

WEST VIRGINIA LEGISLATURE

# SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE  
SECOND EXTRAORDINARY SESSION, 2021

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THURSDAY, JUNE 24, 2021

Pursuant to the proclamations of His Excellency, the Governor, the Honorable Jim Justice, dated the eighteenth and twenty-second days of June, 2021, convening the eighty-fifth Legislature of West Virginia in extraordinary session today (Thursday, June 24, 2021), under the provisions of section seven, article seven of the Constitution of West Virginia, the Senate assembled in its chamber in the state capitol in the City of Charleston at 11:03 a.m., and was called to order by its President, the Honorable Craig Blair.

Prayer was offered by the Honorable Stephen Baldwin, a senator from the tenth district.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Charles S. Trump IV, a senator from the fifteenth district.

On the call of the roll, the following answered to their names:

Senators Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President).

Twenty-seven members having answered to their names, the President declared the presence of a quorum.

### **Executive Communications**

Senator Blair (Mr. President) laid before the Senate the following proclamations from His Excellency, the Governor, convening the Legislature in extraordinary session, which were read by the Clerk:

**STATE OF WEST VIRGINIA****EXECUTIVE DEPARTMENT****Charleston****A PROCLAMATION****By the Governor**

**I, JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby call the West Virginia Legislature to convene in Extraordinary Session at Noon on Thursday, June 24, 2021, in its chambers in the State Capitol, the City of Charleston, for the limited purpose of considering and acting upon only the following matters:

**FIRST:** To make a supplementary appropriation, in the amount of \$2,000,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2021, organization 0231, appropriation 70000, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021; and

**SECOND:** To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2021, organization 0310, appropriation 28800, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021, in the amount of \$42,000,000; and

**THIRD:** To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Homeland Security – Office of the Secretary, fund 0430, fiscal year 2021, organization 0601, appropriation 93900, in the amount of \$1,200,000; to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2021, organization 0606, appropriation 55401, in the amount of \$5,000,000; to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2021,

organization 0606, appropriation 95101, in the amount of \$795,000; and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2021, organization 0608, appropriation 13000, in the amount of \$9,400,000; to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2021, organization 0608, appropriation 75500, in the amount of \$22,500,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

**FOURTH:** To make a supplementary appropriation, in the amount of \$850,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration, Division of Personnel, fund 0206, fiscal year 2021, organization 0222, appropriation 70000, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021; and

**FIFTH:** To make a supplementary appropriation, in the amount of \$30,000,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307, appropriation 70000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

**SIXTH:** To make supplementary appropriations, by adding new items of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100, appropriation 61400, in the amount of \$17,250,000; and to the Executive, Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100, appropriation 81900, in the amount of \$7,100,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

**SEVENTH:** To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2021, organization 0432, appropriation 75500, by supplementing and

amending the appropriations for the fiscal year ending June 30, 2021, in the amount of \$2,100,000; and

**EIGHTH:** To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Transportation, State Rail Authority, fund 0506, fiscal year 2021, organization 0804, appropriation 13000, in the amount of \$750,000, and from this increased appropriation for Current Expenses (fund 0506, appropriation 13000), an additional \$750,000 shall be transferred to the State Rail Authority - Commuter Rail Access Fund (fund 8402), by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021; and

**NINETH:** To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the budget bill, in Title II, from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by transferring funds from the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2022, organization 0402, appropriation 45300, in the amount of \$24,000,000, to the Department of Education, State Board of Education – School Construction Fund, fund 3952, appropriation 24000; and

**TENTH:** To make a supplementary appropriation of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Education, State Board of Education – School Construction Fund, fund 3952, fiscal year 2022, organization 0404, appropriation 24000, in the amount of \$24,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022; and

**ELEVENTH:** To supplement and amend by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, by decreasing the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2022, organization 0511, appropriation 00201, in the amount of \$41,500; and increasing the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2022, organization 0511, appropriation 45500, to the amount of \$41,500, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022; and

**TWELFTH:** To supplement and amend by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Homeland Security, Division of Corrections and Rehabilitation – Central Office,

fund 0446, fiscal year 2022, organization 0608, appropriation 00100, in the amount of \$200,000; from the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2022, organization 0608, appropriation 51400, in the amount of \$75,000; from the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2022, organization 0608, appropriation 77400, in the amount of \$75,000; and by increasing an item of appropriation to the Department of Homeland Security, Division of Administrative Services, fund 0619, fiscal year 2022, organization 0623, appropriation 00100, in the amount of \$350,000, by supplementing and amending appropriations for the fiscal year ending June 30, 2022; and

**THIRTEENTH:** To make a supplementary appropriation, in the amount of \$750,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to Miscellaneous Boards and Commissions, Water Development Authority, fund 0621, fiscal year 2021, organization 0316, appropriation 70000, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the budget bill for the fiscal year ending June 30, 2021; and

**FOURTEENTH:** To make a supplementary appropriation, in the amount of \$5,000,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021, organization 0304, appropriation 11601, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

**FIFTEENTH:** To supplement and amend the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, Tax Division, fund 0470, fiscal year 2021, organization 0702, appropriation 75500, in the amount of \$2,000,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

**SIXTEENTH:** To make a supplementary appropriation, in the amount of 50,000,000, by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, Office of the Secretary, fund 0465, fiscal year 2021, organization 0701, appropriation 59000, by supplementing and amending the appropriations

for the fiscal year ending June 30, 2021; and

**SEVENTEENTH:** To make a supplementary appropriation by adding new items and increasing existing items for expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to Executive, Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100, appropriation 75701, in the amount of \$17,500,000; to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021, organization 0304, appropriation 61803, in the amount of \$7,000,000; to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307, appropriation 70000, in the amount of \$1,000,000; to the West Virginia Council for Community and Technical College Education, West Virginia Council for Community and Technical College Education – Control Account, fund 0596, fiscal year 2021, organization 0420, appropriation 39200, in the amount of \$3,000,000; to the West Virginia Council for Community and Technical College Education, Mountwest Community and Technical College, fund 0599, fiscal year 2021, organization 0444, appropriation 99900, in the amount of \$97,340; to the West Virginia Council for Community and Technical College Education, New River Community and Technical College, fund 0600, fiscal year 2021, organization 0445, appropriation 99900, in the amount of \$87,973; to the West Virginia Council for Community and Technical College Education, Blue Ridge Community and Technical College, fund 0601, fiscal year 2021, organization 0447, appropriation 99900, in the amount of \$117,463; to the West Virginia Council for Community and Technical College Education, West Virginia University at Parkersburg, fund 0351, fiscal year 2021, organization 0464, appropriation 99900, in the amount of \$154,789; to the West Virginia Council for Community and Technical College Education, Southern West Virginia Community and Technical College, fund 0380, fiscal year 2021, organization 0487, appropriation 99900, in the amount of \$123,627; to the West Virginia Council for Community and Technical College Education, West Virginia Northern Community and Technical College, fund 0383, fiscal year 2021, organization 0489, appropriation 99900, in the amount of \$109,287; to the West Virginia Council for Community and Technical College Education, Eastern West Virginia Community and Technical College, fund 0587, fiscal year 2021, organization 0492, appropriation 99900, in the amount of \$32,699; to the West Virginia Council for Community and Technical College Education, BridgeValley Community and Technical College, fund 0618, fiscal year 2021, organization 0493, appropriation 99900, in the amount of \$121,482; to the Higher Education Policy Commission, Higher Education Policy Commission –

Administration – Control Account, fund 0589, fiscal year 2021, organization 0441, appropriation XXXXX, in the amount of \$1,600,000; to the Higher Education Policy Commission, West Virginia University – School of Medicine, Medical School Fund, fund 0343, fiscal year 2021, organization 0463, appropriation 99900, in the amount of \$293,677; to the Higher Education Policy Commission, West Virginia University – General Administrative Fund, fund 0344, fiscal year 2021, organization 0463, appropriation 99900, in the amount of \$16,600,000; to the Higher Education Policy Commission, Marshall University – School of Medicine, fund 0347, fiscal year 2021, organization 0471, appropriation 99900, in the amount of \$183,526; to the Higher Education Policy Commission, Marshall University – General Administration Fund, fund 0348, fiscal year 2021, organization 0471, appropriation 99900, in the amount of \$9,700,000; to the Higher Education Policy Commission, West Virginia School of Osteopathic Medicine, fund 0336, fiscal year 2021, organization 0476, appropriation 99900, in the amount of \$133,189; to the Higher Education Policy Commission, Bluefield State College, fund 0354, fiscal year 2021, organization 0482, appropriation 99900, in the amount of \$95,748; to the Higher Education Policy Commission, Concord University, fund 0357, fiscal year 2021, organization 0483, appropriation 99900, in the amount of \$157,146; to the Higher Education Policy Commission, Glenville State College, fund 0363, fiscal year 2021, organization 0485, appropriation 99900, in the amount of \$96,704; to the Higher Education Policy Commission, Shepherd University, fund 0366, fiscal year 2021, organization 0486, appropriation 99900, in the amount of \$190,257; to the Higher Education Policy Commission, West Liberty University, fund 0370, fiscal year 2021, organization 0488, appropriation 99900, in the amount of \$136,540; and to the Higher Education Policy Commission, West Virginia State University, fund 0373, fiscal year 2021, organization 0490, appropriation 99900, in the amount of \$170,138, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021; and

