

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2025
THIRTY-EIGHTH DAY

Charleston, West Virginia, Friday, March 21, 2025

The Senate met at 10:08 a.m.

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

Prayer was offered by Pastor Don Biram, Emmanuel Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Amy N. Grady, a senator from the fourth district.

Appalachian Children's Chorus from Charleston, West Virginia, proceeded in the singing of "Shine" and "Country Roads".

Pending the reading of the Journal of Thursday, March 20, 2025,

At the request of Senator Morris, 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, to take effect from passage, of

Eng. Com. Sub. for Senate Bill 336, Authorizing Department of Homeland Security to promulgate legislative rules.

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. Com. Sub. for House Bill 2056—A Bill to amend and reenact §1-1-4 and §49-4-701 of the Code of West Virginia, 1931, as amended; and to amend said code by adding a new section designated §1-1-6, relating to concurrent juvenile jurisdiction on military installations; addresses

concurrent juvenile jurisdiction and allowing the transfer of exclusive federal legislative jurisdiction back to the state with respect to juveniles.

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

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. Com. Sub. for House Bill 2393—A Bill to amend the Code of West Virginia, 1931, as amended by adding thereto a new section, designated §20-17A-6, relating to requiring certain reporting from the Mountaineer Trail Network Authority each year and beginning on December 1, 2025.

Referred to the Committee on Economic Development; and then to the Committee on Government Organization.

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

Eng. House Bill 2397—A Bill to amend and reenact §7-5-4 of the Code of West Virginia, 1931, as amended, relating to preventing two immediate family members from acting in a fiduciary capacity for the same governmental authority.

Referred to the Committee on Government Organization.

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

Eng. Com. Sub. for House Bill 2451—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §8-40-1, §8-40-2, §8-40-3, §8-40-4, §8-40-5, and §8-40-6, relating to facilitating the creation of home based businesses; providing for definitions; providing for permitted use; providing for prohibitions; creating reasonable regulations; providing for limited conditions; and providing for review.

Referred to the Committee on the Judiciary.

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. Com. Sub. for House Bill 2548—A Bill to amend and reenact §18-3-3 of the Code of West Virginia, 1931, as amended, relating to the State Superintendent's general supervision of schools; clarifying supervisory duties; requiring the State Superintendent to report annually to the Legislative Oversight Commission on Education Accountability regarding implementation of state board rules in each county school district; and providing consequences for failure to follow state board rules.

Referred to the Committee on Education.

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. Com. Sub. for House Bill 2755—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §29A-3B-13, relating to requiring State Board of Education legislative rules to be authorized by the Legislative Oversight Commission on Education Accountability and submitted for review by Legislature.

Referred to the Committee on the Judiciary.

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 2773—A Bill to amend and react §18B-17-2 and §18B-17-3 of the Code of West Virginia, 1931, as amended, all relating to authorizing legislative rules regarding higher education; authorizing legislative rules for the Higher Education Policy Commission regarding Accountability System and Underwood-Smith Teaching Scholars and Teacher Loan Repayment Program; and authorizing legislative rules for the Community and Technical College Education regarding Employing and Evaluating Presidents.

Referred to the Committee on Education.

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 2802—A Bill to amend and reenact §30-29-3 of the Code of West Virginia, 1931, as amended, relating to law enforcement training and certification; establishing certain standards governing in-service law-enforcement officer training curricula and in-service supervisory level training curricula promulgated by rules of the subcommittee; and providing that the rules shall include certain provisions for substitution of training credit hours for officers engaging in on-site participation in school safety programs.

Referred to the Committee on the Judiciary.

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. Com. Sub. for House Bill 3024—A Bill to amend and reenact §18B-14-2 of the Code of West Virginia, 1931, as amended, relating to the guaranteed transfer of credit for courses completed in career pathways between high schools, career and technical education centers, community and technical colleges and baccalaureate institutions, establishing a statewide guaranteed transfer and articulation advisory committee; setting forth membership of the advisory committee; allowing for subcommittees; requiring the commission and the council to oversee the development of a statewide articulation and guaranteed transfer agreement and setting forth parameters therefore; requiring the commission and the council, in collaboration with the advisory committee, to develop, coordinate, and maintain guaranteed degree transfer pathways for selected baccalaureate programs and the parameters therefore; setting forth additional requirements for guaranteed statewide transfer pathways; and requiring the commission and council to propose rules for legislative approval.

