

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE
REGULAR SESSION, 2022
TENTH DAY

Charleston, West Virginia, Friday, January 21, 2022

The Senate met at 9 a.m.

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

Prayer was offered by the Honorable Ryan W. Weld, a senator from the first district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Owens Brown, a senator from the first district.

Pending the reading of the Journal of Thursday, January 20, 2022,

At the request of Senator Grady, 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.

Senator Blair (Mr. President) announced that, under the provisions of Senate Resolution 10 (*Adopting special rule of order relating to COVID-19 pandemic*) adopted January 18, 2022, the following senators had been approved to vote by proxy:

Senator Trump, and that Senator Takubo had been designated to vote on his behalf;

And,

Senator Plymale, and that Senator Baldwin had been designated to vote on his behalf.

The Senate proceeded to the fourth order of business.

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

Your Committee on Finance has had under consideration

Senate Bill 1, Creating Mining Mutual Insurance Company.

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

Respectfully submitted,

Eric J. Tarr,
Chair.

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

Your Committee on Economic Development has had under consideration

Senate Bill 51, Relating to WV Film Industry Investment Act.

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

Com. Sub. for Senate Bill 51 (originating in the Committee on Economic Development)—A Bill to amend and reenact §11-13X-3, §11-13X-4, §11-13X-5, §11-13X-6, §11-13X-8, §11-13X-11, §11-13X-12, and §11-13X-13 of the Code of West Virginia, 1931, as amended, all relating to the West Virginia Film Industry Investment Act; reinstating the film investment tax credit; providing the coordination and management by the West Virginia development office; defining "development office" and "multi-state distribution"; excluding short-term depreciation from credit; raising the minimum threshold of cumulative annual expenditures necessary to qualify for credit; establishing an annual limit in credits available; requiring the development office to develop a database of locations, music, and other resources to be made available to film production teams; providing development office discretion to determine if project negatively portrays West Virginia; requiring state agencies to solicit bids from West Virginia vendors for film or video projects if available; setting an effective date; and setting a five-year sunset provision.

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

Respectfully submitted,

Chandler Swope,
Chair.

The bill (Com. Sub. for S. B. 51), under the original double committee reference, was then referred to the Committee on Finance.

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

Your Committee on the Judiciary has had under consideration

Senate Bills 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 372, 373, 374, 376, 377, 378, 379, 380, 381, 382, 383, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, and 402, Department of Agriculture rule relating to feeding of untreated garbage to swine.

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

Com. Sub. for Senate Bill 334 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-9-1 *et. seq.* of the Code of West Virginia, 1931, as amended, relating generally to authorizing certain miscellaneous agencies and boards to promulgate legislative rules; authorizing the rules, as filed, as modified, and as amended by the Legislative Rule-Making Review Committee, and as amended by the Legislature; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to feeding of untreated garbage to swine; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to commercial feed; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to enrichment of flour and bread law regulations; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to fruits and vegetables: certification for potatoes for seedling purposes; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to Fresh Food Act; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to auctioneers; to authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to hemp products; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to livestock care standards; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to the Rural Rehabilitation Program; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to the Farm to Food Bank Tax Credit; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to farmers markets; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to seed certification; authorizing the State Auditor to promulgate a legislative rule relating to the procedure for local levying bodies to apply for permission to extend time to meet as levying body; authorizing the State Auditor to promulgate a legislative rule relating to accountability requirements for state funds and grants; authorizing the West Virginia Board of Chiropractic Examiners to promulgate a legislative rule relating to chiropractic telehealth practices; authorizing the Contractor Licensing Board to promulgate a legislative rule relating to the Contractor Licensing Act; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to licensure; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to licensed professional counselors fees; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to marriage and family therapist licensing; authorizing the West Virginia Board of Examiners in Counseling to promulgate a legislative rule relating to marriage and family therapist fees; authorizing the Dangerous Wild Animal Board to promulgate a legislative rule relating to dangerous wild animals; authorizing the West Virginia West Virginia Board of Dentistry to promulgate a legislative rule relating to the West Virginia Board of Dentistry; authorizing the West Virginia West Virginia Board of Dentistry to promulgate a legislative rule relating to the formation and approval of professional limited liability companies; authorizing the West Virginia West Virginia Board of Dentistry to promulgate a legislative rule relating to the formation and approval of dental corporation and dental practice ownership; authorizing the West Virginia West Virginia Board of Dentistry to promulgate a legislative rule relating to continuing education requirements; authorizing the West Virginia West Virginia Board of Dentistry to promulgate a legislative rule relating to the administration of anesthesia by dentists; authorizing the West Virginia West Virginia Board of Dentistry to promulgate a legislative rule relating to the expanded duties of dental hygienists and dental assistants; authorizing the West Virginia West Virginia Board of Dentistry to promulgate a legislative rule relating to teledentistry; authorizing the West Virginia Board of Funeral Service Examiners to promulgate a legislative rule relating to the fee schedule; authorizing the Massage Therapy Licensure Board to promulgate a legislative rule relating to general provisions; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to licensing and disciplinary procedures for physicians, podiatric physicians, and surgeons; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating

