

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE
SECOND EXTRAORDINARY SESSION, 2022
FIRST DAY

Charleston, West Virginia, Monday, April 25, 2022

Pursuant to the proclamation of His Excellency, the Governor, the Honorable Jim Justice, dated the twenty-second day of January, 2022, convening the eighty-fifth Legislature of West Virginia in extraordinary session today (Monday, April 25, 2022), under the provisions of section seven, article seven of the Constitution of West Virginia, the Senate assembled in its chamber in the state capitol in the City of Charleston at 12:30 p.m., and was called to order by its President, the Honorable Craig Blair.

Prayer was offered by David Lavender, Senate Sergeant at Arms, Hurricane, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Charles S. Trump IV, a senator from the fifteenth district.

On the call of the roll, the following answered to their names:

Senators Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President).

Thirty-two members having answered to their names, the President declared the presence of a quorum.

Executive Communications

Senator Blair (Mr. President) laid before the Senate the following proclamation from His Excellency, the Governor, convening the Legislature in extraordinary session, which was read by the Clerk:

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT**

Charleston

A PROCLAMATION

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at 12:00 PM on Monday, April 25, 2022, in its chambers in the State Capitol, the City of Charleston, for the limited purpose of considering and acting upon only the following matters:

FIRST: To repeal §31-15-20 of the Code of West Virginia, 1931, as amended; to amend and reenact §12-6C-11 of said code by striking the entirety of subsection (a) and inserting therein a new subsection (g) to provide that, notwithstanding any other provision of the code to the contrary, the West Virginia Economic Development Authority shall pay to the West Virginia Board of Treasury Investments the entire outstanding balance of the revolving loan authorized by this section within 30 days of the deposit of sufficient funds for such repayment in the Economic Development Project Fund created in §31-15-23a of this code, and that, upon repayment of the outstanding loan balance, the revolving loan authorized by this section shall terminate and no additional loan moneys shall be made available to the West Virginia Economic Development Authority pursuant to this section; to amend said code by adding thereto a new section, designated §12-6C-11b, to provide that (a) the West Virginia Board of Treasury Investments shall make available to the Department of Transportation, subject to a liquidity determination, a revolving loan of up to \$200 million from the Consolidated Fund for the purposes authorized by this section, and that the loan moneys requested and authorized pursuant to subsection (b) of this section shall be deposited in a special revenue fund, to be known as the Infrastructure Investment Reimbursement Fund, that (b) the Board of Treasury Investments shall make the loan moneys authorized by this section available upon receipt of the following: (1) a written request by the Secretary of the Department of Transportation that the board deposit a specific amount of loan moneys, subject to the limitations provided in this section, into the Infrastructure Investment Reimbursement Fund, (2) a written statement by the Secretary of the Department of Transportation

certifying that the department will use the loan moneys for expenditures meeting the requirements of subsection (c) of this section, and (3) copies of any available documents demonstrating that the planned expenditures of loan moneys meet the requirements of subsection (c) of this section, including but not limited to any agreement or contract entered into by the Department of Transportation and the federal government, that (c) the Secretary of the Department of Transportation may authorize expenditures from the Infrastructure Investment Reimbursement Fund that qualify for cost reimbursement according to an agreement with the federal government pursuant to the Infrastructure Investment and Jobs Act, Public Law 117-58, 135 Stat. 443 (2021), that (d) upon receiving moneys from the federal government to reimburse for expenditures as authorized by subsection (c) of this section from the Infrastructure Investment Reimbursement Fund, the Secretary of the Department of Transportation shall immediately reimburse the Infrastructure Investment Reimbursement Fund from said reimbursed moneys from the federal government, that (e) any balance remaining in the fund at the end of each fiscal year shall be transferred to the Consolidated Fund, and if, at any time during a fiscal year, the secretary determines that the balance in the fund exceeds the amount required for expenditures authorized in subsection (c) of this section, the secretary shall provide notice of said determination to the Board of Treasury Investments and the excess balance of the fund shall be transferred to the Consolidated Fund, that (f) the secretary shall prepare and submit a quarterly report to the Joint Committee on Government and Finance, the Board of Treasury Investments, and the Governor which shall include, at a minimum: (1) the aggregate outstanding amount of the loan authorized by this section and (2) for each project for which loan moneys were expended, the status of the project, the estimated completion date of the project, the amount of loan moneys expended for the project, the amount of federal reimbursement moneys received for the project, and the remaining amount of federal reimbursement moneys projected to be received for the project, that (g) upon request of the Board of Treasury Investments, the secretary shall provide the board with the opportunity to inspect and copy any records in the custody of the Department related to any transaction involving the Infrastructure Investment Reimbursement Fund, and records to be made available pursuant to this subsection include, but are not limited to, accounting records, contracts or agreements, audit reports, and transaction records, and that (h) the provisions of this section shall cease to have effect after June 30, 2027, unless reauthorized by the West Virginia Legislature, and the Secretary of the Department of Transportation must reimburse the Infrastructure