Referred to the Committee on Education.

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. Com. Sub. for House Bill 3089—A Bill to amend and reenact §17A-4-10, §17A-4A-2, and §17A-4A-2a of the Code of West Virginia, 1931, as amended, relating to vehicle titles; mandating all financial institutions recording five or more liens in a calendar year use the Division of Motor Vehicle's electronic lien and title system for all motor vehicle lien actions; specifying new and striking old effective date; shortening time an insurance company or insurer has to wait after the payment of a total loss claim prior to applying to the Division of Motor Vehicles for a title certificate to a vehicle that the owner has not chosen to retain; correcting agency designations; specifying format of issuance of certificates of title; and allowing electronic record of the certificate of title and lien be used as evidence.

Referred to the Committee on Transportation and Infrastructure.

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. Com. Sub. for House Bill 3190—A Bill to amend and reenact §60-6-9 of the Code of West Virginia, 1931, as amended, relating to expanding the offense of public intoxication to persons intoxicated by controlled substances.

Referred to the Committee on the Judiciary.

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. Com. Sub. for House Bill 3192—A Bill to repeal §18-11-1, §18-11-1a, §18-11-1b, §18-11-2, §18-11-3, §18-11-4, §18-11-4a, §18-11-4d, §18-11-5, §18-11-5b, §18-11-5d, §18-11-6, §18-11-7, §18-11-8, §18-11-8a, §18-11-9, §18-11-9a, §18-11-10, §18-11-10a, §18-11-11, §18-11-19, §18-11-20, §18-11-21, §18-11-22, §18-11-23, §18-11-24, §18-11-25, §18-12-1, §18-19-1, §18-19-2, §18-19-3, §18-19-4, §18-22C-1, §18-22C-2, §18-22D-1, §18-22D-2, §18-22D-3, §18-22D-4, §18-22D-5, §18-22D-6, §18-22D-7, §18-22D-8, §18-22D-9, §18-23-6, §18-23-7, §18-23-9, §18-23-10, §18-23-16, §18-23-17, §18-23-19, §18B-1-8, §18B-1-11, §18B-1A-4, §18B-1A-5, §18B-1A-6, §18B-1C-1, §18B-1D-6, §18B-1F-10, §18B-2-6, §18B-2-8, §18B-2A-5, §18B-2A-7, §18B-2A-7a, §18B-2B-1, §18B-3-4, §18B-3B-1, §18B-3B-2, §18B-3B-3, §18B-3C-5, §18B-3C-7, §18B-3C-7a, §18B-3C-10, §18B-3C-11, §18B-3C-12, §18B-3C-13, §18B-3C-15, §18B-3C-16, §18B-3E-1, §18B-3E-2, §18B-3F-1, §18B-3F-2, §18B-3F-3, §18B-3F-4, §18B-3F-5, §18B-3F-6, §18B-3F-7, §18B-3F-8, §18B-3F-9, §18B-3F-10, §18B-4-2a, §18B-7-16, §18B-9A-5, §18B-9A-5a, §18B-11-1, §18B-11-3, §18B-14-1, §18B-14-2, §18B-14-9, §18B-17-4, §18B-17-5, and §18B-17-6, of the Code of West Virginia, 1931, as amended; relating to repeal of antiquated, inoperative, conflicting and duplicative provisions of code.

Referred to the Committee on Education.

Executive Communications

The Clerk presented the following communications from His Excellency, the Governor, regarding bills approved by him:



Patrick Morrisey
Governor of West Virginia

March 20, 2025

The Honorable Lee Cassis, Clerk
West Virginia Senate
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

Senate Bill No. Three Hundred Fifty-Eight (358), which was presented to me on March 14, 2025.

You will note that I have approved this bill on March 20, 2025.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Morrisey".

