

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE
REGULAR SESSION, 2025
FIFTIETH DAY

Charleston, West Virginia, Wednesday, April 2, 2025

The Senate met at 11:27 a.m.

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

Prayer was offered by Pastor Wanda Shelton, Greater New Jerusalem Worship Center, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Rollan A. Roberts, a senator from the ninth district.

Pending the reading of the Journal of Tuesday, April 1, 2025,

At the request of Senator Hart, 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 family members of the Honorable Jason Barrett, a senator from the sixteenth district, privileges of the floor for the day.

The Senate then proceeded to the third order of business.

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

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

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

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

On page 2, section 27, line 22, by striking the semicolon and inserting in lieu thereof a colon and the following words: "*Provided further*, That for professions regulated by §30-4-1 *et seq.* of this code, the person shall have completed a clinical hand-skills exam;"

And,

On page 3, section 27, line 60, by striking out the words "background investigation by the West Virginia State Police under §29-22B-601 *et seq.* of this code" and inserting in lieu thereof the words "state or national criminal history record check that a board may require pursuant to any provision of this chapter".

On motion of Senator Martin, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 458, as amended by the House of Delegates, was then 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 elected to the Senate 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.

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 2014—A Bill to amend and reenact §5B-2-21, §24-2-1d, §24-2-1q, §24-2-15, §24-2-19 of the Code of West Virginia, 1931, as amended; to amend the code by adding four new sections, designated §5B-2-21a, §5B-2-21b, §5B-2N-2a, and §11B-2-33, and to amend the code by adding a new article, designated §11-6N-1, §11-6N-2, §11-6N-3, §11-6N-4, and §11-6N-5, related to enacting the Power Generation and Consumption Act of 2025 which creates the Certified Microgrid Development Program administered by Economic Development; renaming and amending the certified industrial business expansion development program; renaming and amending the high impact industrial business development district program; grandfathering aspects of previously certified districts; defining terms; providing legislative purpose and findings; providing that any type of business may participate in the program; removing requirements that the districts be located on certain lands; eliminating requirements that electrical service in districts be generated from renewable sources; providing for a program and certification of high impact data centers and microgrid districts under defined circumstances; providing for the submission of defined information and negotiation requirements; prohibiting payment in lieu of taxes and tax increment financing under certain circumstances; providing requirements for in-district electric generation and out-of-district marketing; providing for special valuation by the Board of Public Works of certain property, applying a special apportionment

formula for the property tax proceeds; providing for special contracts through PSC with regulated utilities; providing defined protections for utility rate payers; providing notification and information submission requirements for data centers; requiring record keeping by the agency; providing duties for the agency; prohibiting and preempting local government regulations; providing for certain taxes, fees, and rates to be remitted; creating a grid stabilization fund and providing administration and requirements therefore; creating an income tax reduction fund and providing administration and requirements therefore; requiring PSC to review consumer economic dispatch for electric generating units, including listed factors to consider, and include capacity factor, as defined, for analysis of future capacity requirements to maximize electrical generation from existing units; modifying fuel storage requirements for coal-fired units; allowing for price indexes and automatic adjustment clauses in certain circumstances; requiring supplemental integrated resource plans through and beyond planned retirement for electric generating units; and specifying dates, deadlines, and rule-making.

Referred to the Committee on Economic Development.

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

Eng. Com. Sub. for House Bill 2152—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §12-10-1, §12-10-2, and §12-10-3, relating to prompt payment by state agencies of certain obligations; providing a short title; defining terms; providing that grantees and vendors shall be entitled to prompt payment upon presentation to a state agency of a legitimate claim for payment; determining the date a legitimate claim for payment is considered received by a state agency; requiring an agency to notify the State Auditor when it has violated this act; allowing vendors and grantees to notify the State Auditor when an agency has violated this act; and requiring the State Auditor to publish a list of noncompliant agencies on the State Auditor's website and update the list on at least a monthly basis; providing the timeline in which state agencies shall process payments; providing the timeline in which state agencies shall process payments for other agencies; and providing for exceptions.

Referred to the Committee on Finance.

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

Eng. Com. Sub. for House Bill 2576—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §18B-22-1, §18B-22-2, §18B-22-3, §18B-22-4, and §18B-22-5, relating to name, image, or likeness in intercollegiate athletics; defining terms; authorizing institutions of higher education to facilitate and enter into agreements relating to a student-athlete's name, image, or likeness; limiting the ability of athletic associations, athletic conferences, or other similarly situated oversight or regulatory organizations to regulate an institution or a student-athlete with respect to activities for compensation involving a student-athlete name, image, or likeness; limiting the purposes for which student-athletes may earn compensation for the use of name, image, or likeness; and providing provisions for causes of action.

Referred to the Committee on Education.

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

Eng. Com. Sub. for House Bill 2595—A Bill to amend and reenact §18B-12-2, §18B-12-3, and §18B-12-4 of the Code of West Virginia, 1931, as amended, and to repeal §18B-12-10 of said code, all relating to agreements for institutions of higher education with private corporations established to benefit institutions of higher education; providing legislative findings and purposes; authorizing institutions of higher education to contract with one or more private corporations authorized to conduct operational, economic, fiscal, and educational development activities and services related to intercollegiate athletics; limiting the voting corporate directors of private corporations who have entered into agreements to conduct operational, economic, fiscal, and educational development activities and services related to intercollegiate athletics on behalf of an institution of higher education; authorizing institutions of higher education to transfer real and personal property to qualifying private corporations; clarifying that the activities of private corporations who have entered into agreements to conduct operational, economic, fiscal, and educational development activities and services related to intercollegiate athletics are exempt from state requirements and procedures; authorizing private corporations who have entered into agreements to conduct operational, economic, fiscal, and educational development activities and services related to intercollegiate athletics to undertake activities authorized by the West Virginia Nonprofit Corporation Act.