Investment Reimbursement Fund 100% of the amount of any expenditures from the Infrastructure Investment Reimbursement Fund by such date; and to amend said code by adding thereto a new section, designated §31-15-23a, to provide that (a) for the purposes of this section, the term “high impact development project” means a project meeting the following criteria, according to a resolution adopted by the authority: (1) the Governor has requested, in writing, that the project be approved for financing by the authority in an amount of \$50 million or greater, (2) the industrial development agency or enterprise undertaking the project will privately invest an amount of \$50 million or greater in the project, and (3) the project meets or exceeds the loan per job ratio criteria for high-impact development projects that may be established, in consultation with the Secretary of the Department of Economic Development, by the board of directors, that (b) there is hereby created a special revenue fund in the State Treasury known as the Economic Development Project Fund, and the fund shall consist of all moneys appropriated to the authority during the regular session of the Legislature, 2022, from available revenue surplus funds, transfers from the Industrial Development Loans fund, gifts, grants, contributions, any earnings or interest accruing to said fund, and any other moneys appropriated to said fund by the Legislature, and the authority may invest and reinvest moneys in the fund with the West Virginia Investment Management Board or the Board of Treasury Investments, that (c) the authority may transfer funds in the Industrial Development Loans fund to the Economic Development Project Fund created by this section and any loan repayments or other amounts that would otherwise have been paid into the Industrial Development Loans fund may be paid into the Economic Development Project Fund created by this section, that (d) in addition to any powers granted to the authority under any other section of this code, the authority may finance any high impact development project under this section by offering incentives for business formation or expansion to industrial development agencies or enterprises in this state in the form of loans, grants, or other offers of financial assistance or aid upon such terms as the Governor may request and the authority shall deem appropriate, that (e) the authority may use moneys in the Economic Development Project Fund to offer incentives for business formation or expansion and provide assistance with site development or other concerns to industrial development agencies or enterprises according to the requirements of this article, provided, that a minimum of \$200 million in the fund may only be used to finance high impact development projects, that (f) the authority shall keep itemized records of all fund transactions and agreements entered into in furtherance of Economic Development Project Fund expenditures, and

in administering the fund, the authority shall adopt appropriate accounting practices and internal controls, including but not limited to, strict compliance with the requirements of §5A-8-9 of this code, and fund transactions shall be subject to an annual audit by an independent firm of certified public accountants, that (g) the authority shall prepare and submit to the Joint Committee on Government and Finance and the Governor an annual report addressing the status of each project with outstanding financing issued pursuant to this section, and the report shall, at a minimum, provide project-specific data addressing: (1) the outstanding amount of authority financing for each project, (2) the total amount of private investment in each project, (3) the number of jobs created by each project since the project's inception, and (4) the number of jobs maintained by each project, and that (h) except for the records and audit required under subsection (f) of this section and the annual reports required under subsection (g) of this section, any documentary material, data, or other writing made or received by the authority relating to high impact development projects under this section, shall be exempt from §29B-1-1 *et seq.* of this code: provided, that any agreement or resolution entered into or signed by the authority which obligates public funds for any high-impact development project shall be subject to inspection and copying pursuant to §29B-1-1 *et seq.* of this code as of the date the agreement or resolution is entered into, signed, or otherwise made public.

SECOND: To amend and reenact §18B-1-1f of the Code of West Virginia, 1931, as amended, as contained in Chapter 149, Acts of the Legislature, Regular Session, 2022, and to amend and reenact §18B-1-2 of said code, relating to reclassifying Bluefield State College as a statutorily exempt school.

THIRD: To amend and reenact §5-10-14 and §5-10-30 of the Code of West Virginia, 1931, as amended, all relating to service credit, retroactive provisions, and the refund of accumulated contributions for certain members of the West Virginia Public Employees Retirement System.

FOURTH: To amend and reenact §5-10-2 of the Code of West Virginia, 1931, as amended, as contained in Chapter 256, Acts of the Legislature, Regular Session, 2022, and to amend and reenact §5-10-24 of said code, all relating to the Public Employees Retirement System to designate an irrevocable special needs trust as beneficiary; defining terms; and providing for

substitution of irrevocable special needs trust as beneficiary post retirement in certain circumstances.

FIFTH: To amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §21A-10-23, relating to authorizing the Commissioner of Workforce West Virginia to create an Unemployment Compensation Insurance Fraud Unit; establishing training and experience requirements; specifying duties; granting certain authorities necessary to conduct investigations into alleged unemployment insurance fraud; authorizing certain personnel to operate a state vehicle and carry a firearm; establishing training requirements for carrying a firearm; and exempting the Unemployment Compensation Fraud Unit from the requirements of the Freedom of Information Act and the Open Government Proceedings Act, and creating certain immunities for acts of an investigator employed by the unit.

SIXTH: To amend and reenact §5-6-11a of the Code of West Virginia, 1931, as amended; to amend and reenact §5-11-5 of said code; to amend and reenact §5A-8-15 of said code; to amend and reenact §5B-2I-7 of said code; to amend and reenact §6C-3-1 of said code; to amend and reenact §11-13J-4a of said code; to amend and reenact §16-4C-5 of said code; to amend and reenact §17-4A-3 of said code; to amend and reenact §17-16A-3 of said code; to amend and reenact §17-16C-4 of said code; to amend and reenact §18-2-1 of said code; to amend and reenact §18-11-1 of said code; to amend and reenact §18B-1B-2 of said code; to amend and reenact §22C-3-4 of said code; to amend and reenact §29-21-3b of said code; to amend §29-22-4 of said code; to amend and reenact §30-38-6 of said code; and to amend and reenact §30-42-4 of said code, all relating to qualifications for members of boards, commissions, and other entities; reducing number of members of board of directors of nonprofit corporation operating and maintaining Clay Center for the Arts; revising qualifications for members of Human Rights Commission; establishing qualifications for members of Records Management and Preservation Board; revising qualifications for membership on Tourism Advisory Council; updating number of members of Public Employees Grievance Board who may be appointed from each congressional district; revising number of members of Neighborhood Investment Program Advisory Board from each congressional district; revising number of members of Emergency Medical Services Advisory Council appointed from any one congressional district; revising membership of Complete Streets Advisory Board; establishing number of appointed members of Parkways Authority and

recognizing reduction in number of congressional districts; establishing qualifications for appointed members of Public Transit Advisory Council; revising qualifications for appointment to West Virginia Board of Education; revising requirements for appointed members of Board of Governors; altering composition of Higher Education Policy Commission; making technical changes to qualifications for appointment to Solid Waste Management Board; modifying membership of Indigent Defense Commission; providing for qualifications for appointment to State Lottery Commission; revising qualifications for appointment to Real Estate Appraiser Licensing and Certification Board; and revising qualifications for appointment to Contractor Licensing Board.