**EIGHTEENTH:** To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the budget bill, by supplementing and amending appropriations in Title II, section 9, for the fiscal year ending June 30, 2022, by reducing all appropriations from general revenue fund surplus accrued to \$0; and

**NINETEENTH:** To make a supplementary appropriation of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2022, to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund, fund 2531, fiscal year 2022, organization 0231, appropriation 13000, in the

amount of \$2,000,000; and to the Department of Transportation, State Rail Authority – West Virginia Commuter Rail Access Fund, fund 8402, fiscal year 2022, organization 0804, appropriation 13000, in the amount of \$750,000, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022; and

**TWENTIETH:** To amend and reenact § 60-3A-18 of the Code of West Virginia, 1931, as amended, relating to altering the time frame which retail liquor licensees may sell liquors; and

**TWENTY-FIRST:** To authorize and appropriate public funds sufficient to pay for the Extraordinary Session.

*[Signature Page Follows]*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



By the Governor

DONE at the Capitol in the City of Charleston, State of West Virginia, this Eighteenth day of June, in the year of our Lord, Two Thousand Twenty-One, and in the One Hundred Fifty-Eighth year of the State.

*James Justice*  
GOVERNOR

*Mac Warner*  
SECRETARY OF STATE

**STATE OF WEST VIRGINIA****EXECUTIVE DEPARTMENT****Charleston****A PROCLAMATION****By the Governor**

**I, JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the proclamation dated June 18, 2021, calling the West Virginia Legislature to convene in Extraordinary Session on Thursday, June 24, 2021, in its chambers in the State Capitol, the City of Charleston, as follows:

1. By amending the time for the Legislature to convene on Thursday, June 24, 2021, from Noon to 11:00 AM; and
2. By adding items twenty-two, twenty-three, and twenty-four, as follows:

**TWENTY-SECOND:** to expire existing items of appropriation from the West Virginia Development Office, fund 0256, fiscal year 2001, fiscal year 2002, fiscal year 2003, fiscal year 2005, fiscal year 2006, fiscal year 2008, fiscal year 2010, fiscal year 2011, fiscal year 2012, fiscal year 2013, fiscal year 2014 and fiscal year 2015, organization 0307, appropriation 81900 and from the West Virginia Development Office, fund 0256, fiscal year 2007 and fiscal year 2008, organization 0307, appropriation 48000, the existing balances of which exceed those which are necessary for the purposes for which such accounts were established to the surplus balance of General Revenue and increase an existing item or items of appropriation in the civil contingent fund for the fiscal year 2021 from the surplus balance of General Revenue; and

**TWENTY-THIRD:** to expire existing items of appropriation from Lottery Funds, State Board of Education, fund 3951, fiscal year 2007 and fiscal year 2008, organization 0402, appropriation 09900; State Board of Education, fund 3951, fiscal

year 2015, organization 0402, appropriation 13000; Bureau of Senior Services – Lottery Senior Citizens Fund, fund 5405, fiscal year 2010, fiscal year 2011, fiscal year 2012, fiscal year 2013, fiscal year 2014 and fiscal year 2015, organization 0508, appropriation 46200; and Library Commission – Lottery Education Fund, fund 3559, fiscal year 2011, fiscal year 2012 and fiscal year 2013, organization 0433, appropriation 26500, the existing balances of which exceed those which are necessary for the purposes for which such accounts were established, to the surplus balance of General Revenue and increase an existing item or items of appropriation in the civil contingent fund for the fiscal year 2021 from the surplus balance of General Revenue; and

**TWENTY-FOURTH:** to extend the expiration date of the freeze of the cost per day for each incarcerated inmate paid by a county, or municipality if the incarceration is a municipal violation, otherwise known as the per diem rate, from July 1, 2021, to July 1, 2022, and to clarify that the per diem cost for incarcerated inmates in a regional jail is calculated annually and from the previous three fiscal years of actual costs.

*[Signature Page Follows]*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



By the Governor

**DONE** at the Capitol in the City of Charleston, State of West Virginia, this Twenty-Second day of June, in the year of our Lord, Two Thousand Twenty-One, and in the One Hundred Fifty-Ninth year of the State.

**GOVERNOR**

**SECRETARY OF STATE**

**STATE OF WEST VIRGINIA****EXECUTIVE DEPARTMENT****Charleston****A PROCLAMATION****By the Governor**

I, **JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the proclamation dated June 18, 2021, as amended, calling the West Virginia Legislature to convene in Extraordinary Session on Thursday, June 24, 2021, in its chambers in the State Capitol, the City of Charleston, as follows:

1. By deleting item twenty-three in its entirety and replacing it with the following:

**TWENTY-THIRD:** To expire existing items of appropriation from Lottery Funds, State Board of Education, fund 3951, fiscal year 2007, fiscal year 2008, fiscal year 2009, fiscal year 2011 and fiscal year 2012, organization 0402, appropriation 09900 and State Board of Education, fund 3951, fiscal year 2014 and fiscal year 2015, organization 0402, appropriation 13000; Bureau of Senior Services – Lottery Senior Citizens Fund, fund 5405, fiscal year 2010, fiscal year 2011, fiscal year 2012, fiscal year 2013, fiscal year 2014 and fiscal year 2015, organization 0508, appropriation 46200; and Library Commission – Lottery Education Fund, fund 3559, fiscal year 2011, fiscal year 2012 and fiscal year 2013, organization 0433, appropriation 62500, the existing balances of which exceed those which are necessary for the purposes for which such accounts were established, to the surplus balance of General Revenue and increase an existing item or items of appropriation in the civil contingent fund for the fiscal year 2021; and

2. By adding items twenty-five, twenty-six, twenty-seven, and twenty-eight, as follows

**TWENTY-FIFTH:** To supplement and amend Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the budget bill, in Title II, from the appropriation of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June

30, 2022, to the Lottery Commission, Operating and Expense Fund, fund 7200, fiscal year 2022, organization 0705, the amount of \$15,100,396 to appropriation 00100, the amount of \$154,000 to appropriation 00201, the amount of \$642,869 to appropriation 09900, the amount of \$44,764,722 to appropriation 13000, the amount of \$540,000 to appropriation 06400, the amount of \$100,000 to appropriation 07000, the amount of \$250,000 to appropriation 25800, the amount of \$2,735,000 to appropriation 69000, totaling \$64,286,987, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022; and

**TWENTY-SIXTH:** To supplement and amend by increasing an existing appropriation of federal funds out of the Treasury to the Miscellaneous Boards and Commissions, National Coal Heritage Authority, fund 8869, fiscal year 2022, organization 0941, appropriation 00100, in the amount of \$25,000, by supplementing and amending an appropriation for the fiscal year ending June 30, 2022; and

**TWENTY-SEVENTH:** To request the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II, and/or other foreign conflicts; and

**TWENTY-EIGHTH:** To urge the federal government to take action to reauthorize coal mine reclamation programs and allocate necessary funding to the State of West Virginia.

*[Signature Page Follows]*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



By the Governor

DONE at the Capitol in the City of Charleston, State of West Virginia, this Twenty-Third day of June, in the year of our Lord, Two Thousand Twenty-One, and in the One Hundred Fifty-Ninth year of the State.

GOVERNOR

SECRETARY OF STATE

## STATE OF WEST VIRGINIA

## EXECUTIVE DEPARTMENT

Charleston

## A PROCLAMATION

By the Governor

I, **JIM JUSTICE**, by virtue of the authority vested in the Governor by Section 7, Article VII, of the Constitution of West Virginia, do hereby **AMEND** the proclamation dated June 18, 2021, as amended, calling the West Virginia Legislature to convene in Extraordinary Session on Thursday, June 24, 2021, in its chambers in the State Capitol, the City of Charleston, by deleting therefrom item twenty-five, relating to appropriations of public monies out of the Treasury from the balance of monies remaining unappropriated for the fiscal year ending June 30, 2022, to the Lottery Commission, Operating and Expense Fund, fund 7200, fiscal year 2022, organization 0705.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



By the Governor

DONE at the Capitol in the City of Charleston, State of West Virginia, this Twenty-Fourth day of June, in the year of our Lord, Two Thousand Twenty-One, and in the One Hundred Fifty-Ninth year of the State.