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 2892—A Bill to amend and reenact §17C-10-6 of the Code of West Virginia, 1931, as amended, relating to prohibiting unlawful traffic interference; creating the offense of unlawful traffic interference; creating criminal penalties; and providing exceptions.

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 3013—A Bill to amend the Code of West Virginia, 1931, as amended, by adding a new section, designated §47-11D-5, relating to requiring certain theatres to make showings of certain motion pictures accessible to persons with disabilities; requiring exhibitors of motion pictures who operate theatres in more than one location in this state to provide open captioning during at least two showings per week of each digital motion picture that is produced and offered with open captioning; requiring, when requested, audio description be provided for any digital motion picture that is produced and offered with audio description; requiring theatres to have at least two audio description devices; providing exceptions.

Referred to the Committee on Government Organization; and then to the Committee on the Judiciary.

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

Eng. House Bill 3358—A Bill making a supplementary appropriation of federal funds out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Human Services – Temporary Assistance for Needy

Families, fund 8816, fiscal year 2025, organization 0511 by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

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 3365—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Health, West Virginia Birth-to-Three Fund, fund 5214, fiscal year 2025, organization 0506 by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

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 3366—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Health, Office of the Inspector General, fund 8211, fiscal year 2025, organization 0513, by supplementing and amending the appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

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 3367—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Commerce, Division of Natural Resources – License Fund – Wildlife Resources, fund 3200, fiscal year 2025, organization 0310 by increasing and decreasing appropriations for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

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 3370—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Human Services, fund 8722, fiscal year 2025, organization 0511, by increasing existing items of appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

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 3372—A Bill making a supplementary appropriation of public moneys out of the Treasury from the balance of federal moneys remaining unappropriated for the fiscal year ending June 30, 2025, to the Department of Veterans' Assistance, Department of Veterans' Assistance Fund, fund 8858, fiscal year 2025, organization 0613, by increasing an existing appropriation for the fiscal year ending June 30, 2025.

Referred to the Committee on Finance.

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

Eng. Com. Sub. for House Bill 3411—A Bill to amend and reenact §4-5-1 of the Code of West Virginia, 1931, as amended; to repeal §4-7-1, §4-7-2, §4-7-3, §4-7-4, §4-7-5, §4-7-6, §4-7-7, §4-7-8, §4-7-9, §4-7-10 and §4-7-11 of said code; to amend and reenact §4-10-3 of said code; to repeal §4-10-4 of said code; to amend and reenact §4-10-5, §4-10-6, §4-10-7, §4-10-9, §4-10-11 and §4-10-13 of said code; to repeal §4-13-1, §4-13-2, §4-13-3, §4-13-4, §4-13-5, §4-13-6, and §4-13-7 of said code; to amend and reenact §4-14-1 and §4-14-2 of said code; to repeal §4-14-3 of said code; to repeal §4-15-1 of said code; to amend and reenact §5-24-3 of said code; to amend and reenact §5B-2B-2 of said code; to repeal §5B-2B-4a of said code; to repeal §5B-2B-7 of said code; to amend and reenact §5B-3-2 of said code; to repeal §12-6D-4 of said code; to repeal §15-9C-1, §15-9C-2, §15-9C-3, §15-9C-4, §15-9C-5 and §15-9C-6 of said code; to repeal §16-29E-4 of said code; to amend and reenact §16-29E-5 of said code; to repeal §17-2B-1, §17-2B-2, §17-2B-3, §17-2B-4, §17-2B-5 and §17-2B-6 of said code; to repeal §18B-14-1 and §18B-14-9 of said code; to repeal §21-5E-1, §21-5E-2, §21-5E-3, §21-5E-4, §21-5E-5 and §21-5E-6 of said code; to repeal §22-26-5 of said code; to repeal §29-1B-1, §29-1B-2, §29-1B-3, §29-1B-4, §29-1B-5, §29-1B-6 and §29-1B-7 of said code; to amend and reenact §29A-3A-11 of said code; and to repeal §31-20-26 of said code, relating to commissions; removing the legislative members; and eliminating expired commissions.

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 3444—A Bill to repeal §16-3-7, §16-3-8, §16-3-9, and §16-3-10 of the Code of West Virginia, 1931, as amended, relating to inflammation of the eyes of newborns.

Referred to the Committee on Health and Human Resources.

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

Com. Sub. for House Concurrent Resolution 17—Requesting that the Division of Highways place roadway welcome signs containing the phrase "West Virginia - A Purple Heart State" on interstates at the entrance to West Virginia.

Referred to the Committee on Transportation and Infrastructure.

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

Com. Sub. for House Concurrent Resolution 76—Requesting the Division of Highways name bridge number 20-079/00-008.48 (SB) (20A505), Latitude 38.44906, Longitude -81.51358, locally known as Little Sandy Creek bridge 8.48 SB, carrying Interstate 79 over CR 45 and Little Sandy Creek in Kanawha County, the "U.S. Army PFC Charles H. Moore Memorial Bridge."

Referred to the Committee on Transportation and Infrastructure.

At the request of Senator Martin, unanimous consent being granted, the provisions of Joint Rule 31 were suspended in order to receive the following House concurrent resolution naming transportation infrastructure introduced after the twenty-fifth day.

