

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2025
TWENTY-SEVENTH DAY

Charleston, West Virginia, Monday, March 10, 2025

The Senate met at 11:02 a.m.

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

Prayer was offered by the Honorable Vince S. Deeds, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Anne B. Charnock, a senator from the seventeenth district.

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

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

The Senate then proceeded to the third order of business.

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

Eng. Senate Bill 490, Prohibiting ranked-choice voting in elections in West Virginia.

The Senate proceeded to the fourth order of business.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Senate Bill 658, Prohibiting certain persons from receiving compensation for advising or assisting with veterans' benefits.

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

Com. Sub. for Senate Bill 658 (originating in the Committee on Military)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §9A-7-1, §9A-7-

2, §9A-7-3, §9A-7-4, and §9A-7-5, relating to creation of the Veterans' Empowerment and Trust Safeguard Act; defining terms; prohibiting a person from receiving compensation for assisting another in obtaining veterans' benefits, except as permitted by federal law; prohibiting a person from receiving compensation for referring an individual to another person to assist with obtaining veterans' benefits; prohibiting a person from receiving compensation for services rendered prior to action by the Department of Veterans Affairs; prohibiting a person from guaranteeing an individual is certain to receive specific veterans' benefits; prohibiting a person from receiving excessive or unreasonable fees for assisting another in obtaining veterans' benefits; prohibiting a person from receiving compensation for assisting another in obtaining veterans' benefits without a written fee agreement, to be filed with the Department of Veterans Affairs; prohibiting the provision of medical evidence or expert witness testimony in connection with a veterans' benefits matter where fees are not pre-determined; establishing violations of the West Virginia Consumer Credit and Protection Act; and providing for exceptions.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Ryan W. Weld,
Chair.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Eng. Com. Sub. for House Bill 2053, Relating to including the United States Space Force in the definition armed forces.

And reports the same back with the recommendation that it do pass; but under the original double committee reference first be referred to the Committee on Finance.

Respectfully submitted,

Ryan W. Weld,
Chair.

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

The Senate proceeded to the sixth order of business.

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

By Senator Weld:

Senate Bill 728—A Bill to amend and reenact §36-12-9 of the Code of West Virginia, 1931, as amended, relating to the Uniform Real Property Transfer on Death Act; and setting forth the requisite capacity requirements for a transfer on death deed.

Referred to the Committee on the Judiciary.

By Senator Azinger:

Senate Bill 729—A Bill to amend and reenact §46A-4-107 of the Code of West Virginia, 1931, as amended, relating to regulated consumer lenders; setting a new maximum annual interest rate for regulated consumer lenders to charge on loans up to \$35,000; and removing a cap on nonrevolving loans when determining a finance charge.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senators Tarr and Woodrum:

Senate Bill 730—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §19-1D-1, §19-1D-2, §19-1D-3, and §19-1D-4, relating to the establishment of a Forest Carbon Registry under the administration of the West Virginia Division of Forestry; providing for the registration of carbon offset agreements and projects affecting West Virginia forestlands; requiring the inclusion of geographic information system shapefiles for encumbered properties; assigning responsibility to purchasers and certain landowners to record such agreements or projects; establishing a deadline for recording; and imposing civil penalties for noncompliance.

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

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 121, Updating language and increasing penalties for indecent exposure.

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

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, 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)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 121) passed with its title.

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

Eng. Com. Sub. for Senate Bill 155, Establishing Summer Feeding for All Program.

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 155 pass?"

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Chapman, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—30.

The nays were: Azinger, Martin, and Rose—3.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 155) passed with its title.

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

Eng. Com. Sub. for Senate Bill 199, Relating to elementary behavior intervention and safety.

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

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, 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)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 199) passed.

On motion of Senator Grady, the following amendment to the title of the bill was reported by the Clerk and adopted:

Eng. Com. Sub. for Senate Bill 199—A Bill to amend and reenact §18A-5-1 of the Code of West Virginia, 1931, as amended, relating to addressing student behavior issues; modifying provisions pertaining to student disorderly conduct, interference with an orderly educational process, obstruction of the teaching or learning process of others, threat, abuse, intimidation, attempted intimidation, willful disobedience of a school employee, or abusive or profane language directed at a school employee; adding partnering with a licensed behavioral health agency as any option for county boards to use to correct student behaviors; requiring students in alternative learning centers, in alternative placements, or with a licensed behavioral health agency to meet regularly with a school social worker to address certain behavioral and mental health concerns and to assist in developing a transition plan back to the classroom and with that transition; clarifying that nothing herein may be construed to conflict with or be applied to conflict with certain federal laws; requiring that county board discipline action policies provide that school social workers provide the training of school personnel in alternatives to discipline practices; defining terms; specifying protocol for when a grade kindergarten through six teacher in an elementary setting determines that the behavior of the student is violent, threatening, or intimidating toward staff or peers, or creates an unsafe learning environment or impedes on the other students' ability to learn in a safe environment; specifying protocol for when a county board does not have access

to a behavioral intervention program; requiring State Board of Education rule which adopts a statewide disciplinary policy; and allowing school counselors, school social workers, school psychologists, or behavior interventionists to provide behavioral support.

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

Eng. Com. Sub. for Senate Bill 325, Authorizing Department of Health to promulgate legislative rules.

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

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, 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)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 325) passed with its title.

Senator Martin moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, 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)—33.

The nays were: None.

Absent: Clements—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 325) takes effect from passage.

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

Eng. Com. Sub. for Senate Bill 458, Universal Professional and Occupational Licensing Act of 2025.

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

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, 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)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 458) passed with its title.

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

Eng. Com. Sub. for Senate Bill 485, Exempting West Virginia Secretary of State from competitive bidding process.