SEVENTH: To amend and reenact §30-40-4 of the Code of West Virginia, 1931, as amended, relating to West Virginia Real Estate License Act; amending definitions; permitting a salesperson to designate an entity to receive compensation.

EIGHTH: To amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-33c, relating to West Virginia University Rifle Team electronic application donation program; including solicitation for voluntary donation to West Virginia University Rifle Team on electronic application for hunting or fishing license; providing opportunity to designate donation in any amount; creating special account; establishing funding sources; specifying terms for expenditures; authorizing disbursements and administrative fee; and requiring annual reports for two years.

NINTH: To amend and reenact §18-2-7f of the Code of West Virginia, 1931, as amended, relating to establishing alternative educational opportunities for elective course credit; requiring the state board to establish, develop, and maintain a program whereby students can earn elective course credit for extended learning opportunities that take place outside of the traditional classroom setting; specifying minimum entities eligible to provide extended learning opportunity programs; requiring individuals or entities seeking certification as an eligible extended learning opportunity program to successfully complete an application process; imposing requirements on extended learning opportunity providers pertaining to compliance with applicable federal and state health and safety laws and regulations, compliance with standards and safeguards provided by the West Virginia Board of Education, background checks for key personnel or instructional staff, and proof of insurance; addressing the denial of a program application; providing for monitoring,

evaluation, and inspection of approved programs; allowing extension of approval or disqualification for violation of state law or state board policies; allowing appeal of disqualification; requiring the county boards of education to adopt an alternative educational opportunities policy that facilitates implementation and participation; requiring parental or legal guardian approval for participation of student under 18; allowing students transferring schools to request acceptance of elective course credits awarded for program completion; addressing transportation to and from an approved program; allowing auditing of approved programs at any time and disqualification for not meeting certain provisions; and requiring report to the Legislative Oversight Commission on Education Accountability with respect to the implementation of extended learning opportunity programs.

TENTH: To amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-5k relating to permitting the use of air rifles when hunting; permitting a person use an air rifle to hunt when properly authorized to hunt under an existing stamp; setting forth criteria for when an air rifle may be used to hunt game in this state; setting caliber limits for air rifles when hunting certain types of game; and providing limitations on air rifle use.

ELEVENTH: To amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §17C-25-1, §17C-25-2, §17C-25-3, §17C-25-4, §17C-25-5, §17C-25-6, §17C-25-7, §17C-25-8, §17C-25-9, §17C-25-10, and §17C-25-11, all relating to flying under the influence and other aviation offenses; prohibiting operation of aircraft while under the influence of alcohol, controlled substances, or drugs; defining terms; providing a person operating an aircraft while under the influence is guilty of a misdemeanor and establishing criminal penalties therefor; providing that injury of another person while operating an aircraft while under the influence is a felony and establishing criminal penalties therefor; providing a person who knowingly allows another person to operate his or her aircraft while under the influence is guilty of a misdemeanor and establishing criminal penalties therefor; providing increased criminal penalties for subsequent offenses; providing for inclusion of previous offenses when determining number of offenses; proving that it is not a defense that the person was legally allowed to use alcohol, controlled substances, or drugs; requiring clerk of court to notify federal aviation administration of a conviction; providing for implied consent to testing; providing for preliminary analysis of breath

to determine its alcohol concentration; providing for secondary testing and interpretation of such tests; providing person may demand additional testing; providing standards for blood withdrawal; allowing test results to be used in civil and criminal proceedings; allowing person to demand testing within two hours of arrest; providing for fee for withdrawing a blood sample or administering a urine test; providing that the unauthorized taking of an aircraft is a felony and establishing criminal penalties therefor; requiring federal licensure to operate an aircraft and that evidence of licensure be in the person's personal possession and in the aircraft; providing criminal penalties; and requiring state law enforcement officers to collaborate in enforcing aeronautics laws.

TWELFTH: To amend and reenact §51-9-1a of the Code of West Virginia, 1931, as amended, as contained in Chapter 256, Acts of the Legislature, Regular Session, 2022, relating to including family court judges in the Judges' Retirement System.

THIRTEENTH: To amend and reenact §16A-7-4 of the Code of West Virginia, 1931, as amended, relating to providing for no more than two licensed laboratories for medical cannabis testing in this state; providing that this limitation shall terminate on January 1, 2025; prohibiting conspiracy by the two certified laboratories to fix prices; and providing that the two laboratories at all times must adhere to the laws, regulations, policies, and guidance regulating medical cannabis programs in the State of West Virginia.

FOURTEENTH: To amend and reenact §30-3E-3 of the Code of West Virginia, 1931, as amended; and to amend and reenact §30-7-15a of said code, all relating to prescriptive authority; eliminating certain legislative rulemaking authority concerning the prescriptive authority of a physician assistant; providing for prescriptive authority of physician assistants; eliminating certain discretionary authority of the Board of Nursing; eliminating certain legislative rulemaking authority of the Board of Nursing with respect to prescriptive authority of an advanced practice registered nurse; eliminating certain emergency rulemaking authority of the Board of Nursing; eliminating requirements regarding list of advanced practice registered nurses with prescriptive authority; and providing for prescriptive authority of advanced practice registered nurses.

