

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

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

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Charleston, West Virginia, Wednesday, January 31, 2024

The Senate met at 11 a.m.

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

Prayer was offered by the Honorable Patrick S. Martin, a senator from the twelfth district.

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

Pending the reading of the Journal of Tuesday, January 30, 2024,

At the request of Senator Hunt, 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, to take effect January 1, 2025, and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 4017**—A Bill to amend and reenact §3-2-6, §3-2-10, §3-2-13, §3-2-25, §3-2-32, and §3-2-34 of the Code of West Virginia, 1931, as amended; and to amend and reenact §3-3-3 and §3-3-9 of said code, all relating to general modifications to early voting procedures; registration by mail; voter registration services; unlawful registration or rejection of voter; alteration or destruction of records; early in-person voting; removing obsolete language; and creating criminal penalties.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect January 1, 2025, and requested the concurrence of the Senate in the passage of

**Eng. Com. Sub. for House Bill 4350**—A Bill to amend and reenact §3-5-11 and §3-5-19 of the Code of West Virginia, 1931, as amended, relating to filling vacancies on the ballot for election

to a public office; and prohibiting the filling of a vacancy for a candidate to an elected office after the time is closed for announcing as a candidate which is caused by the failure of any person of a particular party to file for the elected office.

Referred to the Committee on Government Organization.

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 4434**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §17-14-1, and §17-14-2, all relating to prohibiting all state agencies and local governmental units from restricting use or sale of motor vehicles based on power source.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Government Organization.

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 4860**—A Bill to amend and reenact §18-20-1c of the Code of West Virginia, 1931, as amended, relating to education of exceptional children in an integrated classroom; and providing that the general education teacher is not responsible for accommodation logs.

Referred to the Committee on Education.

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

**Eng. Com. Sub. for House Bill 4908**—A Bill to amend and reenact §9-2-6 of the Code of West Virginia, 1931, as amended, to amend and reenact §16-1-3 of said code; and to amend and reenact §26-1-3 of said code, all relating to exempting certain contracts from purchasing; permitting the state agencies to contract with a West Virginia public health institute; permitting the state agencies to contract with West Virginia University; permitting the state agencies to contract with West Virginia School of Osteopathic Medicine; permitting the state agencies to contract with Marshall University; and removing outdated provisions from the code.

Referred to the Committee on Health and Human Resources.

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 4976**—A Bill to amend and reenact §15A-13-1 of the Code of West Virginia, 1931, as amended, relating to requiring agencies and boards administered as a part of the Department of Homeland Security to display the contact information of the Inspector General on their websites and in their office spaces.

Referred to the Committee on Government Organization.

At the request of Senator Takubo, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant representatives from Marshall University privileges of the floor for the day.

The Senate proceeded to the fourth order of business.

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 331**, Eliminating cap on maximum amount of money in county's financial stabilization fund.

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

**Com. Sub. for Senate Bill 331** (originating in the Committee on Government Organization)—A Bill to amend and reenact §7-21-3 of the Code of West Virginia, 1931, as amended, relating to eliminating the cap on the maximum amount of money in a county's financial stabilization fund and allowing investment of moneys in fund with state investment entities.

With the recommendation that the committee substitute 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 466**, Requiring development of safety while accessing technology education program.

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

**Com. Sub. for Senate Bill 466** (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-44, relating to requiring the West Virginia Board of Education to develop a Safety While Accessing Technology (SWAT) education program; specifying topics of instruction to be included in the program; allowing the state board to develop and provide age-appropriate instructional materials and resources to assist county boards in establishing and implementing the program; requiring each county board to adopt policies requiring all elementary and secondary schools in the district to provide the education program to students in grades three through 12 at least once each school year; requiring policies to include process for parent, guardian, or custodian to review program instructional materials; requiring policies to include option for parent, guardian, or custodian to opt his or her child out of program participation; making implementation of program effective for the 2025-2026 school year; and requiring program to be based on certain concepts.