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

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

The nays were: Stuart—1.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 485) passed with its title.

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

Eng. Senate Bill 492, Removing outdated provisions governing political committees.

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

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, 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)—33.

The nays were: None.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 492) passed with its title.

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

Eng. Com. Sub. for Senate Bill 565, Relating generally to practice of optometry.

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

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 565 pass?"

On the passage of the bill, the yeas were: Azinger, Bartlett, Chapman, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Queen, Roberts, Rose, Rucker, Taylor, Thorne, Willis, Woelfel, and Smith (Mr. President)—22.

The nays were: Barrett, Boley, Charnock, Deeds, Oliverio, Phillips, Stuart, Takubo, Tarr, Weld, and Woodrum—11.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 565) passed with its title.

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

Eng. Senate Bill 612, Making rules and regulations of PSC subject to legislative rule-making review procedures.

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

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Willis, Woelfel, Woodrum, and Smith (Mr. President)—30.

The nays were: Charnock, Queen, and Weld—3.

Absent: Clements—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 612) passed with its title.

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

Eng. Com. Sub. for Senate Bill 627, Removing prohibition against leasing state-owned pore spaces underlying lands designated as state parks.

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 627 pass?"

On the passage of the bill, the yeas were: Barrett, Bartlett, Boley, Charnock, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—29.

The nays were: Azinger, Chapman, and Rucker—3.

Absent: Clements and Hart—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 627) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 196, Increasing penalties for drug possession and updating list of offenses.

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

On motions of Senators Helton and Oliverio, the following amendment to the bill was reported by the Clerk:

On page 14, section 416, after line 29, by inserting a new subsection (e), to read as follows:

(e) The revisions to subsections (a), (b), (c), and (d) of this section enacted during the 2025 regular legislative session shall be known as Lauren's Law.

Following discussion,

The question being on the adoption of the amendment offered by Senators Helton and Oliverio to the bill, the same was put and prevailed.

The bill (Com. Sub. for S. B. 196), as amended, was then ordered to engrossment and third reading.

Senate Bill 257, Providing protection for property owner when someone visiting private cemetery causes damage to property.

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

Senate Bill 501, Relating to loan form.

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

Com. Sub. for Senate Bill 521, Requiring party affiliations be listed for all candidates.

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

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

Com. Sub. for Senate Bill 522, Clarifying procedure for administrative dissolution of limited liability companies by Secretary of State.

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

Com. Sub. for Senate Bill 525, Clarifying procedure for administrative dissolution of nonprofit corporations by Secretary of State.

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

Senate Bill 561, Relating to Uniform Special Deposits Act.

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

The Senate proceeded to the tenth order of business.

Senate Bill 280, Displaying official US motto in public schools.

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

Com. Sub. for Senate Bill 500, Transferring audits of volunteer fire departments to Legislative Auditor.

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

Com. Sub. for Senate Bill 532, Making ad valorem taxes on property payable only to county in which property is located.

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

Com. Sub. for Senate Bill 606, Relating to notification of breast density.

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

Senate Bill 649, Supplementing and amending appropriations to Department of Health, Office of Inspector General.

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

Senate Bill 650, Relating to full-time interventionists.

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 Grady.

Thereafter, at the request of Senator Oliverio, and by unanimous consent, the remarks by Senator Grady were ordered printed in the Appendix to the Journal.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Martin, unanimous consent being granted, a leave of absence for the day was granted Senator Clements.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on March 7, 2025:

Senate Bill 295: Senator Hart.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolution on March 7, 2025:

Senate Bill 191: Senator Oliverio;

Senate Bill 246: Senator Woodrum;

Senate Bill 579: Senator Woodrum;

Senate Bill 602: Senator Woodrum;

Senate Bill 723: Senators Woelfel and Roberts;

Senate Bill 725: Senator Woelfel;

Senate Bill 726: Senator Roberts;

Senate Bill 727: Senators Woelfel and Bartlett;

And,

Senate Joint Resolution 14: Senator Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 12:08 p.m., the Senate adjourned until tomorrow, Tuesday, March 11, 2025, at 11 a.m.

SENATE CALENDAR

**Tuesday, March 11, 2025
11:00 AM**

SPECIAL ORDER OF BUSINESS

Saturday, April 12, 2025 – 11:30 AM

Consideration of executive nominations

THIRD READING

Eng. Com. Sub. for S. B. 196 - Lauren's Law (original similar to HB2613)

Eng. S. B. 257 - Providing protection for property owner when someone visiting private cemetery causes damage to property

Eng. S. B. 501 - Relating to loan form

Eng. Com. Sub. for S. B. 522 - Clarifying procedure for administrative dissolution of limited liability companies by Secretary of State

Eng. Com. Sub. for S. B. 525 - Clarifying procedure for administrative dissolution of nonprofit corporations by Secretary of State

Eng. S. B. 561 - Relating to Uniform Special Deposits Act (original similar to HB2745)

SECOND READING

S. B. 280 - Displaying official US motto in public schools

Com. Sub. for S. B. 500 - Transferring audits of volunteer fire departments to Legislative Auditor

Com. Sub. for S. B. 521 - Requiring party affiliations be listed for all candidates

Com. Sub. for S. B. 532 - Making ad valorem taxes on property payable only to county in which property is located

Com. Sub. for S. B. 606 - Relating to notification of breast density

S. B. 649 - Supplementing and amending appropriations to Department of Health, Office of Inspector General

S. B. 650 - Relating to full-time interventionists

FIRST READING

Com. Sub. for S. B. 658 - Prohibiting certain persons from receiving compensation for advising or assisting with veterans' benefits

Eng. Com. Sub. for H. B. 2053 - Relating to including the United States Space Force in the definition armed forces

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2025

Tuesday, March 11, 2025

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