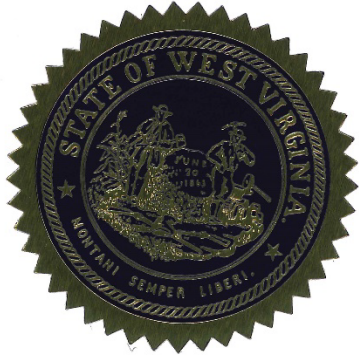
FIFTEENTH: To amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-1J-6; to amend and reenact §18-19-2 of said code; and to amend and reenact §36-8-13 of said code, as contained in Chapter 282, Acts of the Legislature, Regular Session, 2022, all relating generally to state military and service member programs;

creating a special revenue account known as the Military Authority Reimbursable Expenditure Fund; establishing the fund; providing that the Adjutant General shall administer the fund; authorizing the Adjutant General to invest moneys in the fund; setting forth the permissible contents of the fund; authorizing the Adjutant General to make certain expenditures from the fund; requiring the Adjutant General to reimburse the fund after receiving federal reimbursement moneys; providing that moneys in the fund will revert to the Unclaimed Property Fund at the end of each fiscal year; expanding eligibility of an active-duty service member's child or spouse for certain benefits; and authorizing transfers up to a certain amount from the Unclaimed Property Trust Fund to the Military Authority Reimbursable Expenditure Fund.

SIXTEENTH: To amend and reenact §8-22A-2 of the Code of West Virginia, 1931, as amended, as contained in Chapter 256, Acts of the Legislature, Regular Session, 2022, relating to the West Virginia Municipal Police Officers and Firefighters Retirement System; and increasing the multiplier for use in determining accrued benefit.

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



By the Governor

DONE at the Capitol in the City of Charleston, State of West Virginia, this Twenty-Second day of April, in the Year of our Lord, Two Thousand Twenty-Two, and in the One Hundred Fifty-Ninth year of the State.

A handwritten signature in blue ink, appearing to read "James E. Justice".

GOVERNOR

A handwritten signature in blue ink, appearing to read "Mpc Warner".

SECRETARY OF STATE

Senator Blair (Mr. President) then laid before the Senate the following supplement to the proclamation dated April 22, 2022, from His Excellency, the Governor, which was read by the Clerk:

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

Charleston

A PROCLAMATION

By the Governor

I, JIM JUSTICE, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the proclamation dated April 22, 2022, calling the West Virginia Legislature to convene in Extraordinary Session on Monday, April 25, 2022, in its chambers in the State Capitol, the City of Charleston, by adding to the list of matters for consideration and action the following item number seventeen:

SEVENTEENTH: To expire funds to the balance of Miscellaneous Boards and Commissions, Water Development Authority, West Virginia Economic Enhancement Grant Fund, fund 3382, fiscal year 2022, organization 0316, in the amount of \$250,000,000, from the Executive, Governor's Office, Coronavirus State Fiscal Recovery Fund, fund 8823, fiscal year 2022, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, this Twenty-Fifth day of April, in the Year of our Lord, Two Thousand Twenty-Two, and in the One Hundred Fifty-Ninth year of the State.

Jim Justice
GOVERNOR

Mpc Warner
SECRETARY OF STATE

At the request of Senator Takubo, and by unanimous consent, Senator Takubo offered the following resolution from the floor:

Senate Resolution 201—Raising a committee to inform the House of Delegates the Senate has assembled in extraordinary session.

Resolved by the Senate:

That a committee of three be appointed by the President to inform the House of Delegates that the Senate has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business for which the extraordinary session was called by His Excellency, the Governor.

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

Whereupon, the President appointed as members of such committee the following:

Senators Grady, Smith, and Brown.

Subsequently, Senator Grady, from the committee to notify the House of Delegates the Senate has assembled in extraordinary session, and is ready to proceed with the business of the session, announced that the committee had discharged its duties.

A message from the House of Delegates, by

Delegates Barrett, Bates, and Lovejoy, announced that the House of Delegates has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business stated in the proclamation convening the Legislature.

At the request of Senator Takubo, and by unanimous consent, Senator Takubo offered the following resolution from the floor:

Senate Resolution 202—Raising a committee to wait upon the Governor.

Resolved by the Senate:

That a committee of three on the part of the Senate, to join with a similar committee on the part of the House of Delegates, be appointed by the President to notify His Excellency, the Governor, that at his call the Legislature has assembled in extraordinary session, with a quorum of each house present; and is ready to receive any communication or message he may be pleased to present under section seven, article seven of the Constitution of West Virginia, which provides that no business except that stated in his proclamation be considered.

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

Whereupon, the President appointed as members of such committee the following:

Senators Swope, Maynard, and Geffert.

A message from the House of Delegates, by

Delegates Queen, Sypolt, and Pethtel, announced that the Speaker had appointed them a committee of three to join with a similar committee on the part of the Senate to wait upon the Governor, under the provisions of Senate Resolution 202. Senate and House members of this select committee then proceeded to the executive offices.

Subsequently, Senator Swope reported that the joint Senate and House committee had performed the duty assigned to it.

The Senate proceeded to the sixth order of business.