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,

Amy N. Grady,  
*Chair.*

At the request of Senator Tarr, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Education.

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 539**, Creating cold case database.

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

**Com. Sub. for Senate Bill 539** (originating in the Committee on the Judiciary)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15A-12-9, relating to the requiring the West Virginia Fusion Center to create the cold case database, defining terms, requiring law enforcement agencies to provide required information, explaining the types of cases to be included in the cold case database; explaining the state agency developing the cold case database; delineating the information that must be provided for inclusion in the cold case database for each investigation; and delineating the information that may be provided for inclusion in the cold case database for each investigation if applicable to either the victim of the crime or the suspect in the crime.

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

**Eng. House Bill 4594**, Relating to extending managed care.

And has amended same.

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

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 Senator Woodrum:**

**Senate Bill 603**—A Bill to amend and reenact §22-15-2 of the Code of West Virginia, 1931, as amended, relating to amending the definition of a "commercial solid waste facility" to exclude a solid waste facility in which the owner or operator of same is consolidating collected solid waste for transportation and disposal.

Referred to the Committee on Government Organization.

**By Senators Jeffries, Barrett, Clements, Deeds, Hunt, Maynard, Nelson, Oliverio, Phillips, Queen, Roberts, Smith, Stuart, Swope, Takubo, Taylor, Weld, and Woodrum:**

**Senate Bill 604**—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, and §11-13NN-7, all relating to creating the West Virginia Short Line Railroad Modernization Act; definitions; tax credit allowed and credit limitations; and review and accountability.

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

**By Senator Nelson:**

**Senate Bill 605**—A Bill to amend and reenact §5-10D-12 of the Code of West Virginia, 1931, as amended, relating to the Consolidated Public Retirement Board; and requiring participating public employers to remit retirement contributions and fees by electronic funds transfer.

Referred to the Committee on Pensions.

**By Senator Nelson:**

**Senate Bill 606**—A Bill to amend and reenact §20-18-8, §20-18-20, §20-18-25, and §20-18-26 of the Code of West Virginia, 1931, as amended, all relating to the Natural Resources Police Officers Retirement System; permitting the employer contribution to be set by the board; clarifying payment upon death of member with less than 10 years of contributing service; and clarifying surviving spouse benefits when the member dies from duty related or non-duty related cause.

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

**By Senator Nelson:**

**Senate Bill 607**—A Bill to amend and reenact §8-22A-16, §8-22A-20, and §8-22A-21 of the Code of West Virginia, 1931, as amended, all relating to the Municipal Police Officers and Firefighters Retirement System; clarifying payment upon death of member with less than 10 years of contributing service; deleting obsolete provision; and clarifying surviving spouse benefits when member dies from duty or non-duty related cause.

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

**By Senator Nelson:**

**Senate Bill 608**—A Bill to amend and reenact §16-5V-18, §16-5V-23, §16-5V-24, and §16-5V-35 of the Code of West Virginia, 1931, as amended, all relating to the Emergency Medical Services Retirement System; clarifying payment upon death of member with less than 10 years of contributory service; clarifying surviving spouse benefits when member dies from duty or non-duty related cause; and clarifying age calculation for a member who elected early retirement who then returned to work.

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

**By Senator Nelson:**

**Senate Bill 609**—A Bill to amend and reenact §7-14D-13, §7-14D-18, §7-14D-19, and §7-14D-24a of the Code of West Virginia, 1931, as amended, all relating to the Deputy Sheriff Retirement System; clarifying payment upon death of member with less than 10 years of contributory service; clarifying surviving spouse benefits when member dies from duty or non-duty related cause; and clarifying age calculation for a member who elected early retirement who then returned to work.

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

**By Senator Tarr:**

**Senate Bill 610**—A Bill to amend and reenact §22C-1-6 of the Code of West Virginia, 1931, as amended, relating to clarifying the authority of the Water Development Authority to appoint employees, officers, managers, attorneys, independent contractors, and consultants as are necessary, to fix their compensation, and prescribe their duties in certain circumstances outside the classified civil service system.