Patrick Morrisey
Governor

PM/an

cc: The Honorable Jeff Pack, Clerk



Patrick Morrisey
Governor of West Virginia

March 21, 2025

The Honorable Jeff Pack, Clerk
West Virginia House of Delegates
State Capitol
Charleston, West Virginia 25305

Dear Mr. Clerk:

Enclosed for filing in your office, pursuant to the provisions of law, is the following bill:

House Bill No. Two Thousand Fifty-Three (2053), which was presented to me on March 17, 2025.

You will note that I have approved this bill on March 21, 2025.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Morrisey".

Patrick Morrisey
Governor

PM/an

cc: The Honorable Lee Cassis, Clerk

The Senate proceeded to the fourth order of business.

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

Your Committee on Education has had under consideration

Senate Bill 54, Requiring age-appropriate instruction on Holocaust in public schools.

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

Com. Sub. for Senate Bill 54 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-2-9b, relating to requiring all public schools located within this state to give age-appropriate instruction on the Holocaust.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Amy N. Grady,
Chair.

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

Your Committee on Government Organization has had under consideration

Senate Bill 569, Relating to homeowners' bill of rights.

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

Com. Sub. for Senate Bill 569 (originating in the Committee on Government Organization)—A Bill to amend and reenact §30-42-15 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §21-11B-1, §21-11B-2, and §21-11B-3, relating to establishing certain rights for purchasers of residential improvements; stating legislative purpose; defining terms; mandating contracts for residential improvements contain warranty; stating required minimum provisions of warranty; setting length of warranty; establishing that warranty is cumulative of other warranties; prohibiting exclusion or limitation of express or implied warranties; prohibiting limitation of remedies; mandating that arbitration proceedings be held within certain distance from location of improvements; requiring alternative dispute resolution provisions of contract be prominently displayed; and establishing grounds for disciplinary action by Contractor Licensing Board.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill (Com. Sub. for S. B. 569), under the original double committee reference, was then referred to the Committee on the Judiciary.

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

Your Committee on Government Organization has had under consideration

Com. Sub. for Senate Bill 587 (originating in the Committee on the Workforce), Relating generally to government contracting.

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

Com. Sub. for Com. Sub. for Senate Bill 587 (originating in the Committee on Government Organization)—A Bill to amend and reenact §5-22-1, §5-22-2, and §5-22-4 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new article, designated §5-22B-1, §5-22B-2, §5-22B-3, §5-22B-4, §5-22B-5, §5-22B-6, §5-22B-7, §5-22B-8, §5-22B-9, §5-22B-10, §5-22B-11, §5-22B-12, §5-22B-13, §5-22B-14, §5-22B-15, §5-22B-16, §5-22B-17, §5-22B-18, and §5-22B-19, relating to government contracting; increasing the minimum competitive bid threshold from \$25,000 to \$50,000; providing for a bid validity period; clarifying factors for considering when bids exceed budgeted amount; enacting the Government Construction Management At-Risk Contracts Act; providing a short title; defining terms; authorizing the state and/or its subdivisions to engage in construction management at-risk contracts for projects greater than \$15 million in total estimated cost; requiring the state and/or its subdivisions adopt policies and procedures for use in construction management at-risk contract; requiring the state and/or its subdivisions using construction management at-risk delivery method provide notice; requiring the state and/or its subdivisions issue request for qualifications; requiring the state and/or its subdivisions issue requests for proposals; establishing a standardized format for a proposal; establishing the criteria a request for proposal must contain; providing standards and criteria for the evaluation of proposals; providing for prequalification of firms; requiring a proposal evaluation committee; establishing suggested membership of a proposal evaluation committee; providing evaluation criteria and weight for aspects of proposals; setting forth process to determine best value; authorizing the state and/or its subdivisions to amend contracts after acceptance; providing exceptions for special maintenance projects; making documents public in some instances; providing for rulemaking; required reporting; setting forth a sunset date; and making technical and conforming amendments.

With the recommendation that the committee substitute for committee substitute do pass.

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

Senator Jeffries, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Senate Bill 626, Allowing members of regional airport boards to be residents of area in which airport is located.

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

Com. Sub. for Senate Bill 626 (originating in the Committee on Economic Development)—
A Bill to amend and reenact §8-29-6 of the Code of West Virginia, 1931, as amended, relating to qualifications of members of regional airport authority; and authorizing participating municipality or county to appoint a nonresident member to a regional airport authority after complying with required legal advertisement.

