

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE  
REGULAR SESSION, 2025  
SIXTH DAY

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Charleston, West Virginia, Monday, February 17, 2025

The Senate met at 11:02 a.m.

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

Prayer was offered by the Honorable Amy N. Grady, a senator from the fourth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Tom Willis, a senator from the fifteenth district.

Pending the reading of the Journal of Friday, February 14, 2025,

At the request of Senator Clements, 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.

At the request of Senator Martin, 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 Sophia Phillips, daughter of the Honorable Rupie Phillips, a senator from the seventh district, privileges of the floor for the day.

The Senate 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 from passage, and requested the concurrence of the Senate in the passage of

**Eng. House Bill 2024**—A Bill to amend and reenact §11-21-9 of the Code of West Virginia, 1931, as amended, relating to updating the meaning of federal adjusted gross income and certain other terms used in West Virginia Personal Income Tax Act; and specifying effective dates.

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

On motion of Senator Martin, 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: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

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

Engrossed House Bill 2024 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2024) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2024) 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 2025**—A Bill to amend and reenact §11-24-3 of the Code of West Virginia, 1931, as amended, relating to bringing terms not defined in the Corporation Net Income Tax Act into conformity with the meaning of those terms for federal income tax purposes; and specifying effective dates.

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

On motion of Senator Martin, 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: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

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

Engrossed House Bill 2025 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 2025) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Barrett, Bartlett, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—32.

The nays were: None.

Absent: Azinger and Boley—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. H. B. 2025) takes effect from passage.

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

The Senate proceeded to the fourth order of business.

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

Your Committee on Finance has had under consideration

**Senate Bill 454**, Updating terms in Corporation Net Income Tax Act.

And,

**Senate Bill 455**, Updating meaning certain terms used in WV Personal Income Tax Act.

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

Respectfully submitted,

Jason Barrett,  
*Chair.*

At the request of Senator Martin, unanimous consent being granted, the bills (S. B. 454 and 455) contained in the foregoing report from the Committee on Finance were then referred to the Committee on Rules.

The Senate proceeded to the sixth order of business.

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

**By Senators Tarr, Barrett, and Grady:**

**Senate Bill 506**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18A-4-2d, relating to enhanced pay for teachers; setting out legislative findings; defining terms; providing for market pay enhancement for teacher salaries in certain circumstances; providing for certification to State Auditor; setting out distribution of funds; requiring reporting; making funds subject to personal income tax; providing funds are in excess of minimum salary schedule; making enhancement not subject to state grievance process; and providing for rulemaking.

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

**By Senator Thorne:**

**Senate Bill 507**—A Bill to amend and reenact §61-8A-3 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §61-8A-6, relating to prohibiting drag shows from being performed in front of minors; and prohibiting drag shows in public places, such as schools and libraries.

Referred to the Committee on the Judiciary.

**By Senator Deeds:**

**Senate Bill 508**—A Bill to amend and reenact §27-5-1, §27-5-1b, §27-5-2, and §27-5-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §27-5-2b, and a new article, designated §27-5A-1, §27-5A-2, and §27-5A-3, relating generally to the creation of mental hygiene regions by the Supreme Court of Appeals; clarifying that mental hygiene evaluations and proceedings may be conducted by video technology; removing licensed professional counselors and licensed independent social workers as approved examiners for mental hygiene evaluations; creating a temporary observation release for mental

hygiene respondents; clarifying that chief medical officer releases requiring approval of circuit court only apply to forensic patients; requiring hearings for any commitment period of longer than 90 days and prohibiting any person from being civilly committed to longer than 120 days without a hearing to determine whether the individual continues to meet commitment criteria; removing obsolete language regarding transcripts of proceedings to circuit court of county of residence; restructuring the mental hygiene commissioner system by authorizing new mental hygiene regions and full-time mental hygiene commissioners employed by the Supreme Court of Appeals; authorizing mental hygiene proceedings and evaluations by video and requiring facilities to provide technology that meets Supreme Court of Appeals specifications; authorizing statewide coverage for mental hygiene evaluations and permitting a mental hygiene commissioner to exclude evaluator testimony based on the West Virginia Rules of Evidence; and requiring each Certified Community Mental Health Center to ensure that at least one examiner is available to provide uniform and continuous coverage in each region, including afterhours, weekends, and holidays.