Referred to the Committee on Government Organization.

**By Senators Taylor and Weld:**

**Senate Bill 611**—A Bill to amend and reenact §17C-15-26 of the Code of West Virginia, 1931, as amended, relating to allowing prosecuting attorney vehicles to have flashing, red warning lights.

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

**By Senator Rucker:**

**Senate Bill 612**—A Bill to amend and reenact §61-5-17a of the Code of West Virginia, 1931, as amended, relating to establishing a criminal offense for knowingly, willfully, and forcibly obstructing or hindering a home incarceration supervisor or a social service worker while they are lawfully acting in their official capacity and the obstructing or hindering causes their death; establishing criminal penalty therefor of imprisonment in a state correctional facility for 15 years to life; and providing definitions.

Referred to the Committee on the Judiciary.

**By Senator Azinger:**

**Senate Bill 613**—A Bill to amend and reenact §31-17-1, §31-17-3, §31-17-4, §31-17-6, §31-17-7, and §31-17-11 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §31-17-4a; and to amend said code by adding thereto

a new section, designated §31-17A-9a, all relating to the licensure and regulation of mortgage brokers, lenders, and loan originators; updating definitions; eliminating outdated provisions; authorizing emergency rulemaking; permitting the Commissioner of Financial Institutions to participate in the multistate licensing and examination process; updating net worth requirements to use generally accepted accounting principles; providing information requirements for a change in control and updating the change in control process; specifying requirements for individuals in control of a licensee or applicant; confirming confidentiality of examination and licensee information but allowing release of aggregate data; permitting loan originators to conduct work at their residence if certain requirements are met; and making technical corrections.

Referred to the Committee on Banking and Insurance.

Senator Plymale offered the following resolution:

**Senate Concurrent Resolution 23**—Requesting the Division of Highways name a portion of Coalfields Expressway from 37.59823, (-81.37468) to 37.60007, (-81.379996) near Mullens in Wyoming County, the "U.S. Navy LT Lewis Joseph D'Antoni Memorial Road".

Which, under the rules, lies over one day.

Senator Deeds offered the following resolution:

**Senate Concurrent Resolution 24**—Recognizing and honoring the First Responders Honor Board's nominees of the Medal of Valor.

Which, under the rules, lies over one day.

Senator Woodrum offered the following resolution:

**Senate Concurrent Resolution 25**—Requesting the Division of Highways name bridge number: 45-003/21-006.37 (45A010), (37.67294, -80.89718) locally known as MADAMS CREEK BRIDGE, carrying CR 03/21 over MADAMS CREEK in Summers County, the "U.S. Army SGT Wyatt K. Hinton Memorial Bridge".

Which, under the rules, lies over one day.

Senator Rucker offered the following resolution:

**Senate Resolution 20**—Recognizing Court Appointed Special Advocates and the essential role they play in representing the best interests of children involved in child abuse and/or neglect proceedings.

Which, under the rules, lies over one day.

Senator Weld offered the following resolution:

**Senate Resolution 21**—Designating February 1, 2024, as National Unclaimed Property Day at the Legislature.

Which, under the rules, lies over one day.

Senators Rucker, Chapman, and Grady offered the following resolution:

**Senate Resolution 22**—Designating February 1, 2024, as Sexual Violence Awareness Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

**Com. Sub. for Senate Concurrent Resolution 11**, US Marine Corps PFC Noel Harper Fields Memorial Bridge.

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

The question being on the adoption of the resolution, the same was put and prevailed.

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

**Com. Sub. for Senate Concurrent Resolution 14**, US Army PFC William Gorman Memorial Bridge.

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

The question being on the adoption of the resolution, the same was put and prevailed.

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

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

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

The question being on the adoption of the resolution, the same was put and prevailed.

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

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

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

The question being on the adoption of the resolution, the same was put and prevailed.