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

Com. Sub. for House Concurrent Resolution 90—Requesting the Division of Highways to name a portion of U.S. 250 in Marshall County, from the intersection of WV 891 to the Wetzel County line as the Dragon Highway, reflecting the Cameron High School Dragons, and that one sign is to be placed immediately South of the U.S. 250 WV 891 intersection and the other at the Wetzel County line heading North towards Cameron.

Referred to the Committee on Transportation and Infrastructure.

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

House Concurrent Resolution 97—Creating the West Virginia Justice Reinvestment Taskforce.

Referred to the Committee on the Judiciary.

Executive Communications

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



Patrick Morrisey
Governor of West Virginia

April 1, 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, are the following bills:

Committee Substitute for Senate Bill No. Two Hundred Eighty-Three (283), which was presented to me on March 31, 2025.

Committee Substitute for Senate Bill No. Three Hundred Thirty-Six (336), which was presented to me on March 26, 2025.

Senate Bill No. Four Hundred Ninety-Two (492), which was presented to me on March 26, 2025.

Senate Bill No. Six Hundred Twenty-One (621), which was presented to me on March 26, 2025.

You will note that I have approved these bills on April 1, 2025.

Sincerely,

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

Patrick Morrisey
Governor

PM/an

cc: The Honorable Jeff Pack, Clerk

The Senate proceeded to the fourth order of business.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Senate Concurrent Resolution 5, US Marine Corps Sergeant Robert Milford Payne Memorial Bridge.

Com. Sub. for House Concurrent Resolution 37, CPT Ray Leslie Memorial Bridge.

Com. Sub. for House Concurrent Resolution 44, Corporal Charles W. Wolfe Memorial Bridge.

Com. Sub. for House Concurrent Resolution 46, U.S. Army Ronald Gene Sypolt Memorial Bridge.

Com. Sub. for House Concurrent Resolution 51, U.S. Army Roy Lee Hill Memorial Bridge.

Com. Sub. for House Concurrent Resolution 62, U.S. Army PFC Henry James Miller Memorial Bridge.

Com. Sub. for House Concurrent Resolution 85, Lavern "Mousey" Testerman Memorial Bridge.

And,

Com. Sub. for House Concurrent Resolution 91, Charles Grant Hoke Memorial.

And reports the same back with the recommendation that they each be adopted.

Respectfully submitted,

Mark R. Maynard,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolutions (S. C. R. 5 and Com. Sub. for H. C. R. 37, 44, 46, 51, 62, 85, and 91) contained in the preceding report from the Committee on Transportation and Infrastructure were taken up for immediate consideration and considered simultaneously.

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

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

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

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

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

Com. Sub. for Senate Concurrent Resolution 8 (originating in the Committee on Transportation and Infrastructure)—Requesting the Division of Highways name bridge number 55-956/00-000.01 (NB) (55A240), (37.75117, -81.67505) locally known as Flatrock Street Bridge, carrying Flatrock Street over HUFF CREEK in Wyoming County, the "U.S. Army Sergeant Dennis Charles Hurley Memorial Bridge".

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

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

Com. Sub. for Senate Concurrent Resolution 10 (originating in the Committee on Transportation and Infrastructure)—Requesting the Division of Highways name bridge number 22-037/00-004.35 (22A167), (38.10346, -82.17775) locally known as U.S. Army TEC5 Donald "Tiny" Lucas Memorial Bridge, carrying CR 037 over EAST FK OF 14 MI. CK in Lincoln County, as the "U.S. Army T/5 Donald Lucas and U.S. Air Force SSgt Ronald Lucas Memorial Bridge".

And,

Senate Concurrent Resolution 19, US Army ST4 Gregory Kent Stephens Memorial Bridge.

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

Com. Sub. for Senate Concurrent Resolution 19 (originating in the Committee on Transportation and Infrastructure)—Requesting the Division of Highways name bridge number 23-016/83-000.02 (23A157) (37.75836, -81.84628) locally known as BULL HOLLOW BEAM SPAN, crossing BUFFALO CREEK in Logan County, the "U.S. Army SP4 Gregory K. Stephens Memorial Bridge".

With the recommendation that the three committee substitutes be adopted.

Respectfully submitted,

Mark R. Maynard,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolutions (Com. Sub. for S. C. R. 8, 10, and 19) contained in the preceding report from the Committee on Transportation and Infrastructure were taken up for immediate consideration and considered simultaneously.

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

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

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Eng. Com. Sub. for House Bill 2157, Provide one trip temporary vehicle permits to be purchased and printed online.

And has amended same.

And,

Eng. House Bill 2678, Relating to school zones of public or private schools.

And has amended same.

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

Respectfully submitted,

Mark R. Maynard,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (Eng. Com. Sub. for H. B. 2157 and Eng. H. B. 2678) contained in the preceding report from the Committee on Transportation and Infrastructure were each taken up for immediate consideration, read a first time, and ordered to second reading.

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 Com. Sub. for House Bill 2164, To allow for public and private schools in West Virginia to employ security personnel.

And,

Eng. Com. Sub. for House Bill 3166, Requirements for School Safety Mapping Data.

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

Respectfully submitted,

Amy N. Grady,
Chair.

The bills, under the original double committee references, were then referred to the Committee on Finance.

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

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 2172, Relating to adding an athletic trainer to the Board of Physical Therapy.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 2172) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

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 2233, Authorizing the Department of Environmental Protection to promulgate legislative rules.