GOVERNOR

SECRETARY OF STATE

At the request of Senator Takubo, unanimous consent being granted, Senator Takubo offered the following resolution from the floor:

**Senate Resolution 201**—Raising a committee to inform the House of Delegates the Senate has assembled in extraordinary session.

*Resolved by the Senate:*

That a committee of three be appointed by the President to inform the House of Delegates that the Senate has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business for which the extraordinary session was called by His Excellency, the Governor.

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.

Whereupon, the President appointed as members of such committee the following:

Senators Grady, Sypolt, and Ihlenfeld.

Subsequently, Senator Grady, from the committee to notify the House of Delegates the Senate has assembled in extraordinary session, and is ready to proceed with the business of the session, announced that the committee had discharged its duties.

A message from the House of Delegates, by

Delegates Graves, Gearheart, and Boggs, announced that the House of Delegates has assembled in extraordinary session, with a quorum present, and is ready to proceed with the business stated in the proclamation convening the Legislature.

At the request of Senator Takubo, unanimous consent being granted, Senator Takubo offered the following resolution from the floor:

**Senate Resolution 202**—Raising a committee to wait upon the Governor.

*Resolved by the Senate:*

That a committee of three on the part of the Senate, to join with a similar committee on the part of the House of Delegates, be appointed by the President to notify His Excellency, the Governor, that at his call the Legislature has assembled in extraordinary session, with a quorum of each house present; and is ready to receive any communication or message he may be pleased to present under section seven, article seven of the Constitution of West Virginia, which provides that no business except that stated in his proclamation be considered.

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.

Whereupon, the President appointed as members of such committee the following:

Senators Martin, Nelson, and Woelfel.

A message from the House of Delegates, by

Delegates Rowan, Phillips, and Lovejoy, announced that the Speaker had appointed them a committee of three to join with a similar committee on the part of the Senate to wait upon the Governor, under the provisions of Senate Resolution 202. Senate and House members of this select committee then proceeded to the executive offices.

Subsequently, Senator Woelfel reported that the joint Senate and House committee had performed the duty assigned to it.

The Senate proceeded to the third order of business.

### **Executive Communications**

Senator Blair (Mr. President) laid before the Senate the following communication from His Excellency, the Governor, consisting of executive nominations for appointees:



*Jim Justice*  
*Governor of West Virginia*

June 23, 2021

**Senate Executive Message 1**  
**Second Extraordinary Session 2021**

TO: The Honorable Members of the  
West Virginia Senate

Ladies and Gentlemen:

I respectfully submit the following nominations for your advice and consent:

1. For Member, Educational Broadcasting Authority, Danielle M. Waltz, South Charleston, Kanawha County, for the term ending June 30, 2025.
2. For Member, Educational Broadcasting Authority, Gregory A. Thomas, South Charleston, Kanawha County, for the term ending June 30, 2026.
3. For Member, Lottery Commission, Peggy J. Pope, Charleston, Kanawha County, for the term ending June 30, 2025.
4. For Member, Broadband Enhancement Council, Roger W. Calhoun, Letart, Mason County, for the term ending July 13, 2023.

Notice of these appointments was previously provided to the appropriate legislative staff at the time the appointments were made.

Sincerely,

A handwritten signature in blue ink that reads "Jim Justice".

Jim Justice  
Governor

JCJ: mrp

cc: Clerk of the Senate  
Assistant Clerk of the Senate  
Senate Confirmations Chair

Which communication was received and referred to the Committee on Confirmations.

On motion of Senator Boley, consideration of the nominations immediately hereinbefore reported was made a special order of business for 1:30 p.m. today.

The following communication from His Excellency, the Governor, was next reported by the Clerk:



*Jim Justice*  
*Governor of West Virginia*

June 24, 2021

SENATE EXECUTIVE MESSAGE NO. 2  
 2021 2<sup>nd</sup> EXTRAORDINARY SESSION

The Honorable Craig Blair  
 President, West Virginia Senate  
 Building 1, Room M-229  
 1900 Kanawha Boulevard, East  
 Charleston, West Virginia 25305

Dear President Blair:

The following amends and replaces the "FY 2021 Official Estimate General Revenue – Statement of Revenues by Source" which I submitted as revised to you on June 7, 2021 for the fiscal year ending June 30, 2021:

General Revenue Fund  
 Statement of Revenues by Source  
 (Expressed in Thousands)

<u>Source of Revenue</u>	FY 2021 Official <u>Estimate Revised</u>
Business and Occupation Tax	\$ 131,900
Consumers Sales and Use Tax	1,521,300
Personal Income Tax <sup>1</sup>	2,255,650
Liquor Profit Transfers	23,000
Beer Tax and Licenses	7,550
Tobacco Products Tax (Cigarette & Other) <sup>1</sup>	168,400
Business Franchise Fees	700
Property Transfer Tax	15,300
Property Tax <sup>1</sup>	7,600
Insurance Tax	131,300
Departmental Collections	24,200

## OFFICE OF THE GOVERNOR

The Honorable Craig Blair  
 SENATE EXECUTIVE MESSAGE NO. 2  
 2021 2<sup>nd</sup> EXTRAORDINARY SESSION  
 June 24, 2021  
 Page 2

Corporate Income/Business Franchise Tax <sup>1</sup>	309,500
Miscellaneous Transfers	2,000
Interest Income	14,664
Severance Tax <sup>1</sup>	272,950
Miscellaneous Receipts	11,000
HB102 - Lottery Transfers	65,000
Special Revenue Transfer	10,000
Senior Citizen Tax Credit Reimbursement	<u>10,000</u>
Total	<u>\$ 4,982,014</u>

<sup>1</sup>Business and Occupation Tax estimate increased by \$5 million to account for reduced investment tax credit claims in FY 2021. Consumer Sales and Service Tax and Use Tax estimate increased by \$99.5 million to reflect strong growth in consumer spending partially associated with significant federal fiscal stimulus payments. Tobacco Products Tax estimate increased by \$13 million to reflect higher than normal sales during the Pandemic. Property Transfer Tax estimate increased by \$3 million to reflect higher than expected real estate transfers this fiscal year. Corporation Net Income Tax estimate increased by \$115 million to reflect higher than anticipated business profits and some carryover of revenue collections from last year to this year due to one-time delay in tax due dates. Severance Tax estimate increased by \$22 million to reflect strong recovery in mineral commodity process and a rebound in coal production during second half of this year.

The following amends and replaces the "General Revenue Fund – Statement of Revenues, Expenditures, and Changes in Cash Balance" which I submitted as revised to you on June 7, 2021 for the fiscal year ending June 30, 2022:

General Revenue Fund Statement of Revenues, Expenditures, and Changes in Cash Balance (Nearest Dollar)	
Actual Beginning Cash Balance July 1, 2020	\$ 454,485,510
Less: 31 Day Disbursements (July 1, 2020 - July 31, 2020)	(55,976,092)
Plus: Prior Year Reimbursements (July 1, 2020 - July 31, 2020)	1,842
Less: Prior Year Appropriations Forwarded	(370,172,328)
Less: Cash Balance - Adjustments and Accruals	<u>(259,245)</u>
Accumulated Surplus from FY 2020 @ July 31, 2020	\$ 28,079,687
Less: Transfer to Revenue Shortfall Reserve Fund (Statutory)	(14,039,843)
Less: Transfer to FY 2020 Surplus Appropriation in FY 2021 Budget Bill (Milton Flood Wall)	(6,000,000)