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

**Senate Concurrent Resolution 21**, US Army MSG James E. Jackson Jr. Memorial Road.

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

**Senate Concurrent Resolution 22**, US Army and Marine Corps Major and Olympic Gold Medalist Cornelius Burdette Memorial Road.



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

**Senate Resolution 19**, Designating January 31, 2024, as Marshall University Day.

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

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

The question being on the adoption of the resolution, and on this question, Senator Caputo demanded the yeas and nays.

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

The nays were: None.

Absent: Clements—1.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 19) adopted.

Thereafter, at the request of Senator Caputo, and by unanimous consent, the remarks by Senators Plymale and Maynard regarding the adoption of Senate Resolution 19 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the eighth order of business.

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

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

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 265) 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 402**, Authorizing US Concealed Carry Association to provide concealed carry classes in WV.

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

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 402) 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 461**, Relating to county economic opportunity development districts.

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

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 461) 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 474**, Creating critical incident review team.

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 474 pass?"

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

The nays were: None.

Absent: Clements—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. 474) 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 475**, Relating to recovery residences.

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 475 pass?"

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

The nays were: None.

Absent: Clements—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. 475) 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 477**, Prohibiting public disclosure of personal information on internet.

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

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

The nays were: None.

Absent: Clements—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. 477) 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 487**, Requiring periodic review of professional development for teachers and education staff.

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

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

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 487) passed with its title.

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

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

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

Pending discussion,

The question being "Shall Engrossed House Bill 4252 pass?"

On the passage of the bill, the yeas were: Barrett, Boley, Caputo, Deeds, Grady, Hamilton, Hunt, Jeffries, Maroney, Martin, Maynard, Nelson, Oliverio, Phillips, Plymale, Queen, Roberts, Smith, Stover, Stuart, Swope, Takubo, Tarr, Taylor, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: Azinger, Chapman, Karnes, and Rucker—4.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 4252) passed with its title.

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

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

The Senate proceeded to the ninth order of business.

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

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

The Senate proceeded to the tenth order of business.

**Com. Sub. for Senate Bill 50**, Authorizing Department of Revenue to promulgate legislative rules.

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

**Senate Bill 306**, Equipment Right to Repair Act.

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

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Rules.

**Com. Sub. for Senate Bill 436**, Prohibiting intentional motor vehicle emissions that create hazards.

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

**Com. Sub. for Senate Bill 455**, Relating generally to banking and contractual authority of State Treasurer's Office.

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

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

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.

The following communication was reported by the Clerk:

The Senate of West Virginia  
Charleston

LEE CASSIS  
CLERK OF THE SENATE



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

January 30, 2024

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

Dear Governor Justice,

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

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

This bill is presented to you on this day, January 30, 2024.

Respectfully submitted,

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

Lee Cassis  
Clerk of the Senate

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

LEE.CASSIS@WVSENATE.GOV

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bills on January 30, 2024:

**Senate Bill 467:** Senator Chapman;

**Senate Bill 583:** Senator Rucker;

And,

**Senate Bill 589:** Senators Plymale and Woelfel.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on January 30, 2024:

**Senate Bill 174:** Senators Plymale and Maroney;

**Senate Bill 186:** Senator Maroney;

**Senate Bill 187:** Senator Maroney;

**Senate Bill 188:** Senator Plymale;

**Senate Bill 194:** Senator Tarr;

**Senate Bill 198:** Senator Tarr;

**Senate Bill 199:** Senator Tarr;

**Senate Bill 205:** Senator Maroney;

**Com. Sub. for Senate Bill 208:** Senator Maroney;

**Senate Bill 216:** Senator Maroney;

**Senate Bill 220:** Senator Maroney;

**Senate Bill 221:** Senator Maroney;

**Senate Bill 258:** Senator Plymale;

**Senate Bill 323:** Senator Plymale;

**Senate Bill 347:** Senator Plymale;

**Senate Bill 403:** Senator Maroney;

**Senate Bill 414:** Senator Maroney;

**Senate Bill 423:** Senator Stuart;

**Senate Bill 424:** Senator Plymale;

**Com. Sub. for Senate Bill 450:** Senator Plymale;

**Senate Bill 466:** Senators Roberts and Taylor;

**Senate Bill 478:** Senator Plymale;

**Senate Bill 495:** Senator Plymale;

**Senate Bill 523:** Senator Karnes;

**Senate Bill 524:** Senator Karnes;

**Senate Bill 527:** Senator Karnes;

**Senate Bill 531:** Senator Maroney;

**Senate Bill 533:** Senator Maroney;

**Senate Bill 535:** Senator Maroney;

**Senate Bill 539:** Senators Maroney and Woelfel;

**Senate Bill 545:** Senator Maroney;

**Senate Bill 547:** Senator Plymale;

**Senate Bill 549:** Senator Maroney;

**Senate Bill 554:** Senator Maroney;

**Senate Bill 557:** Senator Maroney;

**Senate Bill 562:** Senator Maroney;

**Senate Bill 566:** Senator Maroney;

**Senate Bill 571:** Senator Plymale;

**Senate Bill 587:** Senator Maroney;

**Senate Bill 593:** Senator Chapman;

**Senate Bill 595:** Senator Hamilton;

**Senate Bill 598:** Senators Roberts and Karnes;

**Senate Bill 599:** Senators Chapman, Deeds, and Nelson;

**Senate Bill 600:** Senator Deeds;

**Senate Bill 601:** Senators Roberts, Swope, Phillips, Karnes, Nelson, Taylor, Stuart, and Tarr;

**Senate Joint Resolution 4:** Senator Maroney;

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



**Senate Joint Resolution 6:** Senator Maroney;

**Senate Joint Resolution 7:** Senator Tarr;

**Senate Concurrent Resolution 16:** Senator Maroney;

**Senate Concurrent Resolution 21:** Senator Deeds;

**Senate Concurrent Resolution 22:** Senator Deeds;

And,

**Senate Resolution 19:** Senators Hamilton and Maroney.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 12:07 p.m., the Senate adjourned until tomorrow, Thursday, February 1, 2024, at 11 a.m.

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## **SENATE CALENDAR**

**Thursday, February 01, 2024  
11:00 AM**

### **UNFINISHED BUSINESS**

- S. C. R. 23 - US Navy LT Lewis Joseph D'Antoni Memorial Road
- S. C. R. 24 - Recognizing First Responders Honor Board's nominees of Medal of Honor
- S. C. R. 25 - US Army SGT Wyatt K. Hinton Memorial Bridge
- S. R. 20 - Recognizing essential role of CASA for abused and neglected children
- S. R. 21 - Designating February 1, 2024, as National Unclaimed Property Day
- S. R. 22 - Designating February 1, 2024, as Sexual Violence Awareness Day

### **THIRD READING**

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

### **SECOND READING**

- Com. Sub. for S. B. 50 - Authorizing Department of Revenue to promulgate legislative rules (original similar to HB4075)
- Com. Sub. for S. B. 436 - Prohibiting intentional motor vehicle emissions that create hazards
- Com. Sub. for S. B. 455 - Relating generally to banking and contractual authority of State Treasurer's Office (original similar to HB4801)
- Eng. H. B. 4026 - Authorizing the Department of Administration to promulgate a legislative rule relating to state owned vehicles

### **FIRST READING**

- Com. Sub. for S. B. 331 - Eliminating cap on maximum amount of money in county's financial stabilization fund (original similar to HB4991)
- Com. Sub. for S. B. 466 - Requiring State Board of Education develop Safety While Accessing Technology education program
- Com. Sub. for S. B. 539 - Creating cold case database
- Eng. H. B. 4594 - Relating to extending managed care. - (Com. amend. and title amend. pending) (original similar to SB329)

**ANNOUNCED SENATE COMMITTEE MEETINGS**

**Regular Session 2024**

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**Thursday, February 1, 2024**

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