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

Respectfully submitted,

Mike Stuart,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 2233) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

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

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 2397, Prevent immediate family members from acting in a fiduciary capacity for the same governmental authority.

And has amended same.

And,

Eng. House Bill 2709, Permitting a voter with a change of address to vote in his or her new precinct without having to cast a provisional ballot.

And has amended same.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bills (Eng. Com. Sub. for H. B. 2397 and Eng. H. B. 2709) contained in the preceding report from the Committee on Government Organization were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Eng. House Bill 3030, Administration of the West Virginia Water Pollution Control Act.

And has amended same.

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

Respectfully submitted,

Christopher A. Rose,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Eng. H. B. 3030) contained in the preceding report from the Committee on Energy, Industry, and Mining was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Eng. House Bill 3146, Relating to special registration plates for military personnel.

And has amended same.

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

Respectfully submitted,

Mark R. Maynard,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance, with amendments from the Committee on Transportation and Infrastructure pending.

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

Your Committee on Education has had under consideration

Eng. House Bill 3313, Providing more opportunities for high school students in community colleges.

And has amended same.

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

Respectfully submitted,

Amy N. Grady,
Chair.

At the request of Senator Martin, unanimous consent being granted, the bill (Eng. H. B. 3313) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Rose, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Eng. Com. Sub. for House Bill 3336, Well Plugging methods.

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 the Judiciary.

Respectfully submitted,

Christopher A. Rose,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

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

Your Committee on Finance has had under consideration

Eng. House Bill 3347, Supplemental Appropriation -Administration - Diamond Bldg.

Eng. House Bill 3363, Supplemental Appropriation - Public Defender.

And,

Eng. House Bill 3368, Supplemental Appropriation - Administration - Lease Rental Payment.

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 (Eng. H. B. 3347, 3363, and 3368) contained in the preceding report from the Committee on Finance were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Oliverio, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Eng. House Bill 3506, Relating to contributions to the retirement system for judges of courts of record.

And has amended same.

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

Respectfully submitted,

Michael A. Oliverio II,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance, with amendments from the Committee on Pensions pending.

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Com. Sub. for House Concurrent Resolution 8, PFC Lester E. Maynard Memorial Bridge.

And has amended same.

And reports the same back with the recommendation that it be adopted, as amended.

Respectfully submitted,

Mark R. Maynard,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolution (Com. Sub. for H. C. R. 8) contained in the preceding report from the Committee on Transportation and Infrastructure was taken up for immediate consideration.

The following amendment to the resolution, from the Committee on Transportation and Infrastructure, was reported by the Clerk and adopted:

On page one, in the seventh Whereas clause, line fifteen, after the word "awarded" by inserting the words "a Bronze Star Medal for Valor,".

The question now being on the adoption of the resolution (Com. Sub. for H. C. R. 8), as amended, the same was put and prevailed.

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

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Com. Sub. for House Concurrent Resolution 9, Robert S. Pomeroy Memorial Bridge.

Com. Sub. for House Concurrent Resolution 10, USMC PFC Robert Thomas Taylor Memorial Road.

And,

Com. Sub. for House Concurrent Resolution 27, BG Edmund "Frank" Roleff, WVNG Memorial Road.

And reports the same back with the recommendation that they each be adopted.

Respectfully submitted,

Mark R. Maynard,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolutions (Com. Sub. for H. C. R. 9, 10, and 27) contained in the preceding report from the Committee on Transportation and Infrastructure were taken up for immediate consideration and considered simultaneously.

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

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

Senator Maynard, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

Com. Sub. for House Concurrent Resolution 15, US Marines PFC Delbert Carles Roles Memorial Bridge.

And has amended same.

Com. Sub. for House Concurrent Resolution 31, U.S. Army Lieutenant Colonel Quewanncoll "Que" Stephens, Sr. Memorial Bridge.

And has amended same.

Com. Sub. for House Concurrent Resolution 34, U. S. Merchant Marine Joseph Ward Teter Memorial Bridge.

And has amended same.

And,

Com. Sub. for House Concurrent Resolution 43, Ray William "Mutt" Sherman Memorial Bridge.

And has amended same.

And reports the same back with the recommendation that they each be adopted, as amended.

Respectfully submitted,

Mark R. Maynard,
Chair.

At the request of Senator Martin, unanimous consent being granted, the resolutions (Com. Sub. for H. C. R. 15, 31, 34, and 43) contained in the preceding report from the Committee on Transportation and Infrastructure were taken up for immediate consideration and considered simultaneously.

The following amendments to the resolutions, from the Committee on Transportation and Infrastructure, were reported by the Clerk, considered simultaneously, and adopted:

Com. Sub. for House Concurrent Resolution 15, US Marines PFC Delbert Carles Roles Memorial Bridge.

On page 2, in the Resolved clause, lines 23-25, by striking out the words "41-077/00-043.59 (SB) (41A229), (37.78047, -81.22121) locally known as I-77 OVER CABELL RD, carrying IS 077 over WHITESTICK CRK/CABELL RD" and inserting in lieu thereof the words "41-077/00-028.93 (NB) (41A210), (37.61525, -81.11937) locally known as I-77 NB OVER RAL 48, carrying IS 077 over CR 48".

Com. Sub. for House Concurrent Resolution 31, U.S. Army Lieutenant Colonel Quewanncoll "Que" Stephens, Sr. Memorial Bridge.

On page one, in the first Whereas clause, line five, by striking out "1945" and inserting in lieu thereof "1944";

And,

On page four, in the tenth Whereas clause, line seventy-three, by striking out "21" and inserting in lieu thereof "30".