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

**By Senator Deeds:**

**Senate Bill 509**—A Bill to amend and reenact §61-8D-3 and §61-8D-4 of the Code of West Virginia, 1931, as amended, relating to modifying the criminal penalties imposed on a parent, guardian, custodian, or person in a position of trust in relation to a child for child abuse resulting in bodily injury, serious bodily injury, and child neglect resulting in bodily injury, serious bodily injury, and child abuse or child neglect creating risk of injury; providing that a prior conviction under this section subjects a person to increased penalties; and providing a definition for a prior conviction.

Referred to the Committee on the Judiciary.

**By Senators Rose and Martin:**

**Senate Bill 510**—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §24-9-1, §24-9-2, §24-9-3, and §24-9-4, relating to providing for the creation of the Stable Energy Rates Protection Act.

Referred to the Committee on Energy, Industry, and Mining; and then to the Committee on Government Organization.

**By Senators Rucker, Azinger, Barrett, Chapman, Grady, Martin, Maynard, Rose, Takubo, Taylor, and Weld:**

**Senate Joint Resolution 8**—Proposing an amendment to the Constitution of the State of West Virginia, amending section one, article IV thereof, relating to the right to vote in elections held in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

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

Senators Martin and Queen offered the following resolution:

**Senate Resolution 7**—Recognizing the 153rd anniversary of Glenville State University.

Which, under the rules, lies over one day.

Senator Morris offered the following resolution:

**Senate Resolution 8**—Designating February 18, 2025, as West Virginia Banker's Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

**Senate Concurrent Resolution 6**, US Army Major Jerome Lee Workman Memorial Bridge.

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

**Senate Concurrent Resolution 7**, Cohen Wade Craddock Memorial Bridge.

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

**Senate Concurrent Resolution 8**, US Army E6 Dennis Charles Hurley Memorial Bridge.

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

**Senate Concurrent Resolution 9**, Becker Brothers, Eugene and Kermit Becker Memorial Bridge.

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

**Senate Concurrent Resolution 10**, Donald Lucas & Ronald Lucas Memorial Bridge.

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

**Senate Concurrent Resolution 11**, Charlie Lee Jordan Memorial Bridge.

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

**Senate Resolution 6**, Commemorating 75th anniversary of Sport Fish Restoration Program.

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

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

The Senate proceeded to the tenth order of business.

**Com. Sub. for Senate Bill 460**, Relating to vaccine requirements.

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

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Phillips.

At the request of Senator Phillips, unanimous consent being granted, the Senate then stood in observance of a moment of silence in recognition of this past weekend's flooding victims in Southern West Virginia.

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

The Senate proceeded to the thirteenth order of business.

Senator Smith (Mr. President) announced the removal of Senator Stuart from the Committee on Health and Human Resources.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on February 14, 2025:

**Senate Bill 7:** Senator Woelfel;

**Senate Bill 17:** Senator Thorne;

**Senate Bill 18:** Senators Thorne and Woelfel;

**Senate Bill 19:** Senators Deeds and Thorne;

**Senate Bill 20:** Senator Morris;

**Senate Bill 21:** Senator Thorne;

**Senate Bill 22:** Senator Woelfel;

**Senate Bill 29:** Senator Morris;

**Senate Bill 35:** Senator Woelfel;

**Senate Bill 41:** Senator Woelfel;

**Senate Bill 49:** Senator Thorne;

**Senate Bill 53:** Senator Woelfel;

**Senate Bill 58:** Senator Thorne;

**Senate Bill 69:** Senator Thorne;

**Senate Bill 72:** Senators Thorne and Helton;

**Senate Bill 76:** Senator Woelfel;  
**Senate Bill 80:** Senator Thorne;  
**Senate Bill 82:** Senator Woelfel;  
**Senate Bill 83:** Senator Woelfel;  
**Senate Bill 89:** Senator Helton;  
**Senate Bill 90:** Senator Helton;  
**Senate Bill 94:** Senator Helton;  
**Senate Bill 97:** Senators Thorne and Helton;  
**Senate Bill 101:** Senator Woelfel;  
**Senate Bill 106:** Senator Thorne;  
**Senate Bill 116:** Senator Woelfel;  
**Senate Bill 118:** Senator Woelfel;  
**Senate Bill 119:** Senator Woelfel;  
**Senate Bill 120:** Senator Woelfel;  
**Senate Bill 121:** Senator Woelfel;  
**Senate Bill 134:** Senator Helton;  
**Senate Bill 136:** Senator Helton;  
**Senate Bill 137:** Senator Woelfel;  
**Senate Bill 139:** Senator Woelfel;  
**Senate Bill 154:** Senators Thorne and Helton;  
**Senate Bill 172:** Senator Helton;  
**Senate Bill 175:** Senator Thorne;  
**Senate Bill 186:** Senator Woelfel;  
**Senate Bill 189:** Senator Woelfel;  
**Senate Bill 190:** Senator Woelfel;  
**Senate Bill 199:** Senator Thorne;



**Senate Bill 204:** Senator Helton;

**Senate Bill 245:** Senator Woelfel;

**Senate Bill 260:** Senator Rose;

**Senate Bill 264:** Senator Thorne;

**Senate Bill 266:** Senator Thorne;

**Senate Bill 270:** Senators Rose and Thorne;

**Senate Bill 271:** Senators Rose and Thorne;

**Senate Bill 275:** Senator Rose;

**Senate Bill 280:** Senator Thorne;

**Senate Bill 286:** Senator Thorne;

**Senate Bill 295:** Senator Rose;

**Senate Bill 432:** Senator Thorne;

**Senate Bill 439:** Senator Thorne;

**Senate Bill 440:** Senator Rose;

**Senate Bill 445:** Senator Thorne;

**Senate Bill 447:** Senator Helton;

**Senate Bill 464:** Senators Helton, Weld, Woelfel, and Chapman;

**Senate Bill 466:** Senator Bartlett;

**Senate Bill 467:** Senators Woelfel and Bartlett;

**Senate Bill 472:** Senator Woelfel;

**Senate Bill 473:** Senator Weld;

**Senate Bill 475:** Senator Deeds;

**Senate Bill 476:** Senator Morris;

**Senate Bill 477:** Senator Deeds;

**Senate Bill 481:** Senators Deeds, Weld, and Woelfel;

**Senate Bill 505:** Senator Rose;

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

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

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

And,

**Senate Resolution 6:** Senator Woelfel.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 11:27 a.m., the Senate adjourned until tomorrow, Tuesday, February 18, 2025, at 11 a.m.

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## **SENATE CALENDAR**

**Tuesday, February 18, 2025  
11:00 AM**

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### **SPECIAL ORDER OF BUSINESS**

**Saturday, April 12, 2025 – 11:30 AM**

Consideration of executive nominations

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### **UNFINISHED BUSINESS**

S. R. 7 - Recognizing 153rd anniversary of Glenville State University

S. R. 8 - Designating February 18, 2025, as WV Banker's Day at Legislature

### **SECOND READING**

Com. Sub. for S. B. 460 - Relating to vaccine requirements

## **ANNOUNCED SENATE COMMITTEE MEETINGS**

### **Regular Session 2025**

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**Tuesday, February 18, 2025**

9:30 a.m.	Education	(Room 451M)
9:30 a.m.	Government Organization	(Room 208W)