The following bills were introduced and read by their titles:

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

Senate Bill 2001—A Bill to repeal §31-15-20 of the Code of West Virginia, 1931, as amended; to amend and reenact §12-6C-11 of said code; to amend said code by adding thereto a new section, designated §12-6C-11b; and to amend said code by adding thereto a new section, designated §31-15-23a, all relating generally to funding for infrastructure and economic development projects in the state; discontinuing the revolving loan from the Board of Treasury Investments to the Economic Development Authority upon the authority's receipt of an appropriation by the Legislature; requiring the Board of Treasury Investments to make a revolving loan available to the Department of Transportation; establishing a special revenue fund to receive loan moneys; permitting the Secretary of Transportation to make certain expenditures of loan moneys; requiring the secretary to reimburse the fund upon receipt of federal reimbursement moneys; providing when moneys in the fund will revert to the Consolidated Fund; establishing reporting requirements related to the fund; allowing the Board of Treasury Investments to inspect records related to the fund; providing a sunset date of June 30, 2027, for the revolving loan available to the Department of Transportation; defining terms; establishing a special revenue fund to receive moneys appropriated to the Economic Development Authority; allowing the authority to invest the moneys in the fund; providing that a certain amount of moneys in the fund be used for high impact economic development projects; establishing accounting and auditing standards related to the fund; and establishing project status reporting requirements related to the fund, and providing that documents and materials related to high impact economic development projects are exempt from certain provisions of the code, except that certain required records and reports and final agreements or resolutions of the authority are not exempt from certain provisions of the code.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2001 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. 2001) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. S. B. 2001) takes effect from passage.

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

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

Senate Bill 2002—A Bill to amend and reenact §18B-1-1f of the Code of West Virginia, 1931, as amended, as contained in Chapter 149, Acts of the Legislature, Regular Session, 2022; and to amend and reenact §18B-1-2 of said code, all relating to reclassifying Bluefield State College as a statutorily exempt school.

Referred to the Committee on Rules.

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

Senate Bill 2003—A Bill to amend and reenact §5-10-14 and §5-10-30 of the Code of West Virginia, 1931, as amended, all relating to service credit, retroactive provisions, and the refund of accumulated contributions for certain members of the West Virginia Public Employees Retirement System.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2003 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. 2003) passed with its title.

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

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

Senate Bill 2004—A Bill to amend and reenact §5-10-2 of the Code of West Virginia, 1931, as amended, as contained in Chapter 256, Acts of the Legislature, Regular Session, 2022; and to amend and reenact §5-10-24 of said code, all relating to the Public Employees Retirement System; allowing retirants in the Public Employees Retirement System to designate an irrevocable special needs trust as beneficiary; defining terms; and providing for substitution of irrevocable special needs trust as beneficiary post retirement in certain circumstances.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson,

Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2004 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. 2004) passed with its title.

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

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

Senate Bill 2005—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §21A-10-23, relating to authorizing the Commissioner of Workforce West Virginia to create an Unemployment Compensation Insurance Fraud Unit; establishing training and experience requirements; specifying duties; granting certain authorities necessary to conduct investigations into alleged unemployment insurance fraud; authorizing certain personnel to operate a state vehicle and carry a firearm; establishing training requirements for carrying a firearm; exempting the Unemployment Compensation Fraud Unit from the requirements of the Freedom of Information Act and the Open Government Proceedings Act; and creating certain immunities for acts of an investigator employed by the unit.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2005 was then read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed Senate Bill 2005 pass?"

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. 2005) passed with its title.

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

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

Senate Bill 2006—A Bill to amend and reenact §5-6-11a of the Code of West Virginia, 1931, as amended; to amend and reenact §5-11-5 of said code; to amend and reenact §5A-8-15 of said code; to amend and reenact §5B-2I-7 of said code; to amend and reenact §6C-3-1 of said code; to amend and reenact §11-13J-4a of said code; to amend and reenact §16-4C-5 of said code; to amend and reenact §17-4A-3 of said code; to amend and reenact §17-16A-3 of said code; to amend and reenact §17-16C-4 of said code; to amend and reenact §18-2-1 of said code; to amend and reenact §18-11-1 of said code; to amend and reenact §18B-1B-2 of said code; to amend and reenact §22C-3-4 of said code; to amend and reenact §29-21-3b of said code; to amend §29-22-4 of said code; to amend and reenact §30-38-6 of said code; and to amend and reenact §30-42-4 of said code, all relating to qualifications for members of boards, commissions, and other entities; reducing the number of members of board of directors of the nonprofit corporation operating and maintaining the Clay Center for the Arts; revising qualifications for members of the Human Rights Commission; establishing qualifications for members of the Records Management and Preservation Board; revising qualifications for membership on the Tourism Advisory Council; updating number of members of the Public Employees Grievance Board who may be appointed from each congressional district; revising the number of members of the Neighborhood Investment Program Advisory Board from each congressional district; revising the number of members of the Emergency Medical Services Advisory Council appointed from any one congressional district; revising membership of the Complete Streets Advisory Board; establishing number of appointed members of the Parkways Authority and recognizing the reduction in the number of congressional districts; establishing qualifications for appointed members of the Public Transit Advisory Council; revising qualifications for the appointment to the West Virginia Board of Education; revising the requirements for appointed members of West Virginia University Board of Governors; altering the composition of the Higher Education Policy Commission; making technical changes to qualifications for appointment to Solid Waste

Management Board; modifying the membership of the Indigent Defense Commission; providing for qualifications for the appointment to the State Lottery Commission; revising qualifications for appointment to the Real Estate Appraiser Licensing and Certification Board; and revising qualifications for appointment to the Contractor Licensing Board.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2006 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. 2006) passed with its title.