Com. Sub. for House Concurrent Resolution 34, U. S. Merchant Marine Joseph Ward Teter Memorial Bridge.

On page 2, in the Resolved clause, line 29, by striking out the words "U.S. Merchant Marine";

On page 2, in the first Further Resolved clause, line 32, by striking out the words "U.S. Merchant Marine";

And,

By striking out the title and substituting in lieu thereof a new title to read as follows:

Requesting the Division of Highways name bridge number 36-28-24.07(36A082), locally known as Mouth of Seneca Bridge, carrying WV 28 and WV 55 over Seneca Creek in Pendleton County, the "J. Ward Teter Memorial Bridge".

Com. Sub. for House Concurrent Resolution 43, Ray William "Mutt" Sherman Memorial Bridge.

On page 2, in the seventh Whereas clause, line 20, by striking out the single quote and inserting in lieu thereof a quotation mark;

On page 2, in the Resolved clause, line 29, by striking out the words "Sgt. Ray "Mutt"" and inserting in lieu thereof the words "U.S. Army Sgt. Ray";

On page 2, in the first Further Resolved clause, line 32, by striking out the words "Sgt. Ray "Mutt"" and inserting in lieu thereof the words "U.S. Army Sgt. Ray";

And,

By striking out the title and substituting in lieu thereof a new title to read as follows:

Requesting the Division of Highways name Bridge Number: 16-055/00-011.96 () (16A134), (39.07833, -78.95205) locally known as MOOREFIELD INTERCHANGE, carrying WV 055 over US 48 (X) (Corridor H) in Hardy County the " U.S. Army Sgt. Ray Sherman Memorial Bridge."

The question now being on the adoption of the resolutions (Com. Sub. for H. C. R. 15, 31, 34, and 43), as amended, the same was put and prevailed.

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

The Senate proceeded to the sixth order of business.

Senator Boley offered the following resolution:

Senate Resolution 45—Designating April 3, 2025, as Women and Girls' Day at the Legislature.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 44, Memorializing life of basketball legend Jerry West.

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

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

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 89, Creating alternative high-risk population public charter schools.

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 Senate Bill 89 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Clements, Deeds, Fuller, Grady, Hamilton, 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: Garcia and Hart—2.

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. 89) 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 163, Including certain mental health disorders in existing public health programs.

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. 163) 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 252, Requiring coverage of home blood pressure monitoring devices for certain Medicaid recipients.

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, Deeds, Fuller, Garcia, Grady, Hamilton, Helton, Jeffries, Morris, Oliverio, Phillips, Queen, Roberts, Rucker, Stuart, Takubo, Taylor, Thorne, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—28.

The nays were: Azinger, Hart, Martin, Maynard, Rose, and Tarr—6.

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. 252) 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 470, Creating WV Athletic Freedom Act.

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, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—32.

The nays were: Garcia and Woelfel—2.

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. 470) 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 Senate Bill 569, Establishing certain rights for purchasers of residential improvements.

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 Committee Substitute for Senate Bill 569 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, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Taylor, Weld, Willis, Woelfel, and Smith (Mr. President)—30.

The nays were: Phillips, Tarr, Thorne, and Woodrum—4.

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 S. B. 569) 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 Senate Bill 639, Creating WV Small Business Appreciation and Acknowledgement Act.

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 639 pass?"

Senators Tarr and Woodrum requested rulings from the Chair as to whether they should be excused from voting under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senators Tarr and Woodrum would be as members of a class of persons and that they would be required to vote.

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Boley, Chapman, Charnock, Fuller, Garcia, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Taylor, Thorne, Willis, Woelfel, and Smith (Mr. President)—27.

The nays were: Clements, Deeds, Grady, Takubo, Tarr, Weld, and Woodrum—7.

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 S. B. 639) passed with its title.

Senator Martin moved that the bill take effect July 1, 2025.

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. Com. Sub. for Com. Sub. for S. B. 639) takes effect July 1, 2025.

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

Thereafter, at the request of Senator Stuart, and by unanimous consent, the remarks by Senators Tarr, Willis, and Clements as to the passage of Engrossed Committee Substitute for Committee Substitute for Senate Bill 639 were ordered printed in the Appendix to the Journal.

Eng. Com. Sub. for Com. Sub. for Senate Bill 723, Relating to clinical inpatient medical treatment centers for substance use disorder.

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 S. B. 723) 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 Senate Bill 726, Relating to medication-assisted treatment programs.

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

Senator Woelfel requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate.

The Chair replied that any impact on Senator Woelfel would be as a member of a class of persons and that he would be required to vote.

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 S. B. 726) 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 Senate Bill 730, Establishing Forest Carbon Registry.

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

Pending discussion,

(Senator Weld in the Chair.)

Pending discussion,

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Committee Substitute for Senate Bill 730 pass?"

On this question, the yeas were: Barrett, Boley, Charnock, Deeds, Grady, Hamilton, Jeffries, Oliverio, Phillips, Queen, Takubo, Tarr, Thorne, Weld, Woodrum, and Smith (Mr. President)—16.

The nays were: Azinger, Bartlett, Chapman, Clements, Fuller, Garcia, Hart, Helton, Martin, Maynard, Morris, Roberts, Rose, Rucker, Stuart, Taylor, Willis, and Woelfel—18.

Absent: None.

So, a majority of all the members present and voting not having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 730) rejected.