to licensure, practice requirements disciplinary and complaint procedures, continuing education, and physician assistants; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to dispensing of prescription drugs by practitioners; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to continuing education for physicians and podiatric physicians; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to practitioner requirements for accessing the West Virginia Controlled Substances Monitoring Program Database; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to the establishment and regulation of limited license to practice medicine and surgery at certain state veterans nursing home facilities; authorizing the West Virginia Board of Medicine to promulgate a legislative rule relating to registration to practice during a declared State of Emergency; authorizing the West Virginia West Virginia Board of Osteopathic Medicine to promulgate a legislative rule relating to licensing procedures for osteopathic physicians; authorizing the West Virginia West Virginia Board of Osteopathic Medicine to promulgate a legislative rule relating to Osteopathic Physicians Assistants; authorizing the West Virginia West Virginia Board of Osteopathic Medicine to promulgate a legislative rule relating to practitioner requirements for controlled substances licensure and Accessing the West Virginia Controlled Substances Monitoring Program Database; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy care; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to the Controlled Substance Monitoring Program; authorizing the West Virginia Board of Pharmacy to promulgate a legislative rule relating to regulations governing pharmacists; authorizing the Public Service Commission to promulgate a legislative rule relating to rules governing the occupancy of customer-provided conduit; authorizing the West Virginia West Virginia Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for licensure or certification; authorizing the West Virginia West Virginia Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to the renewal of licensure and certification; authorizing the West Virginia West Virginia Real Estate Appraiser Licensing and Certification Board to promulgate a legislative rule relating to requirements for registration and renewal of appraisal management companies; authorizing the West Virginia Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to limited prescriptive authority for nurses in advanced practice; authorizing the Secretary of State to promulgate a legislative rule relating to voter registration at the Division of Motor Vehicles; authorizing the Secretary of State to promulgate a legislative rule relating to voter registration list maintenance by the Secretary of State; authorizing the Secretary of State to promulgate a legislative rule relating to the combined Voter Registration and Driver Licensing Fund; authorizing the Secretary of State to promulgate a legislative rule relating to the use of digital signatures; authorizing the Secretary of State to promulgate a legislative rule relating to regulation of political party headquarters finances; authorizing the Secretary of State to promulgate a legislative rule relating to standards and guidelines for electronic notarization, remote online notarization, and remote ink notarization; authorizing the Secretary of State to promulgate a legislative rule relating to real property electronic recording standards and regulations; authorizing the Board of Social Work Examiners to promulgate a legislative rule relating to qualifications for the profession of social work; authorizing the Board of Social Work Examiners to promulgate a legislative rule relating to continuing education for social workers and providers; authorizing the West Virginia Board of Examiners for Speech-Language Pathology and Audiology to promulgate a legislative rule relating to licensure of speech-pathology and audiology; authorizing the State Treasurer to promulgate a legislative rule relating to substitute checks- Exceptional Items Fund; authorizing the State Treasurer to promulgate a legislative rule relating to procedures for deposit of monies with the State Treasurer's Office by state agencies; authorizing the State Treasurer to promulgate a legislative rule relating to the selection of state depositories for disbursement accounts through competitive bidding; authorizing

the State Treasurer to promulgate a legislative rule relating to the selection of state depositories for receipt accounts; authorizing the State Treasurer to promulgate a legislative rule relating to procedures for processing payments from the State Treasury; authorizing the State Treasurer to promulgate a legislative rule relating to reporting debt; authorizing the State Treasurer to promulgate a legislative rule relating to procedures for fees in collections by charge, credit, or debit card or by electronic payment; and authorizing the State Treasurer to promulgate a legislative rule relating to procedures for providing services to political subdivisions.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Ryan W. Weld,
Vice Chair.