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

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

Senate Bill 2007—A Bill to amend and reenact §30-40-4 of the Code of West Virginia, 1931, as amended, relating to West Virginia Real Estate License Act; amending definitions; permitting a salesperson to designate an entity to receive compensation.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2007 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. 2007) passed with its title.

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

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

Senate Bill 2008—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-33c, all relating to West Virginia University Rifle Team Electronic Application Donation Program; including solicitation for voluntary donation to West Virginia University Rifle Team on electronic application for hunting or fishing license; providing opportunity to designate donation in any amount; creating special account; establishing funding sources; specifying terms for expenditures; authorizing disbursements and administrative fee; and requiring annual reports for two years.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson,

Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2008 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. 2008) passed with its title.

Senator Takubo moved that the bill take effect July 1, 2022.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. S. B. 2008) takes effect July 1, 2022.

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

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

Senate Bill 2009—A Bill to amend and reenact §18-2-7f of the Code of West Virginia, 1931, as amended, relating to establishing alternative educational opportunities for elective course credit; requiring the state board to establish, develop, and maintain a program whereby students can earn elective course credit for extended learning opportunities that take place outside of the traditional classroom setting; specifying minimum entities eligible to provide extended learning opportunity programs; requiring individuals or entities seeking certification as an eligible extended learning opportunity program to successfully complete an application process; imposing requirements on extended learning opportunity providers pertaining to compliance with applicable federal and state health and safety laws and regulations, compliance with standards and safeguards provided by the West Virginia Board of Education, background checks for key

personnel or instructional staff, and proof of insurance; addressing the denial of a program application; providing for monitoring, evaluation, and inspection of approved programs; allowing extension of approval or disqualification for violation of state law or state board policies; allowing appeal of disqualification; requiring the county boards of education to adopt an alternative educational opportunities policy that facilitates implementation and participation; requiring parental or legal guardian approval for participation of student under 18 years of age; allowing students transferring schools to request acceptance of elective course credits awarded for program completion; addressing transportation to and from an approved program; allowing auditing of approved programs at any time and disqualification for not meeting certain provisions; and requiring report to the Legislative Oversight Commission on Education Accountability with respect to the implementation of extended learning opportunity programs.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2009 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. 2009) passed with its title.

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

By Senators Baldwin, Caputo, Geffert, Lindsay, Romano, Stollings, and Woelfel:

Senate Bill 2010—A Bill to amend and reenact §5-16-7g of the Code of West Virginia, 1931, as amended; and to amend and reenact §33-59-1 of said code, all relating to health care; reducing

copayments; adding coverage for devices under specified insurance plans including the Public Employees Insurance Agency; and permitting testing equipment to be purchased without a prescription under specified insurance plans.

Referred to the Committee on Rules.

By Senators Baldwin, Caputo, Geffert, Lindsay, Romano, Stollings, and Woelfel:

Senate Bill 2011—A Bill to amend and reenact §29-3E-7 of the Code of West Virginia, 1931, as amended; and to amend and reenact §33-3-14d and §33-3-33 of said code, all relating generally to the distribution of certain taxes and surcharges to benefit volunteer and part-volunteer fire departments; defining terms; providing the method of allocation and distribution for proceeds of the fireworks safety fee deposited in the Fire Protection Fund; eliminating obsolete language; increasing certain policy surcharge; establishing effective date for policy surcharge increase; requiring the State Fire Marshal provide certain information to the State Treasurer; and clarifying the requirements for distribution of funds in the Fire Protection Fund.

Referred to the Committee on Rules.

By Senators Baldwin, Caputo, Geffert, Lindsay, Romano, Stollings, and Woelfel:

Senate Bill 2012—A Bill to repeal §49-2-125 of the Code of West Virginia, 1931, as amended; to amend and reenact §49-1-203 of said code; to amend and reenact §49-2-111a, §49-2-111c, and §49-2-809 of said code; to amend said code by adding thereto two new sections, designated §49-2-111d and §49-2-111e; to amend and reenact §49-4-405, §49-4-501, and §49-4-601 of said code; to amend and reenact §49-5-101 of said code; and to amend and reenact §49-9-101, §49-9-103, §49-9-105, §49-9-106, and §49-9-107 of said code, all relating to foster care; creating new definitions; deleting outdated language; requiring Bureau for Social Services to issue a request for proposal to incorporate into its PATH system a matching database, and to create a dashboard database; requiring study of centralized intake; requiring that any report by a physician mandatory reporter shall be automatically considered accepted by centralized intake and a referral for investigation made; requiring circuit courts to enable multidisciplinary treatment team to meet monthly; including managed care case coordinator in multidisciplinary treatment team; allowing department to hire counsel; requiring sheriff's office to serve notice of hearing without additional compensation; permitting child agency or facility to disclose confidential information in certain circumstances; requiring foster care ombudsman to make recommendations in accordance with the Foster Child Bill of Rights and the Foster and Kinship Parent Bill of Rights; authorizing ombudsman to have access to kinship family; exempting foster care ombudsman from testifying about official duties; making ombudsman's records confidential and not admissible in evidence; removing circumstance for authorizing disclosure of confidential matters; making investigation of complaint confidential except when imminent risk of harm reported to foster care ombudsman; and requiring ombudsman to maintain confidentiality with respect to all matters and exceptions.

Referred to the Committee on Rules.