Thereafter, at the request of Senator Stuart, and by unanimous consent, the remarks by Senators Tarr, Woelfel, Willis, and Woodrum as to Engrossed Committee Substitute for Committee Substitute for Senate Bill 730 were ordered printed in the Appendix to the Journal.

Eng. Com. Sub. for Senate Bill 794, Authorizing DOH to erect warning signs.

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. 794) 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 Senate Bill 834, Relating to tax credit for qualified rehabilitated buildings investment.

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 S. B. 834) 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 883, Providing director of WV Office of Miners' Health, Safety and Training discretion and authority in certain appointments.

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. 883) 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 912, Relating to student growth assessment program.

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. 912) 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 912—A Bill to amend and reenact §18-2E-5 of the Code of West Virginia, 1931, as amended, relating generally to the statewide student growth assessment program; changing the grade levels for which the assessment is applicable; requiring the program to be composed of benchmark assessments to be given in the first 30 days of the school year, mid-year, and at the end of the school year to determine student progression in reading and mathematics in grades four through eight; and modifying language pertaining to alignment of the assessment with certain standards.

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 914, Relating to testing and attendance requirements for private, parochial, and church schools.

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

Senator Roberts requested a ruling from the Chair as to whether he should be excused from voting under Rule 43 of the Rules of the Senate as he is an administrator of a church school.

The Chair replied that any impact on Senator Roberts would be as a member of a class of persons and that he would be required to vote.

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

The nays were: Garcia and Weld—2.

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. 914) 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 933, Creating Small Business Protection Act.

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

At the request of Senator Queen, unanimous consent was granted to offer amendments to the bill on third reading.

Thereupon, on motion of Senator Queen, the following amendments to the bill were reported by the Clerk, considered simultaneously, and adopted:

On page 2, section 4, line 15, by striking out "\$25,000" and inserting in lieu thereof "10,000";

And,

On page 4, section 5, line 62, by striking out "\$25,000" and inserting in lieu thereof "10,000".

The bill, as just amended, was again ordered to engrossment.

Engrossed Committee Substitute for Senate Bill 933 was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 933 pass?"

On the passage of the bill, the yeas were: Azinger, Barrett, Bartlett, Chapman, Clements, Fuller, Grady, Hamilton, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Queen, Roberts, Rose, Rucker, Stuart, Taylor, Thorne, Willis, Woelfel, and Smith (Mr. President)—25.

The nays were: Boley, Charnock, Deeds, Garcia, Phillips, Takubo, Tarr, Weld, and Woodrum—9.

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. 933) passed with its title.

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

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

The Senate again proceeded to the eighth order of business, the next bill coming up in numerical sequence being

Eng. Senate Bill 941, Clarifying authority regarding dams designed by US Conservation Service.

On third reading, coming up in regular order, with the right having been granted on yesterday, Tuesday, April 1, 2025, for amendments to be received on third reading, was read a third time.

There being no amendments offered,

Engrossed Senate Bill 941 was then 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, Willis, Woelfel, Woodrum, and Smith (Mr. President)—33.

The nays were: Weld—1.

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. 941) 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. 941) takes effect from passage.

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

Eng. Senate Bill 942, Modifying requirements for diesel-powered equipment in mines.

On third reading, coming up in regular order, with the right having been granted on yesterday, Tuesday, April 1, 2025, for amendments to be received on third reading, was read a third time.

There being no amendments offered,

Engrossed Senate Bill 942 was then put upon its passage.

Pending discussion,

The question being "Shall Engrossed Senate Bill 942 pass?"

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

The nays were: Garcia, Hamilton, Takubo, and Woelfel—4.

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. 942) 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, Grady, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Thorne, Weld, Willis, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia, Hamilton, and Woelfel—3.

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. 942) takes effect from passage.

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

Eng. Senate Bill 944, Creating WV Child First Advisory Committee.

On third reading, coming up in regular order, with the right having been granted on yesterday, Tuesday, April 1, 2025, for amendments to be received on third reading, was read a third time.

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

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-34. Creation of the West Virginia Child First Advisory Committee and the West Virginia Child First Fund.

(a) There is hereby created the West Virginia Child First Advisory Committee, which shall be administered by the Department of Human Services. The necessary expenses incurred by the West Virginia Child First Advisory Committee shall be paid by the Department of Human Services.

(b) The West Virginia Child First Advisory Committee is comprised of the following members:

(1) The Cabinet Secretary for the Department of Human Services, or his or her designee, who shall also serve as the Chair of the Committee;

(2) The Foster Care Ombudsman, or his or her designee;

(3) Two individuals appointed by the Governor, by and with the advice and consent of the Senate, who have a background in child welfare issues, including, but not limited to, the following:

(A) Child abuse and neglect proceedings in West Virginia;

(B) Child welfare laws, rules, and regulations;

(C) The structure and workflow of the components of the child welfare system, including, but not limited to, abuse and neglect case intake, investigations into abuse and neglect allegations, case management, court processes, placement, reunification, and child permanency plannings; and

(D) The permanent and temporary child placement system, including the child foster care system, child placement process, and child adoption process;

(4) Two members of the West Virginia House of Delegates, ex officio non-voting, appointed by the Speaker of the House of Delegates;

(5) Two members of the West Virginia Senate, ex officio non-voting, appointed by the President of the Senate;

(6) The Speaker of the House of Delegates, ex officio non-voting, or his or her designee;

(7) The President of the Senate, ex officio non-voting, or his or her designee; and

(8) The Administrative Director of the Supreme Court of Appeals, or his or her designee.