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Plus:	FY 2021 Surplus Supplemental Appropriation - (HB 2788) Expiration of State Excess Lottery Funds to General Revenue Surplus (2020 Regular Session)	6,497,548	
Plus:	FY 2021 Surplus Supplemental Appropriation - (HB 2804) Expiration from Special Revenues Funds to General Revenue Surplus	15,500,000	
Plus:	FY 2021 Surplus Supplemental Appropriations - (HB 3297) Expiration from Veterans' Prior Year Reappropriation to General Revenue Surplus	550,000	
Less:	FY 2021 Surplus Supplemental Appropriations - (HB 2789 Public Defender) (2021 Regular Session)	(20,000,000)	
Less:	FY 2021 Surplus Supplemental Appropriations - (HB 2803 Forestry) (2021 Regular Session)	(1,000,000)	
Less:	FY 2021 Surplus Supplemental Appropriations - (HB 2802 Division of Emergency Management) (2021 Regular Session)	(650,000)	
Less:	FY 2021 Surplus Supplemental Appropriations - (HB 2895 Veterans' Nursing Home) (2021 Regular Session)	(8,500,000)	
Less:	FY 2021 Surplus Supplemental Appropriations - (HB 3297 Veterans' Nursing Home) (2021 Regular Session)	(550,000)	
Less:	Prior Year Reimbursements and Adjustments (August 1, 2020 - May 31, 2021)	<u>159,151</u>	
	Estimated Unappropriated Surplus Balance @ June 30, 2021		\$ 46,543
Plus:	FY 2021 Revenue Estimate as revised	\$ 4,982,014,000	
Less:	FY 2021 Appropriations (FY 2021 Budget Bill) (2020 Regular Session)	(4,574,513,367)	
Less:	FY 2021 1 <sup>st</sup> Extraordinary Session: Supplemental Appropriations to Highways from General Revenue Unappropriated Balance	(150,000,000)	
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session: Recommended Supplemental Appropriation - Commuter Rail	(750,000)	
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session		

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	Recommended Supplemental Appropriation –	
	Water Development Authority	(750,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation – Division of Personnel	(850,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation – Office of Technology	(2,000,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation – Tax Division	(2,000,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation –	
	Arts, Culture, and History	(2,100,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation – Tourism	(5,000,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation – Civil Contingent Fund	
	and Local Economic Development	(24,350,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation – Closure Fund	(30,000,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation – Homeland Security	(38,895,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation – State Parks	(42,000,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation – Rainy Day Fund	(50,000,000)
Less:	FY 2021 2 <sup>nd</sup> Extraordinary Session:	
	Recommended Supplemental Appropriation –	
	FY 2022 Surplus Section moved to FY 2021	<u>(58,701,585)</u>
	Total Estimated Unappropriated Balance @ June 30, 2021	<b><u>\$ 104,048</u></b>
Plus:	FY 2022 Revenue Estimate	\$ 4,569,616,000
Less:	FY 2022 Appropriations (FY 2022 Budget Bill)	
	(2021 Regular Session)	<u>(4,495,032,115)</u>

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Estimated Unappropriated Balance from FY 2022 Activity  
@ June 30, 2022

\$ 74,583,885

Total Estimated Unappropriated Balance @ June 30, 2022

\$ 74,734,476

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Justice", is written over a printed name and title.

Jim Justice  
Governor

cc: The Honorable Riley Moore  
The Honorable John B. McCuskey

Which communication was received and referred to the Committee on Finance.

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 and read by their titles:

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2001**—A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration, Office of Technology, fund 0204, fiscal year 2021, organization 0231, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the Budget Bill for the fiscal year ending June 30, 2021.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2001 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2001) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker,

Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2001) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2002**—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2021, organization 0310, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Martin—1.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2002 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—27.

The nays were: Karnes and Martin—2.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2002) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Lindsay, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—27.

The nays were: Karnes and Martin—2.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2002) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2003**—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Homeland Security – Office of the Secretary, fund 0430, fiscal year 2021, organization 0601; to the Department of Homeland Security, Division of Emergency Management, fund 0443, fiscal year 2021, organization 0606; and to the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2021, organization 0608, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2003 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Senate Bill 2003 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2003) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2003) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2004**—A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration, Division of Personnel, fund 0206, fiscal year 2021, organization 0222, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the Budget Bill for the fiscal year ending June 30, 2021.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2004 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2004) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2004) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2005**—A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2006**—A Bill making a supplementary appropriation by adding new items of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Executive, Governor's Office – Civil Contingent Fund, fund 0105, fiscal year 2021,

organization 0100, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2007**—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Arts, Culture, and History, Division of Culture and History, fund 0293, fiscal year 2021, organization 0432, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2008**—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Transportation, State Rail Authority, fund 0506, fiscal year 2021, organization 0804, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the Budget Bill for the fiscal year ending June 30, 2021.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2008 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Martin—1.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2008) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Martin—1.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2008) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2009**—A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the Budget Bill, in Title II, from the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Education, State Board of Education – State Aid to Schools, fund 0317, fiscal year 2022, organization 0402 by supplementing and amending the appropriations for the fiscal year ending June 30, 2022.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2010**—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, 2022, to the Department of Education, State Board of Education – School Construction Fund, fund 3952, fiscal year 2022, organization 0404, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2011**—A Bill supplementing and amending by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2022, organization 0511, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2012**—A Bill supplementing and amending by decreasing and increasing existing items of appropriations of public moneys out of the Treasury in the State Fund, General Revenue, from the Department of Homeland Security, Division of Corrections and Rehabilitation – Central

Office, fund 0446, fiscal year 2022, organization 0608; from the Department of Homeland Security, Division of Corrections and Rehabilitation – Correctional Units, fund 0450, fiscal year 2022, organization 0608; and to the Department of Homeland Security, Division of Administrative Services, fund 0619, fiscal year 2022, organization 0623, by supplementing and amending appropriations for the fiscal year ending June 30, 2022.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2013**—A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to Miscellaneous Boards and Commissions, Water Development Authority, fund 0621, fiscal year 2021, organization 0316, by supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2020, known as the Budget Bill for the fiscal year ending June 30, 2021.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2014**—A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021, organization 0304, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2015**—A Bill supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, Tax Division, fund 0470, fiscal year 2021, organization 0702, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2016**—A Bill making a supplementary appropriation by adding a new item of appropriation and increasing the expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Revenue, Office of the Secretary, fund 0465, fiscal year 2021, organization 0701, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2016 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Karnes, Martin, Maynard, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—24.

The nays were: Ihlenfeld, Jeffries, Lindsay, Nelson, and Romano—5.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2016) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Karnes, Martin, Maynard, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—24.

The nays were: Ihlenfeld, Jeffries, Lindsay, Nelson, and Romano—5.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

Following points of inquiry to the President, with resultant responses thereto,

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2016) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2017**—A Bill making a supplementary appropriation by adding new items and increasing existing items for expenditure of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to Executive, Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2021, organization 0100; to the Department of Commerce, West Virginia Tourism Office, fund 0246, fiscal year 2021,

organization 0304; to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2021, organization 0307; to the West Virginia Council for Community and Technical College Education, West Virginia Council for Community and Technical College Education – Control Account, fund 0596, fiscal year 2021, organization 0420; to the West Virginia Council for Community and Technical College Education, Mountwest Community and Technical College, fund 0599, fiscal year 2021, organization 0444; to the West Virginia Council for Community and Technical College Education, New River Community and Technical College, fund 0600, fiscal year 2021, organization 0445; to the West Virginia Council for Community and Technical College Education, Blue Ridge Community and Technical College, fund 0601, fiscal year 2021, organization 0447; to the West Virginia Council for Community and Technical College Education, West Virginia University at Parkersburg, fund 0351, fiscal year 2021, organization 0464; to the West Virginia Council for Community and Technical College Education, Southern West Virginia Community and Technical College, fund 0380, fiscal year 2021, organization 0487; to the West Virginia Council for Community and Technical College Education, West Virginia Northern Community and Technical College, fund 0383, fiscal year 2021, organization 0489; to the West Virginia Council for Community and Technical College Education, Eastern West Virginia Community and Technical College, fund 0587, fiscal year 2021, organization 0492; to the West Virginia Council for Community and Technical College Education, BridgeValley Community and Technical College, fund 0618, fiscal year 2021, organization 0493; to the Higher Education Policy Commission, Higher Education Policy Commission – Administration – Control Account, fund 0589, fiscal year 2021, organization 0441; to the Higher Education Policy Commission, West Virginia University – School of Medicine, Medical School Fund, fund 0343, fiscal year 2021, organization 0463; to the Higher Education Policy Commission, West Virginia University – General Administrative Fund, fund 0344, fiscal year 2021, organization 0463; to the Higher Education Policy Commission, Marshall University – School of Medicine, fund 0347, fiscal year 2021, organization 0471; to the Higher Education Policy Commission, Marshall University – General Administration Fund, fund 0348, fiscal year 2021, organization 0471; to the Higher Education Policy Commission, West Virginia School of Osteopathic Medicine, fund 0336, fiscal year 2021, organization 0476; to the Higher Education Policy Commission, Bluefield State College, fund 0354, fiscal year 2021, organization 0482; to the Higher Education Policy Commission, Concord University, fund 0357, fiscal year 2021, organization 0483; to the Higher Education Policy Commission, Glenville State College, fund 0363, fiscal year 2021, organization 0485; to the Higher Education Policy Commission, Shepherd University, fund 0366, fiscal year 2021, organization 0486; to the Higher Education Policy Commission, West Liberty University, fund 0370, fiscal year 2021, organization 0488; and to the Higher Education Policy Commission, West Virginia State University, fund 0373, fiscal year 2021, organization 0490, by supplementing and amending the appropriations for the fiscal year ending June 30, 2021.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2017 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2017) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2017) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2018**—A Bill supplementing and amending Chapter 11, Acts of the Legislature, Regular Session, 2021, known as the Budget Bill, supplementing and amending appropriations in Title II, Section 9 for the fiscal year ending June 30, 2022.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts,

Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2018 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2018) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2018) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2019**—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, 2022, to the Department of Administration, Office of Technology – Chief Technology Officer Administration Fund, fund 2531, fiscal year 2022, organization 0231; and to the Department of Transportation, State Rail Authority – West Virginia Commuter Rail Access Fund, fund 8402, fiscal year 2022, organization 0804, by supplementing and amending the appropriations for the fiscal year ending June 30, 2022.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2019 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2019) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2019) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2020**—A Bill to amend and reenact §60-3A-18 of the Code of West Virginia, 1931, as amended, relating to altering the time frame which retail liquor licensees may sell liquors.