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

Respectfully submitted,

Glenn D. Jeffries,
Chair.

The bill (Com. Sub. for S. B. 626), under the original double committee reference, was then referred to the Committee on Government Organization.

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

Your Committee on the Judiciary has had under consideration

Senate Bill 655, Providing for immunity for mental health providers who are involved in mental hygiene checks.

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

Respectfully submitted,

Mike Stuart,
Chair.

[CLERK'S NOTE: The committee report containing Eng. Com. Sub. for House Bill 2382 read during the Senate floor proceedings of today, Friday, March 21, 2025, inadvertently stated the Judiciary committee recommendation as do pass. The correct Judiciary committee recommendation is do pass, as amended. The correct committee report is inserted hereinafter.]

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

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2382, Camping ban on certain public property.

And has amended same.

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

Respectfully submitted,

Mike Stuart,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Eng. House Bill 2402, Relating to providing access to medical records; providing access to a minor's medical record.

And has amended same.

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

Respectfully submitted,

Laura Wakim Chapman,
Chair.

Senator Chapman, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 817, Regulating private alternative adolescent residential or outdoor programs.

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

Com. Sub. for Senate Bill 817 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §16B-22-1, §16B-22-2, §16B-22-3, §16B-22-4, §16B-22-5, and §16B-22-6, relating to regulating private alternative adolescent residential or outdoor programs; defining terms; requiring licensure; setting forth licensure requirements; requiring rulemaking; permitting suspension of license; permitting revocation of license; permitting criminal penalties for violation; and permitting fines for violation.

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

Respectfully submitted,

Laura Wakim Chapman,
Chair.

The bill (Com. Sub. for S. B. 817), under the original double committee reference, was then referred to the Committee on the Judiciary.

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

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 2411, To provide and change graduation requirements and change duties relating to academic content standards.

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

Respectfully submitted,

Amy N. Grady,
Chair.

The Senate proceeded to the sixth order of business.

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

By Senator Takubo:

Senate Bill 859—A Bill to amend and reenact §11-17-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding two new sections, designated §16-4C-27 and §16-4C-28, relating to tobacco products; defining terms; levying a user fee on cigarettes; providing the user fee be directed to support emergency medical services; and creating a special revenue fund to receive funds from the created user fee.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Takubo:

Senate Bill 860—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §16-9G-3, relating to creating the Tobacco Cessation Initiative Program Special Revenue Account; and directing a fixed portion of money to fund the account from the Legislature.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Rucker:

Senate Bill 861—A Bill to amend and reenact §12-3-10e of the Code of West Virginia, 1931, as amended, relating to the Purchasing Card Advisory Committee; and updating references to reflect the consolidation of the Information Services and Communications Division into the Office of Technology.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 862—A Bill to repeal §5A-9-1, §5A-9-2, §5A-9-3, §5A-9-4, and §5A-9-5 of the Code of West Virginia, 1931, as amended, relating to repeal of antiquated language related to the Voluntary Gilding the Dome Check-Off Program.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 863—A Bill to amend and reenact §5A-1-2 of the Code of West Virginia, 1931, as amended, relating to removing reference to the Information Services and Communications Division.

Referred to the Committee on Government Organization.

By Senators Deeds, Fuller, Hamilton, Morris, Phillips, Queen, and Thorne:

Senate Bill 864—A Bill to amend and reenact §61-3-11 of the Code of West Virginia, 1931, as amended, relating to crimes against property; and clarifying the inference of criminal intent in a burglary prosecution.

Referred to the Committee on the Judiciary.