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

Senate Bill 2013—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §17C-25-1, §17C-25-2, §17C-25-3, §17C-25-4, §17C-25-5, §17C-25-6, §17C-25-7, §17C-25-8, §17C-25-9, §17C-25-10, and §17C-25-11, all relating to flying under the influence and other aviation offenses; prohibiting operation of aircraft while under the influence of alcohol, controlled substances, or drugs; defining terms; providing that a person operating an aircraft while under the influence is guilty of a misdemeanor and establishing criminal penalties therefor; providing that injury of another person while operating an aircraft while under

the influence is a felony and establishing criminal penalties therefor; providing a person who knowingly allows another person to operate his or her aircraft while under the influence is guilty of a misdemeanor and establishing criminal penalties therefor; providing increased criminal penalties for subsequent offenses; providing for inclusion of previous offenses when determining number of offenses; providing that it is not a defense that the person was legally allowed to use alcohol, controlled substances, or drugs; requiring clerk of court to notify federal aviation administration of a conviction; providing for implied consent to testing; providing for preliminary analysis of breath to determine its alcohol concentration; providing for secondary testing and interpretation of such tests; providing person may demand additional testing; providing standards for blood withdrawal; allowing test results to be used in civil and criminal proceedings; allowing person to demand testing within two hours of arrest; providing for fee for withdrawing a blood sample or administering a urine test; providing that the unauthorized taking of an aircraft is a felony and establishing criminal penalties therefor; requiring federal licensure to operate an aircraft and that evidence of licensure be in the person's personal possession and in the aircraft; providing criminal penalties; and requiring state law enforcement officers to collaborate in enforcing aeronautics laws.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to engrossment and third reading.

Engrossed Senate Bill 2013 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. 2013) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. S. B. 2013) takes effect from passage.

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

On motion of Senator Takubo, at 1:21 p.m., the Senate recessed.

The Senate reconvened at 1:51 p.m. and, without objection, returned 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 passage, and requested the concurrence of the Senate in the passage of

Eng. House Bill 210—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-2-5k relating to permitting the use of air rifles when hunting; permitting a person use an air rifle to hunt when properly authorized to hunt under an existing stamp; setting forth criteria for when an air rifle may be used to hunt game in this state; setting caliber limits for air rifles when hunting certain types of game; and providing limitations on air rifle use.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 210 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 210) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 210) takes effect from passage.

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

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

Eng. House Bill 212—A Bill to amend and reenact §51-9-1a of the Code of West Virginia, 1931, as amended, as contained in Chapter 256, Acts of the Legislature, Regular Session, 2022, relating to including family court judges in the Judges' Retirement System.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 212 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 212) passed with its title.

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

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

Eng. House Bill 214—A Bill to amend and reenact §30-3E-3 of the Code of West Virginia, 1931, as amended; and to amend and reenact §30-7-15a of said code, all relating to prescriptive authority; eliminating certain legislative rulemaking authority concerning the prescriptive authority of a physician assistant; providing for prescriptive authority of physician assistants; eliminating certain discretionary authority of the Board of Nursing; eliminating certain legislative rulemaking authority of the Board of Nursing with respect to prescriptive authority of an advanced practice registered nurse; eliminating certain emergency rulemaking authority of the Board of Nursing; eliminating requirements regarding list of advanced practice registered nurses with prescriptive authority; and providing for prescriptive authority of advanced practice registered nurses.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 214 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 214) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 214) takes effect from passage.

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

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

Eng. House Bill 215—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-1J-6; to amend and reenact §18-19-2 of said code; and to amend and reenact §36-8-13 of said code, as contained in Chapter 282, Acts of the Legislature, Regular Session 2022; all relating generally to state military and service member programs; creating a special revenue account known as the Military Authority Reimbursable Expenditure Fund; establishing the fund; providing that the Adjutant General shall administer the fund; authorizing the Adjutant General to invest moneys in the fund; setting forth the permissible contents of the fund; authorizing the Adjutant General to make certain expenditures from the fund; requiring the Adjutant General to reimburse the fund after receiving federal reimbursement moneys; providing that moneys in the fund will revert to the Unclaimed Property Fund at the end of each fiscal year; expanding eligibility of an active-duty service member's child or spouse for certain benefits; and authorizing transfers up to a certain amount from the Unclaimed Property Trust Fund to the Military Authority Reimbursable Expenditure Fund.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 215 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 215) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 215) takes effect from passage.

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

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect January 1, 2023, and requested the concurrence of the Senate in the passage of

Eng. House Bill 216—A Bill to amend and reenact §8-22A-2 of the Code of West Virginia, 1931, as amended, as contained in Chapter 256, Acts of the Legislature, Regular Session, 2022, relating to the West Virginia Municipal Police Officers and Firefighters Retirement System; and increasing the multiplier for use in determining accrued benefit.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 216 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 216) passed with its title.

Senator Takubo moved that the bill take effect January 1, 2023.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 216) takes effect January 1, 2023.

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

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

Eng. House Bill 217—A Bill expiring funds to the balance of Miscellaneous Boards and Commissions, Water Development Authority, West Virginia Economic Enhancement Grant Fund, fund 3382, fiscal year 2022, organization 0316, in the amount of \$250,000,000, from the Executive, Governor's Office, Coronavirus State Fiscal Recovery Fund, fund 8823, fiscal year 2022, organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022.

At the request of Senator Takubo, unanimous consent being granted, the bill was taken up for immediate consideration, reference to a committee dispensed with, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

The bill was read a second time and ordered to third reading.

Engrossed House Bill 217 was then read a third time and put upon its passage.

Pending discussion,

The question being "Shall Engrossed House Bill 217 pass?"

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 217) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (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. H. B. 217) takes effect from passage.