Referred to the Committee on Rules.

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2021**—A Bill expiring funds to the unappropriated surplus balance of the Treasury in the State Fund, General Revenue, by decreasing existing items of appropriation in the amount of \$397,450 from the Department of Economic Development, fund 0256, fiscal year 2007, organization 0307, appropriation 48000; in the amount of \$305,500 from the Department of Economic Development, fund 0256, fiscal year 2008, organization 0307, appropriation 48000; in the amount of \$136.61 from the Department of Economic Development, fund 0256, fiscal year 2001, organization 0307, appropriation 81900; in the amount of \$3,725.24 from the Department of Economic Development, fund 0256, fiscal year 2002, organization 0307, appropriation 81900; in the amount of \$2,420.04 from the Department of Economic Development, fund 0256, fiscal year 2003, organization 0307, appropriation 81900; in the amount of \$6,488.43 from the Department of Economic Development, fund 0256, fiscal year 2005, organization 0307, appropriation 81900; in the amount of \$6,518.25 from the Department of Economic Development, fund 0256, fiscal year 2006, organization 0307, appropriation 81900; in the amount of \$2,068.61 from the Department of Economic Development, fund 0256, fiscal year 2008, organization 0307, appropriation 81900; in the amount of \$243,027.46 from the Department of Economic Development, fund 0256, fiscal year 2010, organization 0307, appropriation 81900; in the amount of \$93,244.87 from the Department of Economic Development, fund 0256, fiscal year 2011, organization 0307, appropriation 81900; in the amount of \$33,002.10 from the Department of Economic Development, fund 0256, fiscal year 2012, organization 0307, appropriation 81900; in the amount of \$86,438.58 from the Department of Economic Development, fund 0256, fiscal year 2013, organization 0307, appropriation 81900; in the amount of \$23,878.68 from the Department of Economic Development, fund 0256, fiscal year 2014, organization 0307, appropriation 81900; and in the amount of \$199,262.69 from the Department of Economic Development, fund 0256, fiscal year 2015, organization 0307, appropriation 81900.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2021 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2021) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2021) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2022**—A Bill expiring funds to the unappropriated surplus balance of the Treasury in the State Fund, General Revenue, for the fiscal year ending June 30, 2021, in the amount of \$4,514.05 from the Bureau of Senior Services, fund 5405, fiscal year 2010, organization 0508, appropriation 46200; in the amount of \$7,668.74 from the Bureau of Senior Services, fund 5405, fiscal year 2011, organization 0508, appropriation 46200; in the amount of \$13,712.89 from the Bureau of Senior Services, fund 5405, fiscal year 2012, organization 0508, appropriation 46200; in the amount of \$4,544.37 from the Bureau of Senior Services, fund 5405, fiscal year 2013, organization 0508, appropriation 46200; in the amount of \$50,667.70 from the Bureau of Senior Services, fund 5405, fiscal year 2014, organization 0508, appropriation 46200; in the amount of \$512,256 from the Bureau of Senior Services, fund 5405, fiscal year 2015, organization 0508, appropriation 46200; in the amount of \$18,982 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2011, organization 0433, appropriation 62500; in the amount of \$17,999.00 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2012, organization 0433, appropriation 62500; in the amount of \$337,252 from the Library Commission - Lottery Education Fund, fund 3559, fiscal year 2013, organization 0433, appropriation 62500; in the amount of \$83,183.47 from the State Board of Education, fund 3951, fiscal year 2007, organization 0402, appropriation 09900; in the amount of \$158,044 from the State Board of Education, fund 3951, fiscal year 2008, organization 0402, appropriation 09900; in the amount of \$63,654 from the State Board of Education, fund 3951, fiscal year 2009, organization 0402, appropriation 09900; in the amount of \$15,975 from the State Board of Education, fund 3951, fiscal year 2011, organization 0402, appropriation 09900; in the amount of \$387,842.08 from the State Board of Education, fund 3951, fiscal year 2012, organization 0402, appropriation 09900; in the amount of \$303,375 from the State Board of Education, fund 3951, fiscal year 2014, organization 0402, appropriation 13000 ; and in the amount of \$1,268,175 from the State Board of Education, fund 3951, fiscal year 2015, organization 0402, appropriation 13000.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Martin—1.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2022 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Martin—1.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2022) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—28.

The nays were: Martin—1.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2022) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2023**—A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to extending the expiration date of the freeze of the per diem rate to July 1,

2022; and clarifying that the per diem cost for incarcerated inmates in a regional jail is calculated annually and from the previous three fiscal years of actual costs.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

Engrossed Senate Bill 2023 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Senate Bill 2023 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 2023) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2023) takes effect from passage.

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

**By Senators Blair (Mr. President) and Baldwin (By Request of the Executive):**

**Senate Bill 2024**—A Bill supplementing and amending by increasing an existing item of appropriation of federal funds out of the Treasury to the Miscellaneous Boards and Commissions, National Coal Heritage Authority, fund 8869, fiscal year 2022, organization 0941, by supplementing and amending an appropriation for the fiscal year ending June 30, 2022.

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

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

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

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

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2024) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woelfel, Woodrum, and Blair (Mr. President)—29.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, and Stollings—5.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2024) takes effect from passage.

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

Senators Tarr, Azinger, Baldwin, Beach, Blair (Mr. President), Boley, Caputo, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Woodrum offered the following resolution:

**Senate Concurrent Resolution 201**—Requesting the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II.

Whereas, Only 473 Americans were awarded the Congressional Medal of Honor, the nation's highest decoration of valor during World War II, and, as of today, only one of those Americans, West Virginia's own son, Hershel "Woody" Williams, is living; and

Whereas, The time is approaching for a final salute to the Medal of Honor recipients from World War II; and

Whereas, A single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II would be the perfect vehicle to do so, and it would also provide national recognition to honor all 16 million soldiers, sailors, and airmen who served in our armed forces from 1941 to 1945; and

Whereas, General Douglas MacArthur, Supreme Allied Commander in the Pacific theatre, and General Dwight Eisenhower, Supreme Allied Commander of the European theatre, were each honored by the nation with state funerals; and

Whereas, The selfless, brave men and women who served under them deserve the honor of special recognition at a state funeral to be held upon the death of the last living Medal of Honor recipient from World War II; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Legislature hereby requests the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II; and, be it

*Further Resolved*, That the Legislature hereby requests the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from each succeeding American war, so that the memory of their deeds may be perpetuated; and, be it

*Further Resolved*, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the President of the United States, the Clerk of the United States Senate, the Clerk of the United States House of Representatives, all members of West Virginia's congressional delegation, and the Governor of West Virginia.

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

The question being on the adoption of the resolution, 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.

Thereafter, at the request of Senator Takubo, and by unanimous consent, the remarks by Senators Tarr and Woelfel regarding the adoption of Senate Concurrent Resolution 201 were ordered printed in the Appendix to the Journal.

Senators Blair (Mr. President), Clements, and Hamilton offered the following resolution:

**Senate Concurrent Resolution 202**—Urging the federal government to allocate \$8 billion for coal mine reclamation funding to the State of West Virginia to reclaim forfeited mine sites and to revitalize struggling West Virginia coal communities, workers, and their families.