By Senator Chapman:

Senate Bill 865—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §49-4-611, relating to the best interests of the child standard; establishing that the best interests of the child shall be the paramount consideration in all decisions made by specific state entities and individuals; providing that it is a comprehensive assessment; laying out the factors to assess; providing that all policies must be consistent with this principle; providing for review and appeal of decisions; and providing that guardian ad litem must advocate solely for the best interest of the child.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

By Senator Grady:

Senate Bill 866—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §18-5-22f, relating to requiring the West Virginia Board of Education to promulgate a legislative rule in consultation with the West Virginia Board of Physical Therapy, that governs concussion protocol, education, and training to prevent concussions and the development of a Concussion Education Prevention and Response Plan; allowing the West Virginia Board of Physical Therapy to provide a draft rule; specifying to whom the rule applies; requiring initial rule to comply with certain concussion-related code; allowing recommendation for code to be amended or repealed; requiring rule to specify individuals who are to receive concussion-related education; and requiring a school to adopt a Concussion Education, Prevention, and Response Plan in accordance with the rule.

Referred to the Committee on Education.

By Senator Helton:

Senate Bill 867—A Bill to amend and reenact §9-5-29a of the Code of West Virginia, 1931, as amended, relating to requiring the Bureau for Medical Services to make necessary filings and obtain licensures and accreditation by July 1, 2025; and requiring compliance for certain substance use disorder treatment facilities by an earlier date to accommodate the need for such facilities.

Referred to the Committee on Health and Human Resources.

By Senator Stuart:

Senate Bill 868—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §17A-10-3d; and by adding a new article, designated §17C-16A-1, §17C-16A-2, §17C-16A-3, §17C-16A-4, §17C-16A-5, §17C-16A-6, §17C-16A-7, and §17C-16A-8; and to repeal §17C-16-1, §17C-16-2, §17C-16-3, §17C-16-4, §17C-16-5, §17C-16-6, §17C-16-7, §17C-16-8; and §17C-16-9, all relating to removing the requirement of inspections and inspection stickers for non-commercial motor vehicles, trailers, semitrailers, or pole trailers, or any combination thereof; and establishing the West Virginia road security fee added to annual or biennial motor vehicle registrations and renewals for non-commercial motor vehicles, trailers, semitrailers, or pole trailers which shall be allocated to the West Virginia State Police.

Referred to the Committee on Finance.

By Senators Hamilton and Morris:

Senate Bill 869—A Bill to amend Chapter 231, Acts of the Legislature, Regular Session, 1997, by amending section two, relating to members, appointment and officers of the Robert C. Byrd Corridor H Highway Authority; adding three new sections designated three-a, three-b, and three-c, creating the Corridor H Advanced Energy and Economic Corridor Authority; providing for legislative findings; appointing authority members; providing for terms of membership; providing for certain membership and meeting requirements; providing that members are not compensated; providing for certain powers and duties; and requiring annual reporting to the Joint Committee on Government and Finance.

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

By Senator Rucker:

Senate Bill 870—A Bill to amend and reenact §8-1-5a of the Code of West Virginia, 1931, as amended, relating generally to fees imposed by municipalities; prohibiting municipalities participating in the home rule program from imposing new fees on businesses that are already paying the municipality sales tax, hotel motel tax, existing fees for fire or emergency services, or the municipal home rule sales tax; and preserving the ability of businesses to voluntarily remit any new taxes or fees to a municipality by agreement.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 871—A Bill to amend and reenact §30-42-3 of the Code of West Virginia, 1931, as amended, relating to professions and occupations; and providing that the definition of "contractor" in the Contractor Licensing Act does not include persons who perform drywall services.

Referred to the Committee on Government Organization.

By Senator Oliverio:

Senate Bill 872—A Bill to amend and reenact §5-10-14 of the Code of West Virginia, 1931, as amended, relating to allowing certain contracted counsel for executive agencies to purchase years of service in the Public Employees Retirement System.

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

By Senator Maynard:

Senate Bill 873—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §9-5-31a, relating to the creation of the West Virginia Homelessness Rehabilitation and Public Safety Act.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Barrett:

Senate Bill 874—A Bill to amend and reenact §16-5V-2 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §16-5V-6f, relating to permitting current home confinement officers in this state to participate in the Emergency Medical Services Retirement System.

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

By Senator Garcia:

Senate Bill 875—A Bill to amend and reenact §11-16-17 of the Code of West Virginia, 1931, as amended, relating to container labeling of nonintoxicating beer and nonintoxicating craft beer; permitting certain brewers, brewpubs, manufacturers, and resident brewers to make private labels for existing beer brands available for purchase; providing for label requirements; and providing for pricing and purchasing restrictions.