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

Your Committee on Government Organization has had under consideration

Senate Bill 417, Relating to authorized expenditures of revenues from certain state funds for fire departments.

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

Com. Sub. for Senate Bill 417 (originating in the Committee on Government Organization)—
A Bill to amend and reenact §8-15-8b of the Code of West Virginia, 1931, as amended, relating to authorized expenditures of revenues from certain state funds for fire departments; clarifying and expanding categories of allowable expenditures; permitting state grant funds to be deposited into a state account and be transferred from the account for unrestricted use; and setting forth a 60-day time frame for fire departments receiving grant funds to transfer unrestricted funds from a restricted account.

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

Respectfully submitted,

Mark R. Maynard,
Chair.

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

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

Your Committee on the Judiciary has had under consideration

Senate Bill 427, Permitting WV Board of Medicine investigators to carry concealed weapon.

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

Respectfully submitted,

Ryan W. Weld,
Vice Chair.

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

Your Committee on Government Organization has had under consideration

Senate Bill 436, Correcting code citation for authority of State Fire Marshal.

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

Respectfully submitted,

Mark R. Maynard,
Chair.

The Senate proceeded to the sixth order of business.

At the request of Senator Takubo, unanimous consent being granted, the following bills were considered introduced, read by their titles, and referred to the appropriate committees:

By Senator Weld:

Senate Bill 459—A Bill to amend and reenact §61-8B-1 of the Code of West Virginia, 1931, as amended, relating to modifying the definition of "sexual contact"; and removing the element that the parties not being married to each other from the definition.

Referred to the Committee on the Judiciary.

By Senators Sypolt and Smith:

Senate Bill 460—A Bill to amend and reenact §22-5-2 and §22-5-4 of the Code of West Virginia, 1931, as amended, all relating to air pollution control; and granting to the West Virginia Department of Environmental Protection Division of Air Quality the authority to invest the money held in the Air Pollution Control Fund (Fund #3336) and the Air Pollution Education and Environment Fund (Fund #3024) in order to receive interest on the funds held in those accounts, to offset decreasing permit fee collections, and to preserve funding for the West Virginia Department of Environmental Protection Division of Air Quality.

Referred to the Committee on Finance.

By Senators Phillips and Smith:

Senate Bill 461—A Bill to amend and reenact §22-1-15 of the Code of West Virginia, 1931, as amended, relating to removing the statutory limit of \$300,000 for the Environmental Laboratory Certification Fund.

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

By Senators Phillips and Smith:

Senate Bill 462—A Bill to amend and reenact §22-11-10 of the Code of West Virginia, 1931, as amended, relating to coal mining; and changing fees for permitting actions.

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

By Senator Smith:

Senate Bill 463—A Bill amend and reenact §48-1-239 and §48-1-241a of the Code of West Virginia, 1931, as amended; and to amend and reenact §48-9-102, §48-9-203, and §48-9-205 of said code, all relating to Best Interests of the Child Protection Act of 2022; establishing the presumption that co-equal shared legal and physical custody of children in cases of divorce to be in the best interests of the children and families; requiring that temporary parenting plans and permanent parenting plans consider the presumption of co-equal shared legal and physical custody is in the best interests of a child; and relating generally to the public policy recognition and preservation of the fundamental constitutional rights of all parents to raise their own children and that it is presumptively in the best interest of children to be raised by both of their parents equally.

Referred to the Committee on the Judiciary.

By Senators Geffert, Baldwin, Beach, Brown, Caputo, Hamilton, Jeffries, Lindsay, Romano, Stollings, and Woelfel:

Senate Bill 464—A Bill to amend and reenact §21-5-1 of the Code of West Virginia, 1931, as amended, relating to including independent contractors within the definition of employee; and including independent contractors as employees of employers.

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

Senators Nelson, Grady, Jeffries, Lindsay, and Takubo offered the following resolution:

Senate Concurrent Resolution 16—Requesting the Division of Highways name bridge number 11492, marker 19.01, locally known as Twin Bridges on U.S. Rt. 35 near Buffalo, Putnam County, the "William Gregory 'Greg' White, P.E., Memorial Bridge".