Whereas, West Virginia has a storied history of being a nationwide leader in coal production for the United States, helping power the country through such events as World War II and beyond; and

Whereas, West Virginia coal miners and their families have endured many struggles and hardships in their endeavors to produce power for the country; and

Whereas, Some West Virginia miners paid the ultimate sacrifice in tragic coal mine accidents such as the Sago Mine disaster, the Farmington Mine disaster, the Monongah Mine disaster, the Aracoma Alma Mine accident, and others; and

Whereas, The State of West Virginia recognizes the current national shift towards alternative energy sources, but continues to recognize the need for coal production; and

Whereas, Keeping workers in West Virginia employed and maintaining a tax base for the State of West Virginia is integral for its very survival, while also having a positive environmental and economic impact on these forfeited mine sites; and

Whereas, There is no "one size fits all" solution for the State of West Virginia, and by having federal moneys available for the reclamation of forfeited mines in West Virginia, local solutions for particularized mine sites can best benefit the surrounding communities as a whole; and

Whereas, Retraining coal miners for the purpose of reclaiming abandoned and/or forfeited coal mines can be easily done with minimal retraining costs, as many miners are intimately familiar with the abandoned mines from their previous years of work there; and

Whereas, West Virginia coal miners have an average age of 30 to 40 years old, while the average age of an unemployed coal miner in West Virginia is 47, and by working in these

reclaimed mine sites for an expected span of 10 to 15 years, this would allow many unemployed coal mine workers in an aging workforce to get to retirement age; and

Whereas, There have been problems with coal companies in the State of West Virginia with being able to obtain loans for working capital in the banking and insurance industry because of federal regulations and restrictions, and pressure to reduce carbon emissions, this reclamation money could help ease this process; and

Whereas, West Virginia is a carbon-neutral state because of the vast expanse of trees and forests of the Appalachian Mountains that surround the entire state; and

Whereas, West Virginia land is being leased to out of state companies in the northeastern United States and in California so that they may use this land as a carbon credit, in order for those companies to maintain carbon neutral status, per the American Carbon Registry, and through one California-based project alone, over 281,000 acres have been used for this purpose across seven southern West Virginia counties, with no financial or other benefit to the State of West Virginia; and

Whereas, When the land is leased for this purpose, there are explicit restrictions and conditions placed upon the land, ensuring that leased land cannot be used for recreational, commercial, or residential purposes; and

Whereas, Five of the top 25 Bureau of Land Statistics areas associated with key coal occupations are in West Virginia, including #1 southern West Virginia non-metropolitan area, #3 Wheeling, West Virginia, #11, northern West Virginia non-metropolitan area, #23 Beckley, West Virginia, and #24 Charleston, West Virginia;

Whereas, According to data from the U.S. Energy Information Administration in 2019, 22 counties in West Virginia had active coal mine operations; and

Whereas, According to this same data, there are a total of 231 active and inactive mine sites in West Virginia, with recent data indicating 162 of these mines currently being in operation; and

Whereas, A single mine site may have several mining permits associated with it (i.e. there are just under 1,800 permits currently active for the 162 mines in operation); and

Whereas, There are approximately 3,300 active bonds in West Virginia, and each permit issued to a coal company may have several bonds attached to it; and

Whereas, West Virginia must incentivize mine reclamation, and should not permit company liabilities to be transferred to the State of West Virginia, as is being done now; and

Whereas, There are a total of 30,788.96 current acres of forfeited mine sites in West Virginia, with only a fraction of these sites having already been reclaimed; and

Whereas, If these federal funds are released to the State of West Virginia, there is already a framework in place to spend the money for reclamation-based projects, as opposed to other states who may qualify for similar funding without such a framework; and

Whereas, This opportunity would be a chance to correct federal action and inaction over the years that have disproportionately impacted the State of West Virginia in a negative way; and

Whereas, Mine reclamation is directly linked to helping infrastructure through the cleanup of coal mine sites across West Virginia; and

Whereas, There has been a direct negative effect on the citizens of West Virginia's coalfields and the coal economy due to the dramatic change in federal regulations on coal and coal-fired power plant emissions since 1976; and

Whereas, Due to the dramatic shift in environmental policy of the federal government over the last few decades, it would be fundamentally unfair for the State of West Virginia to bear the burden of the upkeep of these bankrupted coal mine sites; and

Whereas, When the money is released to the State of West Virginia, it then allows the state as a whole to assist with implementing other executive plans, such as the American Rescue Plan, the American Jobs Act, etc.; and

Whereas, The RECLAIM Act, H.R. 2156, would commit \$1 billion to help clean up dangerous and polluting abandoned coal mines on public and private lands, which will spur immediate job creation and create the conditions for longer term, locally driven economic development efforts to build better, brighter futures in coal communities across the country; and

Whereas, Abandoned mine sites have already been leveraged to create jobs through sustained revitalization efforts, wildlife habitat and restoration, and water quality improvement, but frequently, funding is hard to come by, and the RECLAIM Act would alter that landscape; and

Whereas, By reauthorizing the Abandoned Mine Land Program, which is set to expire in September of 2021, money could benefit West Virginia reclamation efforts; and

Whereas, For all of the above reasons, West Virginia communities, workers, and families all stand to benefit greatly by the distribution of federal money to the state for the purposes of mine reclamation; therefore, be it

*Resolved by the Legislature of West Virginia:*

That the Legislature hereby urges the federal government to allocate \$8 billion for coal mine reclamation funding to the State of West Virginia to reclaim forfeited mine sites and to revitalize struggling West Virginia coal communities, workers, and their families; and, be it

*Further Resolved*, That the West Virginia Legislature specifically requests that the federal government pass the RECLAIM Act of 2021, H.R. 2156, which would immediately disburse \$1 billion in the Abandoned Mine Land fund, with about \$200 million of that money being designated for the State of West Virginia; and, be it

*Further Resolved*, that the West Virginia Legislature hereby urges the federal government to reauthorize the Abandoned Mine Land Program, which is set to expire in September of 2021, with a fee assessed on production of coal to be distributed to the states to fund reclamation projects; and, be it

*Further Resolved*, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and members of West Virginia's congressional delegation.

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

The question being on the adoption of the resolution, 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.

Thereafter, at the request of Senator Takubo, and by unanimous consent, the remarks by Senator Clements regarding the adoption of Senate Concurrent Resolution 202 were ordered printed in the Appendix to the Journal.

### **Petitions**

Senator Smith presented a petition from Dori Braniff and numerous Terra Alta residents, requesting the CSX railroad bridge in Terra Alta, West Virginia, be repaired and reopened.

Referred to the Committee on Transportation and Infrastructure.

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

On motion of Senator Takubo, at 12:58 p.m., the Senate recessed until 1:30 p.m. today.

The Senate reconvened at 2:54 p.m. and, at the request of Senator Takubo, and by unanimous consent, returned to the fourth order of business.

Senator Boley, from the Committee on Confirmations, submitted the following report, which was received:

Your Committee on Confirmations has had under consideration

**Senate Executive Message 1**, dated June 23, 2021, requesting confirmation by the Senate of the nominations mentioned therein. The following list of names from Executive Message 1 is submitted:

1. For Member, Educational Broadcasting Authority, Danielle M. Waltz, South Charleston, Kanawha County, for the term ending June 30, 2025.

2. For Member, Educational Broadcasting Authority, Gregory A. Thomas, South Charleston, Kanawha County, for the term ending June 30, 2026.

3. For Member, Lottery Commission, Peggy J. Pope, Charleston, Kanawha County, for the term ending June 30, 2025.

4. For Member, Broadband Enhancement Council, Roger W. Calhoun, Letart, Mason County, for the term ending July 13, 2023.

And reports the same back with the recommendation that the Senate do advise and consent to all nominations listed above.

Respectfully submitted,

Donna J. Boley,  
*Chair.*

The time having arrived for the special order of business to consider the list of nominees for public office submitted by His Excellency, the Governor, the special order thereon was called by the President.

Thereupon, Senator Blair (Mr. President) laid before the Senate the following executive message:

**Senate Executive Message 1**, dated June 23, 2021 (*shown in the Senate Journal of today, page 4*).

Senator Boley then moved that the Senate advise and consent to the nomination of Danielle M. Waltz to the Educational Broadcasting Authority (being nomination number 1 in Executive Message 1).

Following discussion,

The question being on the adoption of Senator Boley's aforesated motion,

The roll was then taken; and

On this question, the yeas were: Azinger, Boley, Clements, Grady, Hamilton, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Takubo, Tarr, Trump, Weld, Woodrum, and Blair (Mr. President)—21.

The nays were: Baldwin, Ihlenfeld, Jeffries, Lindsay, Romano, and Unger—6.

