for legal advertising.

And,

**Senate Bill 438**, Modifying roster requirements of authorizing entities.

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

Respectfully submitted,

Jack David Woodrum,  
*Chair.*

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

Your Committee on Education has had under consideration

**Senate Bill 253**, Establishing minimum student enrollment for school aid formula.

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,

Amy N. Grady,  
*Chair.*

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

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 269**, Excluding test strips from definition of drug paraphernalia.

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

**Com. Sub. for Senate Bill 269** (originating in the Committee on the Judiciary)—A Bill to amend and reenact §47-19-3 of the Code of West Virginia, 1931, as amended; and to repeal §60A-4-403a of said code, all relating to excluding test strips from the definition of drug paraphernalia; and specifying that possession, sale, or purchase of drug test strips is not prohibited.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,  
*Chair.*

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

**Senate Bill 293**, Creating the Glucagon for Schools Act.

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

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

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

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

**Senate Bill 300**, Relating to the organization of the Office of the Inspector General.

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

**Com. Sub. for Senate Bill 300** (originating in the Committee on Health and Human Resources)—A Bill to repeal §5-11-1, §5-11-2, §5-11-3, §5-11-4, §5-11-5, §5-11-6, §5-11-7, §5-11-8, §5-11-9, §5-11-9a, §5-11-10, §5-11-11, §5-11-12, §5-11-13, §5-11-14, §5-11-15, §5-11-16, §5-11-17, §5-11-18, §5-11-19, and §5-11-20 of the Code of West Virginia, 1931, as amended; to repeal §5-11A-1, §5-11A-2, §5-11A-3, §5-11A-3a, §5-11A-4, §5-11A-5, §5-11A-6, §5-11A-7, §5-11A-8, §5-11A-9, §5-11A-10, §5-11A-11, §5-11A-12, §5-11A-13, §5-11A-14, §5-11A-15, §5-11A-16, §5-11A-17, §5-11A-18, §5-11A-19, and §5-11A-20 of said code; to repeal §5-11B-1, §5-11B-2, §5-11B-3, §5-11B-4, §5-11B-5, §5-11B-6, and §5-11B-7 of said code; to amend and reenact §9-5-27 of said code; to repeal §16-1-22, §16-1-22a, §16-1-22b, and §16-1-22c of said code; to

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

3; to amend and reenact §25-1B-7 of said code; to amend and reenact §27-1-9 of said code; to amend and reenact §27-1A-6 and §27-1A-7 of said code; to amend and reenact §27-9-1 and §27-9-2 of said code; to amend and reenact §27-17-1 and §27-17-3 of said code; to amend and reenact §49-1-203 of said code; and to repeal §49-9-101, §49-9-102, §49-9-103, §49-9-104, §49-9-105, §49-9-106, §49-9-107, §49-9-108, §49-9-109, and §49-9-110 of said code, all relating to the organization of the Office of the Inspector General; repealing code of programs related to the Office of the Inspector General; setting forth findings; setting forth duties and powers of the Inspector General; providing for rulemaking authority; setting forth qualifications for directors of Office of Health Facility Licensure and Certification and Investigations and Fraud Management; moving related units, programs, and commissions that are affiliated with the Office of the Inspector General into the same chapter; and conducting technical and stylistic amendments.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Michael J. Maroney,  
*Chair.*

The Senate proceeded to the sixth order of business.