Whereas, William Gregory "Greg" White, P.E., was born February 21, 1959, in Charleston, West Virginia, the son of Maralu White Craven and William Clifford White. He graduated in 1977 from Parkersburg South High School and continued his education at West Virginia Tech, where he received a bachelor's degree in civil engineering; and

Whereas, William Gregory "Greg" White, P.E., loved his work as a licensed professional civil engineer and owned his own business, White Brothers Consulting, a partnership he shared with his brother Tim; and

Whereas, Some of the projects William Gregory "Greg" White, P.E., was involved in as a structural engineer for the design and detail of various bridges include, but are not limited to: The Wolfe Valley Girder Bridge in Mason County; the East Fork Beam Span Bridge in Mingo County; the Buzzard Creek Bridge in Putnam County; the Capehart Bridge in Mason County; the Central Station Bridge in Doddridge County; the Monongahela River Bridge and Approaches in Marion County; the I-40 Widening Project in North Little Rock, Arkansas; the Sam Houston Tollway Widening in Houston, Texas; the Witcher Creek Bridge in Kanawha County; the Virginia Hybrid

Energy Center in Virginia City, Virginia; two of the West Virginia Turnpike bridges over U.S. Rt. 60 in Kanawha County; the Upper Sleith Fork Bridge in Braxton County; the South Branch Potomac Bridge in Hardy County; and the Gypsy Bridge in Harrison County; and

Whereas, William Gregory "Greg" White, P.E., was an avid supporter of local youth soccer leagues and the Ripley High School marching band. He was also an ordained deacon at Witcher Baptist Church in Belle, West Virginia, and a member of the West Ripley Baptist Church; and

Whereas, Sadly, William Gregory "Greg" White, P.E., passed away on Sunday, December 16, 2018; and

Whereas, The bridge being named in honor of William Gregory "Greg" White, P.E., was the last one that he designed and stamped with his license before he passed away; and

Whereas, It is fitting that an enduring memorial be established to commemorate William Gregory "Greg" White, P.E., and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 11492, marker 19.01, locally known as Twin Bridges on U.S. Rt. 35 near Buffalo, Putnam County, the "William Gregory 'Greg' White, P.E., Memorial Bridge;" and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "William Gregory "Greg" White, P.E, Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

Which, under the rules, lies over one day.

Senators Trump, Blair (Mr. President), Rucker, and Geffert offered the following resolution:

Senate Concurrent Resolution 17—Requesting the Division of Highways name bridge number 02-032/00-001.22 (02A152), (39.40678, -78.02421) locally known as Tablers Station Overpass, carrying CR 32 over I 81 in Berkeley County, the "U.S. Air Force SSGT Logan A. Young Memorial Bridge".

Whereas, SSGT Logan A. Young was born in 1990, in Winchester, Virginia, the son of Steven B. Young and Beth A. Young. He grew up in Winchester, Virginia, where he graduated from Millbrook High School in 2008. He enlisted in the United States Air Force in 2011; and

Whereas, While serving on active duty in security forces SSGT Logan A. Young was stationed at Kadena Air Base, Japan; RAF Alconbury, England; and Andrews Air Force Base, Maryland. SSGT Logan A. Young was deployed to the Middle East in 2012 and again in 2014. He joined the 167th Civil Engineering Squadron as a firefighter in 2018 and was a decorated Staff Sergeant with the 167th Airlift Wing of the West Virginia Air National Guard; and

Whereas, SSGT Logan A. Young, a nine-year veteran of the United States Air Force lost his life in the line of duty while fighting an arson fire in the early morning hours of December 27, 2020, near Martinsburg, West Virginia; and

Whereas, SSGT Logan A. Young's military awards include the Air Force Outstanding Unit Award, Air Force Good Conduct Medal with one Oak Leaf Cluster, Air Reserve Forces Meritorious Service Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Air Force Overseas Ribbon Long with 1 Oak Leaf Cluster, Air Force Expeditionary Service Ribbon with Gold Border, Air Force Expeditionary Service Ribbon, Air Force Longevity Service, USAF NCO PME Graduate Ribbon, Small Arms Expert Marksmanship Ribbon (Rifle), and the Air Force Training Ribbon; and