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

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

Eng. Senate Bill 2003, Relating to service credit, retroactive provisions, and refund of accumulated contributions for certain members of PERS.

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

Eng. Senate Bill 2004, Allowing retirants in PERS to designate irrevocable special needs trust as beneficiary.

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

Eng. Senate Bill 2005, Authorizing Commissioner of Workforce West Virginia to create Unemployment Compensation Insurance Fraud Unit.

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

Eng. Senate Bill 2006, Relating to qualifications for members of boards, commissions, and other entities.

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

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

On pages 29, 30, and 31, section 1, line 1, by striking line 1 through line 48;

And,

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

Eng. Senate Bill 2006—A Bill to amend and reenact §5-6-11a of the Code of West Virginia, 1931, as amended; to amend and reenact §5-11-5 of said code; to amend and reenact §5A-8-15 of said code; to amend and reenact §5B-21-7 of said code; to amend and reenact §6C-3-1 of said code; to amend and reenact §11-13J-4a of said code; to amend and reenact §16-4C-5 of said code; to amend and reenact §17-4A-3 of said code; to amend and reenact §17-16A-3 of said code; to amend and reenact §17-16C-4 of said code; to amend and reenact §18-2-1 of said code; to amend and reenact §18B-1B-2 of said code; to amend and reenact §22C-3-4 of said code; to amend and reenact §29-21-3b of said code; to amend §29-22-4 of said code; to amend and reenact §30-38-6 of said code; and to amend and reenact §30-42-4 of said code, all relating to qualifications for members of boards, commissions, and other entities; reducing the number of

members of board of directors of the nonprofit corporation operating and maintaining the Clay Center for the Arts; revising qualifications for members of the Human Rights Commission; establishing qualifications for members of the Records Management and Preservation Board; revising qualifications for membership on the Tourism Advisory Council; updating number of members of the Public Employees Grievance Board who may be appointed from each congressional district; revising the number of members of the Neighborhood Investment Program Advisory Board from each congressional district; revising the number of members of the Emergency Medical Services Advisory Council appointed from any one congressional district; revising membership of the Complete Streets Advisory Board; establishing number of appointed members of the Parkways Authority and recognizing the reduction in the number of congressional districts; establishing qualifications for appointed members of the Public Transit Advisory Council; revising qualifications for the appointment to the West Virginia Board of Education; revising the requirements for appointed members of Board of Governors; altering the composition of the Higher Education Policy Commission; making technical changes to qualifications for appointment to Solid Waste Management Board; modifying the membership of the Indigent Defense Commission; providing for qualifications for the appointment to the State Lottery Commission; revising qualifications for appointment to the Real Estate Appraiser Licensing and Certification Board; and revising qualifications for appointment to the Contractor.

On motion of Senator Takubo, the following amendment to the House of Delegates amendments to the bill (Eng. S. B. 2006) was reported by the Clerk and adopted:

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

Eng. Senate Bill No. 2006—A Bill to amend and reenact §5-6-11a of the Code of West Virginia, 1931, as amended; to amend and reenact §5-11-5 of said code; to amend and reenact §5A-8-15 of said code; to amend and reenact §5B-2I-7 of said code; to amend and reenact §6C-3-1 of said code; to amend and reenact §11-13J-4a of said code; to amend and reenact §16-4C-5 of said code; to amend and reenact §17-4A-3 of said code; to amend and reenact §17-16A-3 of said code; to amend and reenact §17-16C-4 of said code; to amend and reenact §18-2-1 of said code; to amend and reenact §18B-1B-2 of said code; to amend and reenact §22C-3-4 of said code; to amend and reenact §29-21-3b of said code; to amend §29-22-4 of said code; to amend and reenact §30-38-6 of said code; and to amend and reenact §30-42-4 of said code, all relating to qualifications for members of boards, commissions, and other entities; reducing the number of members of board of directors of the nonprofit corporation operating and maintaining the Clay Center for the Arts; revising qualifications for members of the Human Rights Commission; establishing qualifications for members of the Records Management and Preservation Board; revising qualifications for membership on the Tourism Advisory Council; updating number of members of the Public Employees Grievance Board who may be appointed from each congressional district; revising the number of members of the Neighborhood Investment Program Advisory Board from each congressional district; revising the number of members of the Emergency Medical Services Advisory Council appointed from any one congressional district; revising membership of the Complete Streets Advisory Board; establishing number of appointed members of the Parkways Authority and recognizing the reduction in the number of congressional districts; establishing qualifications for appointed members of the Public Transit Advisory Council; revising qualifications for the appointment to the West Virginia Board of Education; altering the composition of the Higher Education Policy Commission; making technical changes to qualifications for appointment to Solid Waste Management Board; modifying the membership of the Indigent Defense Commission; providing for qualifications for the appointment to the State Lottery Commission; revising qualifications for appointment to the Real Estate Appraiser

Licensing and Certification Board; and revising qualifications for appointment to the Contractor Licensing Board.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendments, as amended.

Engrossed Senate Bill 2006, as amended, was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Maroney—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2006) passed with its Senate amended title.

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

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

Eng. Senate Bill 2007, Relating to WV Real Estate License Act.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage, to take effect July 1, 2022, of

Eng. Senate Bill 2008, Relating to WVU Rifle Team Electronic Application Donation Program.

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

Eng. Senate Bill 2009, Establishing alternative educational opportunities for elective course credit.

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

Eng. Senate Bill 2013, Relating to flying under influence and other aviation offenses.

On motion of Senator Takubo, at 2:16 p.m., the Senate adjourned until tomorrow, Tuesday, April 26, 2022, at 8 a.m.