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

**By Senators Stuart, Azinger, Hunt, Phillips, Tarr, Taylor, and Woodrum:**

**Senate Bill 473**—A Bill to amend and reenact §61-2-2 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto seven new sections, designated §61-2-2a, §61-2-2b, §61-2-2c, §61-2-2d, §61-2-2e, §61-2-2f, and §61-2-2g; to repeal §61-11-2 of said code; to repeal §62-3-15 of said code; and to amend said code by adding thereto four new sections, designated §62-7-4, §62-7-5, §62-7-6, and §62-7-6a, all relating to permitting the death penalty for first degree murder for the crime of intentionally killing a law-enforcement officer or first responder in the line of duty; providing for procedures, standards, and findings applicable to the imposition thereof in certain instances including aggravating and mitigating circumstances; sentencing; providing automatic review of the death penalty by the Supreme Court of Appeals; providing for forensic deoxyribonucleic acid testing of biological material in death penalty cases; providing for execution of the death sentence by any legally acceptable means, including lethal injection or firing squad; providing for delivery of sentence of death to officer retaining custody of person so sentenced; providing for transmission of indictment, order of conviction, sentence, and judgment entered thereon to the warden of the state correctional facility; transferring of person sentenced to death to the state correctional facility; execution; providing presence of certain persons be requested for the execution; providing for certification that sentence of death has been executed; and providing for disposition of the body.

Referred to the Committee on the Judiciary.

**By Senator Woelfel:**

**Senate Bill 474**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated, §61-12B-1, §61-12B-2, §61-12B-3, §61-12B-4, and §61-12B-5, all relating to critical incident reporting; creating a critical incident review team; setting forth duties of the critical incident review team; requiring reporting of the critical incident review team; setting



forth date of report; providing critical incident review team with access to information; and setting forth confidentiality.

Referred to the Committee on Health and Human Resources.

**By Senator Tarr:**

**Senate Bill 475**—A Bill amend and reenact §16-59-1, §16-59-2, and §16-59-3, of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §16-59-4; and to amend and reenact §16-62-1 and §16-62-2 of said code, all relating to recovery residences; defining terms; amending the accreditation program to include protecting residents from human trafficking and patient brokering; requiring the collection of data from recovery residences; requiring the data collected be uniform among recovery residences; requiring rulemaking regarding the data to be collected; requiring stakeholder engagement to develop the rules; setting forth minimum data content; providing that the data shall be shared; providing privacy restrictions on data; requiring documentation verifying initial and continued registration be submitted; permitting an immediate jeopardy notice to be served in person; prohibiting recovery residence that has received a suspension or revocation notice from taking new residents; providing procedure for immediate jeopardy; permitting immediate revocation of certification if immediate jeopardy is not corrected prior to certifying agency leaving the premises; requiring transfer of residents in event immediate jeopardy is not corrected and setting forth timeframe; prohibiting recovery residence without a certificate of compliance from receiving a referral from stated entities; providing for a penalty if the referral is received in violation of this article; deleting requirement that certifying agency maintain and publish a list of recovery residences; clarifying that referral shall not be made unless recovery residence has a valid certificate of compliance; prohibiting all recovery residences from receiving funds from a resident that is in the form of a state benefit unless it holds a valid certificate of compliance; increasing penalties for violations; requiring all recovery residences to register with the Office of Health Facility Licensure and Certification; setting forth procedure for registration; permitting fee; setting term of registration as one year; providing for penalty for failure to register; providing due process; clarifying that recovery residences are subject to the patient brokering act; requiring the Office of the Inspector General to review data to determine if violations of the patient brokering act have occurred; requiring referral to state, or local law-enforcement authorities to coordinate, investigate, or prosecute violations; requiring state or local law enforcement to investigate referral; requiring the Office of Inspector General to receive data regarding recovery residences; and specifying document handling specifications.

Referred to the Committee on Health and Human Resources.

**By Senators Stover, Azinger, Barrett, Boley, Chapman, Clements, Deeds, Grady, Hamilton, Hunt, Jeffries, Karnes, Maroney, Martin, Maynard, Oliverio, Queen, Roberts, Rucker, Stuart, Swope, Takubo, Trump, Weld, and Woodrum:**

**Senate Bill 476**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-33d, relating to establishing a pop-up window that directs users to optional firearms safety classes offered by the National Rifle Association and the United States Concealed Carry Association.

Referred to the Committee on Agriculture and Natural Resources.

**By Senators Maroney and Takubo:**

**Senate Bill 477**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §61-2-17, relating to prohibiting the public disclosure of personal information on the internet; and providing for penalties.

Referred to the Committee on the Judiciary.