Whereas, SSGT Logan A. Young exemplified being a devoted and selfless patriot who loved his country, community, family, and fellow man. He was honest, patient, passionate, and dedicated. He enjoyed playing soccer, basketball, fishing, riding ATVs, his motorcycle, and was an avid Pittsburgh Steelers fan. SSGT Logan A. Young also had a great love for sneakers—he owned enough Nikes to wear a different pair every day of the year; and

Whereas, SSGT Logan A. Young is survived by his daughter Leira Ann Young, who was born six months after his death; his fiancée, London Brown and her daughter Jesslyn Wolf; his brother and sister-in-law, Nathan Young and Daffne; his sister and brother-in-law, Danielle Brosan and husband Mike; and many aunts, uncles, cousins, and friends; and

Whereas, SSGT Logan A. Young was a hero to many, loved by all, and missed by those who knew him. SSGT Logan A. Young is forever in the hearts of his family and friends, as well as his military and fire department. As someone once said, "A hero is someone who has given his life to something bigger than oneself"—SSGT Logan A. Young was a hero; and

Whereas, It is fitting that an enduring memorial be established to commemorate SSGT Logan A. Young and his sacrifice to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 02-032/00-001.22 (02A152), (39.40678, -78.02421) locally known as Tablers Station Overpass, carrying CR 32 over I 81 in Berkeley County, the "U.S. Air Force SSGT Logan A. Young Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S. Air Force SSGT Logan A. Young Memorial Bridge"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways; a copy to the County Counsel of Berkeley County; two copies—one to his father Steven B. Young and a copy to his mother Beth A. Young; and to his daughter Leira Ann Young; his fiancée, London Brown; his brother and sister-in-law, Nathan Young and Daffne; and to his sister and brother-in-law, Danielle Brosan and husband Mike.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Resolution 12, Designating January 22, 2022, as Day of Tears in WV.

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

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

The Senate proceeded to the eighth order of business.

Eng. Senate Bill 253, Relating to voting precincts and redistricting.

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: Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale (by proxy), Roberts, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump (by proxy), Weld, Woelfel, Woodrum, and Blair (Mr. President)—31.

The nays were: None.

Absent: Azinger, Maroney, and Romano—3.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 253) passed.

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

Eng. Senate Bill 253—A Bill to amend and reenact §3-1-5 of the Code of West Virginia, 1931, as amended, relating generally to voting precincts and redistricting; requiring county commissions to submit precinct boundary modifications to the Secretary of State; designating the Secretary of State as state liaison to the U.S. Census Bureau during certain phases of the Redistricting Data Program; authorizing the Secretary of State to delegate technical responsibilities to staff; requiring county commissions to submit certain information relating to precinct updates to the Secretary of State on ongoing basis; requiring the Secretary of State to coordinate with counties; requiring the Secretary of State to compile and submit certain information to the U.S. Census Bureau in compliance with certain deadlines and provide copies to Legislative leadership; requiring the Legislature to provide certain maps and files to the Secretary of State at conclusion of federal congressional or state legislative redistricting; requiring Secretary of State to provide updated maps and files to the U.S. Census Bureau; requiring Secretary of State to make certain maps and files publicly available in physical office and on website; requiring Secretary of State to maintain certain maps and files in records; requiring county commissions to include magisterial districts in publicly available maps; and requiring county commissions to submit certain maps and files to Secretary of State.

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 44, Requiring State Fire Commission propose rules for sprinkler protection for certain new buildings.

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

Senate Bill 60, Allowing BOE create and provide course in family and consumer sciences in secondary schools.

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

Senate Bill 213, Establishing licensed professional counseling compact.

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

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

Senate Bill 214, Updating telepsychology compact.

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

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

Com. Sub. for Senate Bill 229, Requiring impact statement in certain instances of school closing or consolidation.

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

The Senate proceeded to the tenth order of business.

At the request of Senator Takubo, unanimous consent being granted, the following bills on first reading were considered read a first time and ordered to second reading:

Senate Bill 4, Repealing ban on construction of nuclear power plants.

And,

Com. Sub. for Senate Bill 221, Establishing occupational therapy compact.