Referred to the Committee on the Judiciary.

By Senator Rucker:

Senate Bill 876—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §11-10-28, relating to terminating certain requirements for the Tax Commissioner to submit reports, publish information, and provide notice; and specifying effective date.

Referred to the Committee on Government Organization.

By Senator Rucker:

Senate Bill 877—A Bill to amend and reenact §3-11-2 and §3-11-4 of the Code of West Virginia, 1931, as amended, relating to requiring the resolution passed by the Legislature for proposed constitutional amendments to include the language to be included on official ballots to be voted at the election at which such amendments are submitted to the voters of the state.

Referred to the Committee on the Judiciary.

By Senator Oliverio:

Senate Bill 878—A Bill to amend and reenact §33-3-14d of the Code of West Virginia, 1931, as amended, relating to distributions from funds collected from a premium tax on fire insurance and casualty insurance policies; clarifying requirements of distributions from funds collected from a premium tax on fire insurance and casualty policies; directing that 10 percent of funds collected from a premium tax on fire insurance and casualty insurance policies currently paid to the Teachers Retirement System be deposited in the Municipal Pensions Security Fund to be distributed by the Municipal Pensions Oversight Board in certain circumstances; and decreasing the time in which a municipal policeman's or fireman's pension and relief funds may fail to comply with investment provisions before it may be required to invest with the state Investment

Management Board in order to continue to receive funds from a premium tax on fire insurance and casualty insurance policies.

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

By Senator Grady:

Senate Bill 879—A Bill to amend and reenact §18-5G-3 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §18-2-46, relating to public charter schools; and requiring high school students to complete and submit a free application for federal student aid prior to graduation.

Referred to the Committee on Education.

By Senator Maynard:

Senate Bill 880—A Bill to amend and reenact §15A-3-12 of the Code of West Virginia, 1931, as amended; and to amend the code by adding a new section, designated §15A-3-4a, relating to the Division of Corrections and Rehabilitation; creating powers and duties of the commissioner regarding Stevens Correctional Center; clarifying the ownership of Stevens Correctional Center; clarifying all debts owed by the County of McDowell have been paid; and clarifying institutions managed by the commissioner.

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

The Senate proceeded to the seventh order of business.

Senate Resolution 39, Designating March as Kidney Disease Awareness Month.

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

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

Senate Resolution 40, Designating March 21, 2025, as WV Arts Day.

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

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

At the request of Senator Woelfel, and by unanimous consent, the remarks by Senator Fuller regarding the adoption of Senate Resolution 40 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 75, Changing distribution of income from excess lottery fund.

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: Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Morris, Oliverio, Phillips, Queen, Rucker, Takubo, Tarr, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—25.

The nays were: Azinger, Deeds, Hart, Martin, Maynard, Roberts, Rose, Stuart, and Taylor—9.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 75) 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 76, Increasing WV Natural Resources Police Officer Retirement System accrued benefit for certain members.

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, 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)—34.

The nays were: None.

Absent: None.

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. 76) 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 601, Relating to fees and charges for municipality-provided fire services.

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 601 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Garcia, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Queen—1.

Absent: None.

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. 601) 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 615, Eliminating accelerated tax payment requirements.

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, 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)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 615) 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, 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)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 615) 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 683, Relating to land sales by Auditor.

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, 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)—34.

The nays were: None.

Absent: None.

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. 683) passed.

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

Eng. Com. Sub. for Senate Bill 683—A Bill to amend and reenact §11A-2-14, §11A-3-2, §11A-3-44, §11A-3-45, §11A-3-46, §11A-3-48, §11A-3-55, and §11A-3-65 of the Code of West Virginia, 1931, as amended, relating to the sale of certain properties subject to delinquent tax liens; modifying the dates designated for certain actions required in the said sale process; requiring the sheriff's office to deliver certified notices of impending sale by personal service to certain owners of record, residents, or occupants prior to selling delinquent property; allowing the State Auditor to engage a private auctioneer for selling certain tax delinquent properties; requiring highest bidder to pay 10 percent buyer's fee to private auctioneer under certain circumstances; requiring highest bidder to pay \$50 of total bid amount to State Auditor and remainder of bid amount to county sheriff; modifying the eligibility criteria for bidders and buyers; modifying the process for providing notice to redeem to certain delinquent taxpayers; and modifying the distribution of surplus proceeds obtained from certain tax delinquent property sales.