**By Senator Jeffries:**

**Senate Bill 478**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-13NN-1, §11-13NN-2, §11-13NN-3, §11-13NN-4, and §11-13NN-5, all relating to providing an income tax credit for certain eligible taxpayers that sell electricity to energy intensive industrial and manufacturing consumers; setting forth legislative findings and purpose; providing for definitions; providing for a credit against state business and operating taxes; providing for the allowance of certain tax credits in specific taxable years; providing for the application of certain tax credits; and authorizing rulemaking.

Referred to the Committee on Finance.

**By Senator Jeffries:**

**Senate Bill 479**—A Bill to amend and reenact §8-10-2b of the Code of West Virginia, 1931, as amended; to amend and reenact §17B-3-3c of said code; and to amend and reenact §62-4-17 of said code, all relating to eliminating the ability of a person's driver's license to be suspended for failure to pay court fines and costs.

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

**By Senator Jeffries:**

**Senate Bill 480**—A Bill to amend and reenact §3-2-6 of the Code of West Virginia, 1931, as amended, relating to clarifying the uniform statewide deadline for electronically submitted voter registration applications.

Referred to the Committee on Government Organization.

**By Senator Jeffries:**

**Senate Bill 481**—A Bill to amend and reenact §47-26-1 and §47-26-2 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §47-26-2a; and to amend and reenact §47-26-3 of said code, all relating to the regulation of pawnbrokers; removing an exception for certain transactions from the report required of all pawnbrokers; requiring all pawnbrokers to be equipped with certain surveillance equipment and signage effective January 1, 2025; prohibiting pawnbrokers from doing business with certain persons; prohibiting pawnbrokers from purchasing certain items or transacting with certain items from anyone; creating misdemeanor offenses for certain violations; and increasing the penalties for existing criminal offenses related to pawnbrokers.

Referred to the Committee on the Judiciary.

**By Senator Woodrum:**

**Senate Bill 482**—A Bill to amend and reenact §6B-2-2 of the Code of West Virginia, 1931, as amended; and to amend and reenact §6B-3-1, §6B-3-2, §6B-3-3, §6B-3-3a, and §6B-3-5 of said code, all relating to the Ethics Commission's rule-making requirements; modifying the definition of lobbying; removing ability of commission to promulgate rule regarding registration of persons exempt from the act; removing requirement that lobbyist photograph specifications be established by rule; removing requirement that commission establish fee for lobbyist training by rule; and establishing that sponsors of grassroots lobbying campaigns report certain information on expenditures over \$5,000.

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

**By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):**

**Senate Bill 483**—A Bill to amend and reenact §11-24-3 of the Code of West Virginia, 1931, as amended, relating to bringing terms not defined in the Corporation Net Income Tax Act into conformity with the meaning of those terms for federal income tax purposes; and specifying effective dates.

Referred to the Committee on Finance.

**By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):**

**Senate Bill 484**—A Bill to amend and reenact §18B-10-1a of the West Virginia Code 1931, as amended, to extend in-state tuition rates to all members and veterans of the National Guard, reserves, and armed forces as well as their spouses and dependents, when they choose to move to West Virginia for the purpose of attending state institutions of higher education.

Referred to the Committee on Finance.

**By Senators Blair (Mr. President) and Woelfel (By Request of the Executive):**

**Senate Bill 485**—A Bill to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended; to amend and reenact §18A-4-2 of said code; and to amend and reenact §18A-4-8a of said code, all relating to increasing annual salaries of certain employees of the state; increasing the salaries of members of the West Virginia State Police and certain personnel thereof; increasing annual salaries of public school teachers; increasing annual salaries of school service personnel; and providing an effective date for these increases.

Referred to the Committee on Finance.

The Senate proceeded to the tenth order of business.