Absent: Beach, Caputo, Maroney, Plymale, Stollings, Sypolt, and Woelfel—7.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and the nomination of Danielle M. Waltz to the Educational Broadcasting Authority had been confirmed.

Senator Boley then moved that the Senate advise and consent to the nomination of Gregory A. Thomas to the Educational Broadcasting Authority (being nomination number 2 in Executive Message 1).

Following discussion,

The question being on the adoption of Senator Boley's aforesated motion,

The roll was then taken; and

On this question, the yeas were: Azinger, Boley, Clements, Grady, Hamilton, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woodrum, and Blair (Mr. President)—22.

The nays were: Baldwin, Ihlenfeld, Jeffries, Lindsay, Romano, and Unger—6.

Absent: Beach, Caputo, Maroney, Plymale, Stollings, and Woelfel—6.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and the nomination of Gregory A. Thomas to the Educational Broadcasting Authority had been confirmed.

Senator Boley then moved that the Senate advise and consent to the nomination of Peggy J. Pope to the Lottery Commission (being nomination number 3 in Executive Message 1).

The question being on the adoption of Senator Boley's aforestated motion,

The roll was then taken; and

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—28.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, Stollings, and Woelfel—6.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and the nomination of Peggy J. Pope to the Lottery Commission had been confirmed.

Senator Boley then moved that the Senate advise and consent to the nomination of Roger W. Calhoun to the Broadband Enhancement Council (being nomination number 4 in Executive Message 1).

The question being on the adoption of Senator Boley's aforestated motion,

The roll was then taken; and

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Romano, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—28.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, Stollings, and Woelfel—6.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared Senator Boley's motion had prevailed and the nomination of Roger W. Calhoun to the Broadband Enhancement Council had been confirmed.

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Consideration of executive nominations having been concluded,

Pending announcement of a meeting of the Committee on Rules at the rostrum,

On motion of Senator Takubo, at 3:10 p.m., the Senate recessed for 30 minutes.

The Senate reconvened at 4:23 p.m. and resumed business under the fourth order.

Senator Blair (Mr. President), from the Committee on Rules, submitted the following report, which was received:

Your Committee on Rules has had under consideration

**Senate Bill 2005**, Making supplemental appropriation to WV Development Office.

**Senate Bill 2006**, Making supplemental appropriation to Civil Contingent Fund.

**Senate Bill 2007**, Making supplemental appropriation to Division of Culture and History.

**Senate Bill 2009**, Making supplemental appropriation to BOE, State Aid to Schools.

**Senate Bill 2010**, Making supplemental appropriation to BOE, School Construction Fund.

**Senate Bill 2011**, Making supplemental appropriation to Division of Human Services.

**Senate Bill 2012**, Making supplemental appropriation to DHS, Division of Corrections and Rehabilitation and Division of Administrative Services.

**Senate Bill 2013**, Making supplemental appropriation to Water Development Authority.

**Senate Bill 2014**, Making supplemental appropriation to WV Tourism Office.

**Senate Bill 2015**, Making supplemental appropriation to Tax Division.

And,

**Senate Bill 2020**, Altering time frame retail liquor licensees may sell liquors.

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

Respectfully submitted,

Craig Blair,  
*Chair ex officio.*

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2005 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith,

Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

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

Engrossed Senate Bill 2005 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2005) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2005) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2006 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith,

Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

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

Engrossed Senate Bill 2006 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2006) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2006) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2007 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith,

Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

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

Engrossed Senate Bill 2007 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—24.

The nays were: Martin—1.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2007) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—24.

The nays were: Martin—1.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2007) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2009 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith,

Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

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

Engrossed Senate Bill 2009 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2009) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2009) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2010 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith,

Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

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

Engrossed Senate Bill 2010 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2010) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2010) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2011 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith,

Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

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

Engrossed Senate Bill 2011 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2011) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2011) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2012 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith,

Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

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

Engrossed Senate Bill 2012 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2012) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2012) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2013 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith,

Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

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

Engrossed Senate Bill 2013 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2013) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2013) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2014 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith,

Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—25.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Lindsay, Maroney, Plymale, Romano, Stollings, and Woelfel—9.

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

Engrossed Senate Bill 2014 was then read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Senate Bill 2014 pass?”

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—26.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Maroney, Plymale, Romano, Stollings, and Woelfel—8.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2014) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—26.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Maroney, Plymale, Romano, Stollings, and Woelfel—8.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2014) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2015 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—26.

The nays were: None.

Absent: Beach, Caputo, Ihlenfeld, Maroney, Plymale, Romano, Stollings, and Woelfel—8.

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

Engrossed Senate Bill 2015 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—27.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, Romano, Stollings, and Woelfel—7.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2015) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Baldwin, Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Unger, Weld, Woodrum, and Blair (Mr. President)—27.

The nays were: None.

Absent: Beach, Caputo, Maroney, Plymale, Romano, Stollings, and Woelfel—7.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 2015) takes effect from passage.

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

At the request of Senator Takubo, unanimous consent being granted, Senate Bill 2020 contained in the preceding report from the Committee on Rules was taken up for immediate consideration, read a first time, and ordered to second reading.

On motion of Senator Takubo, the constitutional rule requiring a bill to be read on three separate days was suspended by a vote of four fifths of the members present, taken by yeas and nays.

On suspending the constitutional rule, the yeas were: Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Rucker, Smith, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woodrum, and Blair (Mr. President)—23.

The nays were: Azinger, Baldwin, Roberts, and Unger—4.

Absent: Beach, Caputo, Maroney, Plymale, Romano, Stollings, and Woelfel—7.

The bill (S. B. 2020) was then read a second time.

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

On page one, section eighteen, line four, after the word “code.” by striking out the remainder of the bill.

The bill, as amended, was ordered to engrossment and third reading.

Engrossed Senate Bill 2020 was then read a third time and put upon its passage.

On the passage of the bill, the yeas were: Boley, Clements, Ihlenfeld, Jeffries, Karnes, Lindsay, Maynard, Nelson, Phillips, Rucker, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woodrum, and Blair (Mr. President)—19.

The nays were: Azinger, Baldwin, Grady, Hamilton, Martin, Roberts, Smith, and Unger—8.

Absent: Beach, Caputo, Maroney, Plymale, Romano, Stollings, and Woelfel—7.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 2020) passed with its title.

Senator Takubo moved that the bill take effect July 1, 2021.

On this question, the yeas were: Boley, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maynard, Nelson, Phillips, Rucker, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woodrum, and Blair (Mr. President)—21.

The nays were: Azinger, Baldwin, Martin, Roberts, Smith, and Unger—6.

Absent: Beach, Caputo, Maroney, Plymale, Romano, Stollings, and Woelfel—7.

So, less than two thirds of all the members elected to the Senate having voted in the affirmative, the President declared Senator Takubo’s aforesated motion had not prevailed.

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

Pending announcement of a majority party caucus,

On motion of Senator Takubo, at 5:08 p.m., the Senate recessed until 5:30 p.m. today.

The Senate reconvened at 5:57 p.m. and proceeded to the thirteenth order of business.

Senator Blair (Mr. President) announced the appointment of the Select Committee on Redistricting for this eighty-fifth Legislature and, at the request of Senator Takubo, and by unanimous consent, the list was ordered printed in the Journal as follows:

Senators Trump (*Chair*), Sypolt (*Vice Chair*), Phillips, Swope, Tarr, Weld, Caputo, Jeffries, and Woelfel.

Without objection, the Senate returned to the third order of business.

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 201**—Requesting the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II.

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

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

*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 concurrence by that body in the passage, to take effect from passage, of

**Eng. Senate Bill 2002**, Making supplemental appropriation to Division of Natural Resources.

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

**Eng. Senate Bill 2003**, Making supplemental appropriations to DHS, Division of Emergency Management and Division of Corrections and Rehabilitation.

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

**Eng. Senate Bill 2005**, Making supplemental appropriation to WV Development Office.

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

**Eng. Senate Bill 2006**, Making supplemental appropriation to Civil Contingent Fund.

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

**Eng. Senate Bill 2007**, Making supplemental appropriation to Division of Culture and History.

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

**Eng. Senate Bill 2008**, Making supplemental appropriation to State Rail Authority.

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

**Eng. Senate Bill 2009**, Making supplemental appropriation to BOE, State Aid to Schools.

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

**Eng. Senate Bill 2010**, Making supplemental appropriation to BOE, School Construction Fund.

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

**Eng. Senate Bill 2011**, Making supplemental appropriation to Division of Human Services.

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

**Eng. Senate Bill 2012**, Making supplemental appropriation to DHS, Division of Corrections and Rehabilitation and Division of Administrative Services.