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 710, Relating to the practice of teledentistry.

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, 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)—34.

The nays were: None.

Absent: None.

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. 710) 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 733, Relating to membership composition of Legislative Oversight Commission on Department of Transportation Accountability.

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, 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)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 733) 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, 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)—34.

The nays were: None.

Absent: None.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 733) 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 746, Allowing State Board of Education to delegate its Medicaid provider status to public charter schools.

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, 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)—34.

The nays were: None.

Absent: None.

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. 746) 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 Com. Sub. for House Bill 2441, To make those who fail drug test ineligible for unemployment.

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, 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)—34.

The nays were: None.

Absent: None.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for H. B. 2441) passed.

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

Eng. Com. Sub. for Com. Sub. for House Bill 2441—A Bill to amend and reenact §21A-6-3 of the Code of West Virginia, 1931, as amended, relating to unemployment compensation; and providing that an employee is disqualified for benefits if discharged from work because of failure of random testing for alcohol or illegal controlled substances, where alcohol or drug use creates an inherent risk to the health and safety of the employee or others, or where the employee is employed in a safety-sensitive position.

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 1, Requiring utility work and road paving coordination.

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

Senate Bill 100, Allowing members of State Police retirement system to use accrued leave as credit toward retirement.

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

Senate Bill 105, Updating retirement eligibility for certain sheriffs.

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 578, Relating to pet food packages.

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 referred to the Committee on Rules.

Senate Bill 579, Relating to Home Rule Reform.

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

Senate Bill 743, Adjusting percentage of tax retained by clerk of county commission for certain purposes.

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

Senate Bill 747, Relating to Real Estate License Act.

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

Eng. Com. Sub. for House Bill 2129, Creating the Parents Bill of Rights.

Having been read a second time on yesterday, Thursday, March 20, 2025, and now coming up in regular order with the Judiciary committee amendment (*shown in the Senate Journal of yesterday, Thursday, March 20, 2025, pages 28 and 29*) pending, was reported by the Clerk.

The question being on the adoption of the Judiciary committee amendment to the bill, the same was put and prevailed.

The bill (Eng. Com. Sub. for H. B. 2129), as amended, was then ordered to third reading.

Eng. Com. Sub. for House Bill 2331, Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules.

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

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk:

On page 2, lines 10 through 15, by striking out all of subsection (d) and inserting in lieu thereof a new subsection (d) to read as follows:

(d) The legislative rule filed in the State Register on August 14, 2024, authorized under the authority of §20-5-2 of this code, modified by the Division of Natural Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 3, 2024, relating to the Division of Natural Resources (public use of campgrounds in West Virginia State Parks and State Forests and Campsites in State Rail Trails under the Division of Natural Resources, 58 CSR 32), is authorized with the following amendment:

On page 1, by striking out all of subsection 2.2. and inserting in lieu thereof a new subsection 2.2. to read as follows:

2.2. A person who is 18 years of age or older must be at each rented campsite and is responsible for the actions and safety of all campsite occupants and shall be held liable for any damages caused by campsite occupants. Except that, at the discretion of the area superintendent, adjacent campsites occupied by youth organization groups may be considered supervised by a single person who is 18 years of age or older.;

And,

On page 2, by striking out all of subsection 2.5. and inserting in lieu thereof a new subsection 2.5. to read as follows:

2.5. No more than two motor vehicles are permitted on a campsite at any time. No more than one camping unit (tent, trailer, motor home, camper van, etc.) is permitted on a campsite; *Provided*, That a family camping group or youth organization group, at the discretion of the area superintendent, may be permitted to have one or two small tents on its campsite in addition to the main camping unit: *Provided, however*, That the additional units may not be ecologically detrimental to the campsite. For purposes of this section, a family camping group is defined as a parent or guardian and his or her dependent children or other minor children accompanying the adult.