**Com. Sub. for Senate Bill 60**, Authorizing DOT to promulgate legislative rules.

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

**Senate Bill 219**, Relating to Uniform Controlled Substances Act.

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

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bills on January 16, 2024:

**Senate Bill 269**: Senator Stuart.

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 resolution on January 16, 2024:

**Senate Bill 187**: Senator Woodrum;

- Senate Bill 188:** Senator Woodrum;
- Senate Bill 208:** Senators Deeds, Phillips, and Hamilton;
- Senate Bill 217:** Senator Deeds;
- Senate Bill 228:** Senators Rucker and Deeds;
- Senate Bill 240:** Senator Deeds;
- Senate Bill 253:** Senators Deeds and Martin;
- Senate Bill 264:** Senators Deeds, Tarr, and Barrett;
- Senate Bill 269:** Senator Woodrum;
- Senate Bill 280:** Senators Deeds, Tarr, and Azinger;
- Senate Bill 285:** Senator Hamilton;
- Senate Bill 289:** Senator Maynard;
- Senate Bill 293:** Senators Deeds and Phillips;
- Senate Bill 300:** Senator Phillips;
- Senate Bill 307:** Senator Woodrum;
- Senate Bill 310:** Senator Woodrum;
- Senate Bill 312:** Senator Woodrum;
- Senate Bill 321:** Senator Tarr;
- Senate Bill 322:** Senator Woodrum;
- Senate Bill 325:** Senator Woodrum;
- Senate Bill 326:** Senator Woodrum;
- Senate Bill 331:** Senator Woodrum;
- Senate Bill 342:** Senator Woodrum;
- Senate Bill 343:** Senator Woodrum;
- Senate Bill 347:** Senators Woelfel and Maynard;
- Senate Bill 354:** Senator Woodrum;
- Senate Bill 357:** Senator Woodrum;

**Senate Bill 377:** Senator Woelfel;

**Senate Bill 378:** Senator Woelfel;

**Senate Bill 400:** Senator Plymale;

**Senate Bill 414:** Senator Rucker;

**Senate Bill 415:** Senator Woelfel;

**Senate Bill 423:** Senators Rucker and Azinger;

**Senate Bill 438:** Senator Deeds;

**Senate Bill 457:** Senator Woelfel;

**Senate Bill 464:** Senator Woelfel;

**Senate Bill 466:** Senator Chapman;

**Senate Bill 471:** Senator Plymale;

**Senate Bill 472:** Senators Caputo and Rucker;

And,

**Senate Resolution 6:** Senator Woelfel.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 11:17 a.m., the Senate adjourned until tomorrow, Thursday, January 18, 2024, at 11 a.m.

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## **SENATE CALENDAR**

**Thursday, January 18, 2024  
11:00 AM**

### **SECOND READING**

Com. Sub. for S. B. 60 - Authorizing DOT to promulgate legislative rules (original similar to HB4104)

S. B. 219 - Relating to Uniform Controlled Substances Act

### **FIRST READING**

Com. Sub. for S. B. 17 - Department of Health rule relating to public water systems operators (original similar to HB4042)

Com. Sub. for S. B. 31 - Department of Human Services rule relating to collection and exchange of data related to overdoses (original similar to HB4056)

Com. Sub. for S. B. 152 - Displaying official US motto in public schools (original similar to HB4846)

Com. Sub. for S. B. 217 - Authorizing state and subdivisions to negotiate price for construction when all bids received exceed maximum budget

S. B. 240 - Increasing fees charged by sheriff

S. B. 264 - Reducing rates for legal advertising

Com. Sub. for S. B. 269 - Excluding test strips from definition of drug paraphernalia

Com. Sub. for S. B. 280 - Allowing teachers in public schools to discuss scientific theories

Com. Sub. for S. B. 293 - Creating the Glucagon for Schools Act

Com. Sub. for S. B. 300 - Relating to organization of Office of Inspector General (original similar to HB4757)

S. B. 438 - Modifying roster requirements of authorizing entities

**ANNOUNCED SENATE COMMITTEE MEETINGS**

**Regular Session 2024**

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**Thursday, January 18, 2024**

10 a.m.	Education	(Room 451M)
10 a.m.	Government Organization	(Room 208W)
1 p.m.	Health & Human Resources	(Room 451M)