(c) The West Virginia Child First Committee shall:

(1) Evaluate child welfare outcomes in the state of West Virginia;

(2) Evaluate the potential improvement of child welfare outcomes in the state of West Virginia;

(3) Evaluate the administration of child abuse and neglect laws including an evaluation of the performance of judges, guardians ad litem and other attorneys representing children, attorneys representing respondent parents, child protective services workers, and Department of Human Services administrators;

(4) Evaluate state child welfare laws, rules, and regulations;

(5) Evaluate areas of specific concern for children within the abuse and neglect court system;
and

(6) Identify the issues of priority and areas of most concern for the Department of Health as it relates to the child welfare system;

(d) The West Virginia Child First Advisory Committee shall meet at least quarterly and shall make findings and annual recommendations contained in a report delivered to the Governor and the Joint Committee on the Judiciary with respect to:

(1) Improving the child welfare system in West Virginia;

(2) Improving the permanent and temporary child placement system, including the child foster care system, child placement process, and child adoption process;

(3) Opportunities for reducing the removal rate of children from parents and facilitating an increase in the rates of family reunification outcomes;

(4) Opportunities for increased efficiency in the administration and delivery of child welfare services that do not otherwise compromise child welfare outcomes;

(5) Opportunities for increasing transparency and accountability within the child welfare system; and

(6) Any other opportunities for legislative or executive action that could address, resolve, or otherwise improve upon any problem identified including, but not limited to, the following:

(A) Mapping the structure and workflow of all major components of the child welfare system, including intake, investigation, case management, court processes, placement, reunification, and permanency plannings;

(B) Identifying duplication of efforts, unnecessary complexity, communication breakdowns, and other operational inefficiencies across agencies and stakeholder groups;

(C) Evaluating the alignment of information systems and data infrastructure to support efficient service delivery and accountability;

(D) Analyzing the system's ability to provide predictable, timely, and high-quality services to children and families, using metrics such as decision timelines, placement stability, and reunification rates;

(E) Assessing opportunities for cross-agency coordination, integration of services, and modernization of workflows through technology or policy innovation; and

(F) Providing a framework for continuous quality improvement using principles of systems design, performance feedback, and organizational development.

(e) The West Virginia Child First Advisory Committee shall deliver its annual report containing the required findings and recommendations to the Governor and the Joint Committee on the Judiciary on or before January 1 of each year, beginning January 2026.

(f) The West Virginia Child First Advisory Committee may create subcommittees and working groups it considers appropriate.

(g) The West Virginia Child First Fund is hereby established and shall be administered by the Department of Human Services. The Department of Human Services shall promulgate rules for purposes of administering this fund.

(1) Expenditures from the West Virginia Child First Fund shall be used for the sole purpose of improving child welfare outcomes in the state of West Virginia.

(2) The West Virginia Child First Fund shall consist of moneys that may be appropriated by the Legislature, moneys received from the federal government, and moneys received from private donations, grants, bequests, and all other moneys received from all sources. The Department of Human Services, political subdivisions, and any private entity may engage in fundraising efforts to solicit donations to the West Virginia Child First Fund.

(3) Any moneys remaining in the West Virginia Child First Fund at the end of the fiscal year shall not revert to the General Revenue Fund but shall remain in the fund solely for the purpose stated in this article.

(4) The moneys accrued in the West Virginia Child First Fund, any earnings thereon, and any yields from investments by the Treasurer or West Virginia Investment Management Board are reserved solely and exclusively for the purposes set forth in this subsection.

The bill, as just amended, was again ordered to engrossment.

Engrossed Senate Bill 944 was then 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. 944) 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 Joint Resolution 2, Incorporation of Churches or Religious Denominations Amendment.

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

Pending discussion,

The question being "Shall Engrossed Senate Joint Resolution 2 be adopted?"

On the adoption of the resolution, 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 resolution (Eng. S. J. R. 2) adopted, as follows:

Eng. Senate Joint Resolution 2—Proposing an amendment to the Constitution of the State of West Virginia, amending section 47, article VI thereof, relating to authorizing the incorporation of religious denominations; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2026, which proposed amendment is that section 47, article VI thereof, be amended to read as follows:

Article VI. The Legislature.

§47. Incorporation of religious denominations ~~prohibited~~ permitted.

~~No charter of incorporation shall be granted to any church or religious denomination~~ Provisions may be made by general laws for securing the title to church property, and for the sale and transfer thereof, so that it shall be held, used, or transferred for the purposes of such church, or religious denomination. Provisions may also be made by general laws for churches or religious denominations that choose to incorporate.

Resolved further, That in accordance with the provisions of article eleven, chapter three of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment 1" and designated as the "Incorporation of Churches or Religious Denominations Amendment" and the purpose of the proposed amendment is summarized as follows: "To authorize the incorporation of churches or religious denominations that choose to incorporate."

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 Senate Joint Resolution 8, Citizenship Requirement to Vote in WV Elections Amendment.

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

On the adoption of the resolution, 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 resolution (Eng. Com. Sub. for Com. Sub. for S. J. R. 8) adopted, as follows:

Eng. Com. Sub. for Com. Sub. for Senate Joint Resolution 8—Proposing an amendment to the Constitution of the State of West Virginia, amending section 1, article IV thereof, to prohibit persons who are not United States citizens from voting in any elections held in West Virginia; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2026, which proposed amendment is that section 1, article IV thereof, be amended to read as follows:

ARTICLE IV. Elections and Officers.

§1. Elections and Officers.