Following discussion,

The question being on the adoption of the Judiciary committee amendment to the bill, the same was put and prevailed.

The bill (Eng. Com. Sub. for H. B. 2331), as amended, was then ordered to third reading.

The Senate proceeded to the tenth order of business.

Com. Sub. for Senate Bill 128, Preventing courts from ordering services at higher rate than Medicaid.

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

Com. Sub. for Senate Bill 595, Creating Mountain Bike Responsibility Act.

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

Com. Sub. for Senate Bill 721, Authorizing use of unmanned aerial vehicles to track certain mortally wounded wild animals.

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

Com. Sub. for Senate Bill 800, Relating to insurance holding company systems.

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

Eng. Com. Sub. for House Bill 2158, Relating to removal of a sunset clause for the West Virginia spay and neuter program.

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

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 20, 2025:

Senate Bill 549: Senator Willis;

Senate Bill 593: Senator Willis;

Senate Bill 595: Senators Deeds and Willis;

Senate Bill 626: Senator Oliverio;

Senate Bill 737: Senator Hart;

Senate Bill 810: Senator Willis;

Senate Bill 811: Senators Queen and Garcia;

Senate Bill 825: Senator Woelfel;

Senate Bill 831: Senator Woelfel;

Senate Bill 843: Senator Woelfel;

Senate Bill 853: Senator Woelfel;

Senate Bill 854: Senator Bartlett;

Senate Joint Resolution 13: Senator Willis;

Senate Concurrent Resolution 7: Senator Rose;

Senate Resolution 39: Senator Rucker;

And,

Senate Resolution 40: Senator Rucker.

Pending announcement of meetings of standing committees of the Senate, including the Committee on Rules,

On motion of Senator Martin, at 11:01 a.m., the Senate adjourned until Monday, March 24, 2025, at 11 a.m.

SENATE CALENDAR

**Monday, March 24, 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. 1 - Requiring utility work and road paving coordination

Eng. S. B. 100 - Allowing members of State Police retirement system to use accrued leave as credit toward retirement

Eng. S. B. 105 - Updating retirement eligibility for certain sheriffs (original similar to SB192)

Eng. S. B. 579 - Relating to Home Rule Reform

Eng. S. B. 743 - Adjusting percentage of tax retained by clerk of county commission for certain purposes

Eng. S. B. 747 - Relating to Real Estate License Act (original similar to HB2010)

Eng. Com. Sub. for H. B. 2129 - Creating the Parents Bill of Rights.

Eng. Com. Sub. for H. B. 2331 - Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules

SECOND READING

Com. Sub. for S. B. 128 - Preventing courts from ordering services at higher rate than Medicaid

Com. Sub. for S. B. 595 - Creating Mountain Bike Responsibility Act

Com. Sub. for S. B. 721 - Authorizing use of unmanned aerial vehicles to track certain mortally wounded wild animals

Com. Sub. for S. B. 800 - Relating to insurance holding company systems

Eng. Com. Sub. for H. B. 2158 - Relating to removal of a sunset clause for the West Virginia spay and neuter program - (Com. amend. and title amend. pending)

FIRST READING

Com. Sub. for S. B. 54 - Requiring age-appropriate instruction on Holocaust in public schools

Com. Sub. for Com. Sub. for S. B. 587 - Relating generally to government contracting

S. B. 655 - Providing for immunity for mental health providers who are involved in mental hygiene checks (original similar to HB3093)

Eng. Com. Sub. for H. B. 2382 - Camping ban on certain public property. (Com. amend. pending)

Eng. H. B. 2402 - Relating to providing access to medical records; providing access to a minor's medical record - (Com. amend. pending)

Eng. Com. Sub. for H. B. 2411 - To provide and change graduation requirements and change duties relating to academic content standards

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2025

Monday, March 24, 2025

9:30 a.m.	Education	(Room 451M)
9:30 a.m.	Government Organization	(Room 208W)
10:50 a.m.	Rules	(Room 219M)
1 p.m.	Transportation & Infrastructure	(Room 451M)
1 p.m.	Workforce	(Room 208W)
2 p.m.	Pensions	(Room 451M)
2 p.m.	Energy, Industry, & Mining	(Room 208W)