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 January 20, 2022:

Senate Bill 1: Senators Plymale and Takubo;

Senate Bill 5: Senator Takubo;

Senate Bill 6: Senator Takubo;
Senate Bill 11: Senator Takubo;
Senate Bill 17: Senator Takubo;
Senate Bill 24: Senator Rucker;
Senate Bill 36: Senator Smith;
Senate Bill 46: Senator Takubo;
Senate Bill 51: Senator Takubo;
Senate Bill 52: Senator Smith;
Senate Bill 53: Senator Smith;
Senate Bill 65: Senator Takubo;
Senate Bill 70: Senator Takubo;
Senate Bill 83: Senator Takubo;
Senate Bill 92: Senator Takubo;
Senate Bill 106: Senator Caputo;
Senate Bill 131: Senator Takubo;
Senate Bill 133: Senator Takubo;
Senate Bill 146: Senator Rucker;
Senate Bill 417: Senator Caputo;
Senate Bill 421: Senator Jeffries;
Senate Bill 424: Senator Jeffries;
Senate Bill 438: Senator Trump;
Senate Bill 439: Senator Trump;
Senate Bill 440: Senator Trump;
Senate Bill 442: Senators Trump and Plymale;
Senate Bill 443: Senators Trump and Plymale;
Senate Bill 444: Senators Trump and Plymale;

Senate Bill 445: Senators Trump and Plymale;

Senate Bill 446: Senators Trump and Plymale;

Senate Bill 447: Senators Lindsay, Stollings, Baldwin;

Senate Bill 449: Senator Woelfel;

Senate Bill 452: Senators Trump and Woelfel;

Senate Bill 453: Senator Trump;

Senate Bill 454: Senators Lindsay and Stollings;

Senate Bill 456: Senator Caputo;

Senate Bill 457: Senators Caputo, Lindsay, Stollings, and Woelfel;

Senate Concurrent Resolution 14: Senator Jeffries;

Senate Concurrent Resolution 15: Senator Jeffries;

And,

Senate Resolution 12: Senators Baldwin and Smith.

Pending announcement of a meeting of a standing committee of the Senate,

Senator Takubo then moved that the Senate adjourn until Monday, January 24, 2022, at 11 a.m.

The question being on the adoption of Senator Takubo's aforesaid motion, and on this question, Senator Takubo demanded the yeas and nays.

The roll being taken, the yeas were: Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Weld, Woelfel, Woodrum, and Blair (Mr. President)—30.

The nays were: None.

Absent: Azinger, Maroney, Plymale, and Trump—4.

So, a majority of those present and voting having voted in the affirmative, the President declared Senator Takubo's motion had prevailed.

In accordance with the foregoing motion, at 9:19 a.m., the Senate adjourned until Monday, January 24, 2022, at 11 a.m.

SENATE CALENDAR

**Monday, January 24, 2022
11:00 AM**

UNFINISHED BUSINESS

S. C. R. 16 - William Gregory "Greg" White, P.E., Memorial Bridge

S. C. R. 17 - US Air Force 167th Airlift Wing Firefighter/SSgt Logan A. Young Memorial Bridge

THIRD READING

Eng. Com. Sub. for S. B. 44 - Requiring State Fire Commission propose rules for sprinkler protection for certain new buildings

Eng. S. B. 60 - Allowing BOE create and provide course in family and consumer sciences in secondary schools

Eng. Com. Sub. for S. B. 229 - Requiring impact statement in certain instances of school closing or consolidation

SECOND READING

S. B. 4 - Repealing ban on construction of nuclear power plants

S. B. 213 - Establishing licensed professional counseling compact

S. B. 214 - Updating telepsychology compact

Com. Sub. for S. B. 221 - Establishing occupational therapy compact

FIRST READING

S. B. 1 - Creating Mining Mutual Insurance Company

Com. Sub. for S. B. 334 - Authorizing miscellaneous agencies and boards to promulgate rules (original similar to HB4173)

Com. Sub. for S. B. 417 - Relating to authorized expenditures of revenues from certain state funds for fire departments

S. B. 427 - Permitting WV Board of Medicine investigators to carry concealed weapon

S. B. 436 - Correcting code citation for authority of State Fire Marshal

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2022

Monday, January 24, 2022

1 p.m.

Natural Resources

(Room 208W)