The citizens of the state shall be entitled to vote at all elections held within the counties in which they respectively reside; but no person who is a minor, or who has been declared mentally incompetent by a court of competent jurisdiction, or who is under conviction of treason, felony, or bribery in an election, or who has not been a resident of the state and of the county in which he or she offers to vote, for 30 days next preceding such offer, shall be permitted to vote while such disability continues; but no person in the military, naval, or marine service of the United States shall be deemed a resident of this state by reason of being stationed therein, nor shall any person who is not a citizen of the United States be entitled to vote at any election held within this state.

Resolved further, That in accordance with the provisions of article eleven, chapter three of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment 1" and designated as the "Citizenship Requirement to Vote in West Virginia Elections Amendment" and the purpose of the proposed amendment is summarized as follows: "This amendment provides that in all elections held in West Virginia only citizens of this state who are citizens of the United States are qualified to vote."

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

Eng. Com. Sub. for House Bill 2548, Clarifying duties of state superintendent regarding rule implementation.

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, Grady, Hart, Helton, Jeffries, Martin, Maynard, Morris, Oliverio, Phillips, Queen, Roberts, Rose, Rucker, Stuart, Takubo, Tarr, Taylor, Weld, Willis, Woelfel, Woodrum, and Smith (Mr. President)—31.

The nays were: Garcia, Hamilton, and Thorne—3.

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 H. B. 2548) passed with its title.

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

The Senate proceeded to the ninth order of business.

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

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 rereferred to the Committee on Health and Human Resources.

Eng. Com. Sub. for House Bill 2513, Enhancing training requirements for county boards of education members.

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

The following amendments to the bill, from the Committee on Education, were reported by the Clerk, considered simultaneously, and adopted:

On page 4, section 1a, line 64, after the word "training" by inserting the word "provided";

On page 5, section 1a, line 98, by striking out the words "before January 1";

On page 6, section 1a, line 112, by striking out the words "the State Superintendent shall report annually" and inserting in lieu thereof the words "and annually on or before January 1 thereafter, the State Superintendent shall report";

And,

On page 7, section 4, line 38, by changing the period to a colon and adding the following proviso: *Provided*, That the presentation of receipts in not required for payment for mileage.

The bill (Eng. Com. Sub. for H. B. 2513), as amended, was then ordered to third reading.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Rucker and Bartlett.

The Senate proceeded to the thirteenth order of business.

The following communications were reported by the Clerk:

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



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

April 2, 2025

The Honorable Patrick Morrisey, II
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

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

Com. Sub. for S. B. 823, Clarifying and separating duties between Division of Emergency Management and DEP.

This bill is presented to you on this day, April 2, 2025.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lee Cassis", is written over a horizontal line.

Lee Cassis
Clerk of the Senate

C: The Honorable Jeffrey Pack
Clerk of the House of Delegates



**HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE**

BUILDING 1, ROOM M-212
1900 KANAWHA BLVD., EAST
CHARLESTON, WV 25305-0470
PHONE (304) 340-3200

April 2, 2025

The Honorable Patrick Morrisey
Governor, State of West Virginia
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Morrisey,

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

H. B. 2387, To repeal the class A1 Pistol stamp for hunting ;

H. B. 2516, To repeal antiquated and inoperative portions of code.;

And,

Com. Sub. for H. B. 3192, To repeal obsolete, conflicting or inoperative provisions of code that pertain to higher education.

These bills are presented to you on this day, April 2, 2025.

Respectfully submitted,

Jeffrey Pack
Clerk of the House of Delegates

cc: The Honorable Lee Cassis
Clerk of the Senate

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Martin, at 2 p.m., the Senate adjourned until tomorrow, Thursday, April 3, 2025, at 11 a.m.

SENATE CALENDAR

**Thursday, April 03, 2025
11:00 AM**

SPECIAL ORDER OF BUSINESS

Saturday, April 12, 2025 – 11:30 AM

Consideration of executive nominations

UNFINISHED BUSINESS

S. R. 44 - Memorializing life of basketball legend Jerry West

S. R. 45 - Designating April 3, 2025, as Women and Girls' Day

THIRD READING

Eng. Com. Sub. for H. B. 2513 - Enhancing training requirements for county boards of education members

SECOND READING

Eng. Com. Sub. for H. B. 2157 - Provide one trip temporary vehicle permits to be purchased and printed online - (Com. amend. and title amend. pending)

Eng. H. B. 2172 - Relating to adding an athletic trainer to the Board of Physical Therapy

Eng. Com. Sub. for H. B. 2233 - Authorizing the Department of Environmental Protection to promulgate legislative rules

Eng. H. B. 2397 - Prevent immediate family members from acting in a fiduciary capacity for the same governmental authority - (Com. amend. and title amend. pending)

Eng. H. B. 2678 - Relating to school zones of public or private schools - (Com. amend. and title amend. pending)

Eng. H. B. 2709 - Permitting a voter with a change of address to vote in his or her new precinct without having to cast a provisional ballot - (Com. amend. and title amend. pending)

Eng. H. B. 3030 - Administration of the West Virginia Water Pollution Control Act - (Com. amend. pending)

Eng. H. B. 3313 - Providing more opportunities for high school students in community colleges - (Com. amend. pending)

Eng. H. B. 3347 - Supplemental Appropriation -Administration - Diamond Bldg. (original similar to SB784)

Eng. H. B. 3363 - Supplemental Appropriation - Public Defender (original similar to SB783)

Eng. H. B. 3368 - Supplemental Appropriation - Administration - Lease Rental Payment (original similar to SB769)

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2025

Thursday, April 3, 2025

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