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

**Eng. Senate Bill 2014**, Making supplemental appropriation to WV Tourism Office.

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

**Eng. Senate Bill 2015**, Making supplemental appropriation to Tax Division.

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

**Eng. Senate Bill 2016**, Making supplemental appropriation to Rainy Day Fund.

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

**Eng. Senate Bill 2017**, Adding new items and increasing existing items of appropriation for various accounts for fiscal year 2021.

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

**Eng. Senate Bill 2018**, Supplementing Budget Bill in Title II, Section 9 for fiscal year ending June 30, 2022.

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

**Eng. Senate Bill 2019**, Making supplemental appropriations to Office of Technology and State Rail Authority.

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

**Eng. Senate Bill 2020**, Altering time frame retail liquor licensees may sell liquors.

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

**Eng. Senate Bill 2021**, Decreasing existing items of appropriations to Department of Economic Development.

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

**Eng. Senate Bill 2022**, Making supplemental appropriations to Local Economic Development Assistance.

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

**Eng. Senate Bill 2023**, Extending expiration date for per diem rate freeze for incarcerated inmates in regional jails.

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

**Eng. Senate Bill 2024**, Making supplemental appropriation to National Coal Heritage Area Authority.

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

**Senate Concurrent Resolution 201**, Requesting US President designate single state funeral on death of last Medal of Honor recipient of WW II.

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

**Senate Concurrent Resolution 202**, Urging federal government to allocate \$8 billion for coal mine reclamation funding to WV.

The Senate again proceeded to the sixth order of business.

At the request of Senator Takubo, and by unanimous consent being granted, Senator Takubo offered the following pre-adjourning resolution from the floor:

**Senate Resolution 203**—Raising a committee to notify the House of Delegates the Senate is ready to adjourn *sine die*.

*Resolved by the Senate:*

That the President be authorized to appoint a committee of three to notify the House of Delegates that the Senate has completed its labors and is ready to adjourn *sine die*.

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.

Senator Blair (Mr. President), under the provisions of the foregoing resolution, appointed the following committee to notify the House of Delegates of impending Senate adjournment:

Senators Grady, Sypolt, and Lindsay.

At the request of Senator Takubo, unanimous consent being granted, Senator Takubo offered the following resolution from the floor:

**Senate Resolution 204**—Raising a committee to notify His Excellency, the Governor, that the Legislature is ready to adjourn *sine die*.

*Resolved by the Senate:*

That the President be authorized to appoint a committee of three to join with a similar committee of the House of Delegates to notify His Excellency, the Governor, that the Legislature has completed its labors and is ready to adjourn *sine die*.

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.

Under the provisions of the foregoing resolution, Senator Blair (Mr. President) appointed the following committee to notify His Excellency, the Governor, that the Senate was ready to adjourn:

Senators Martin, Nelson, and Ihlenfeld.

Senators Martin, Nelson, and Woelfel, comprising the Senate committee, then proceeded to the executive offices to notify His Excellency, the Governor, of imminent adjournment of this extraordinary session of the Legislature.

Subsequently, Senator Martin, from the joint select committee to notify His Excellency, the Governor, that the Legislature had completed the business of this extraordinary session and was ready to adjourn *sine die*, returned to the chamber and was recognized by the President. Senator Martin then reported this mission accomplished.

At the request of Senator Maynard, unanimous consent being granted, the Joint Committee on Enrolled Bills was granted permission, after it has examined, found truly enrolled and presented to His Excellency, the Governor, for his action, bills passed but not presented to him prior to adjournment of this second extraordinary session of the eighty-fifth Legislature in the year two thousand twenty-one, to file its reports with the Clerk and that the same be included in the

Journal of the last day of the session; and also, that any communications from His Excellency, the Governor, as to his action on bills after adjournment of the session, be included in the Journal.

In accordance with the foregoing unanimous consent agreement, the following report of the Joint Committee on Enrolled Bills was filed as follows:

Senator Lindsay, from the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 25th day of June, 2021, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

**(S. B. 2002)**, Making supplemental appropriation to Division of Natural Resources.

**(S. B. 2003)**, Making supplemental appropriations to DHS, Division of Emergency Management and Division of Corrections and Rehabilitation.

**(S. B. 2005)**, Making supplemental appropriation to WV Development Office.

**(S. B. 2006)**, Making supplemental appropriation to Civil Contingent Fund.

**(S. B. 2007)**, Making supplemental appropriation to Division of Culture and History.

**(S. B. 2008)**, Making supplemental appropriation to State Rail Authority.

**(S. B. 2009)**, Making supplemental appropriation to BOE, State Aid to Schools.

**(S. B. 2010)**, Making supplemental appropriation to BOE, School Construction Fund.

**(S. B. 2011)**, Making supplemental appropriation to Division of Human Services.

**(S. B. 2012)**, Making supplemental appropriation to DHS, Division of Corrections and Rehabilitation and Division of Administrative Services.

**(S. B. 2014)**, Making supplemental appropriation to WV Tourism Office.

**(S. B. 2015)**, Making supplemental appropriation to Tax Division.

**(S. B. 2016)**, Making supplemental appropriation to Rainy Day Fund.

**(S. B. 2017)**, Adding new items and increasing existing items of appropriation for various accounts for fiscal year 2021.

**(S. B. 2018)**, Supplementing Budget Bill in Title II, Section 9 for fiscal year ending June 30, 2022.

**(S. B. 2019)**, Making supplemental appropriations to Office of Technology and State Rail Authority.

**(S. B. 2020)**, Altering time frame retail liquor licensees may sell liquors.

(S. B. 2021), Decreasing existing items of appropriations to Department of Economic Development.

(S. B. 2022), Making supplemental appropriations to Local Economic Development Assistance.

(S. B. 2023), Extending expiration date for per diem rate freeze for incarcerated inmates in regional jails.

And,

(S. B. 2024), Making supplemental appropriation to National Coal Heritage Area Authority.

Respectfully submitted,

Richard D. Lindsay II,  
*Member, Senate Committee.*  
Dean Jeffries,  
*Chair, House Committee.*

### **Executive Communications**

Under authorization of Senate approval therefor in prior proceedings today, to include in this day's Journal communications showing the Governor's action on enrolled bills presented to him in post-session reports, the following is inserted hereinafter:

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



*Jim Justice*  
*Governor of West Virginia*

June 28, 2021

The Honorable Mac Warner  
Secretary of State  
State Capitol  
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Two Thousand Two (2002), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Three (2003), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Five (2005), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Six (2006), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Seven (2007), which was presented to me on June 25, 2021.

You will note that I have approved these bills on June 28, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice  
Governor

JJ/mh

cc: The Honorable Lee Cassis  
The Honorable Stephen J. Harrison



*Jim Justice*  
*Governor of West Virginia*

June 28, 2021

The Honorable Mac Warner  
Secretary of State  
State Capitol  
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Two Thousand Eight (2008), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Nine (2009), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Ten (2010), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Eleven (2011), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Twelve (2012), which was presented to me on June 25, 2021.

You will note that I have approved these bills on June 28, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice  
Governor

JJ/mh

cc: The Honorable Lee Cassis  
The Honorable Stephen J. Harrison



*Jim Justice*  
*Governor of West Virginia*

June 28, 2021

The Honorable Mac Warner  
Secretary of State  
State Capitol  
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Two Thousand Fourteen (2014), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Fifteen (2015), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Sixteen (2016), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Seventeen (2017), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Eighteen (2018), which was presented to me on June 25, 2021.

You will note that I have approved these bills on June 28, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice  
Governor

JJ/mh

cc: The Honorable Lee Cassis  
The Honorable Stephen J. Harrison



*Jim Justice*  
*Governor of West Virginia*

June 28, 2021

The Honorable Mac Warner  
Secretary of State  
State Capitol  
Charleston, West Virginia 25305

Dear Secretary Warner:

Enclosed for filing in your office, pursuant to the provisions of law, are the following bills:

Senate Bill No. Two Thousand Nineteen (2019), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Twenty (2020), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Twenty-One (2021), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Twenty-Two (2022), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Twenty-Three (2023), which was presented to me on June 25, 2021.

Senate Bill No. Two Thousand Twenty-Four (2024), which was presented to me on June 25, 2021.

You will note that I have approved these bills on June 28, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Justice".

Jim Justice  
Governor

JJ/mh

cc: The Honorable Lee Cassis  
The Honorable Stephen J. Harrison

State Capitol | 1900 Kanawha Blvd., East, Charleston, WV 25305 | (304) 558-2000

On motion of Senator Takubo, at 6:01 p.m., the second extraordinary session of the Senate in the year two thousand twenty-one adjourned *sine die*.

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