

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE
REGULAR SESSION, 2021

Charleston, West Virginia, Wednesday, January 13, 2021

Pursuant to section eighteen, article six of the Constitution of the State of West Virginia, which prescribes that the Legislature shall convene annually on the second Wednesday in January, the Legislature assembled in the state capitol in the City of Charleston on this the thirteenth day of January, 2021, for the first annual session of the eighty-fifth Legislature.

The Senate met in its chamber at 12:02 p.m.

Pending organization of the Senate by the election of a President, under the provisions of section twenty-four, article six of the Constitution, the Senate was called to order by the Honorable Donna J. Boley, a senator from the third senatorial district, being the oldest member present in point of continuous service.

Prayer was offered by the Honorable Rollan A. Roberts, a senator from the ninth district.

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

The following communication was reported by the Clerk:

The Senate of West Virginia
Charleston

PAUL HARDESTY
STATE SENATOR
7TH SENATORIAL DISTRICT



STATE CAPITOL, ROOM W-213
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7857

November 20, 2020

The Honorable President Mitch Carmichael
West Virginia Senate
State Capitol, 229-M
1900 Kanawha Blvd. E.
Charleston, West Virginia 25305

Dear President Carmichael,

It is with the utmost respect that I submit my resignation from the West Virginia Senate, effective December 1, 2020.

I have been blessed beyond measure to represent the Seventh District as a Senator. I have tried to serve faithfully, with a level head and heart for the people of my district. I owe a debt of immense gratitude to my colleagues, especially my brothers in the minority, for their willingness to serve the state alongside me. Though we have not always agreed on policy, I know that we have had the same motive—safeguarding our state's finances and future in the way that makes the most sense to us.

I am entering retirement in my private life. As I understand the Senate is unlikely to reconvene before the next Regular Session and my successor has already been elected, I choose to also retire from public office.

Thank you for your leadership and friendship during my tenure at the Capitol.

Sincerely,

A handwritten signature in blue ink, appearing to be "PH".

Paul Hardesty

The Honorable Mac Warner, Secretary of State, appeared at the bar of the Senate and presented the official returns of the election held on the third day of November, 2020, for members of the Senate for the State of West Virginia.

**CANDIDATES FOR STATE SENATOR
FOR THE STATE OF WEST VIRGINIA
APPEARING TO HAVE BEEN ELECTED
NOVEMBER 3, 2020**

First Senatorial District: Ryan W. Weld, of the County of Brooke;

Second Senatorial District: Michael J. Maroney, of the County of Marshall;

Third Senatorial District: Donna J. Boley, of the County of Pleasants;

Fourth Senatorial District: Amy N. Grady, of the County of Mason;

Fifth Senatorial District: Robert H. Plymale, of the County of Wayne;

Sixth Senatorial District: Chandler Swope, of the County of Mercer;

Seventh Senatorial District: Rupie Phillips, of the County of Logan;

Eighth Senatorial District: Glenn D. Jeffries, of the County of Putnam;

Ninth Senatorial District: David Stover, of the County of Wyoming;

Tenth Senatorial District: Jack David Woodrum, of the County of Summers;

Eleventh Senatorial District: Robert L. Karnes, of the County of Randolph;

Twelfth Senatorial District: Patrick S. Martin, of the County of Lewis;

Thirteenth Senatorial District: Mike Caputo, of the County of Marion;

Fourteenth Senatorial District: Randy E. Smith, of the County of Tucker;

Fifteenth Senatorial District: Craig Blair, of the County of Berkeley;

Sixteenth Senatorial District: Patricia Puertas Rucker, of the County of Jefferson;

Seventeenth Senatorial District: Eric Nelson, Jr., of the County of Kanawha.

From the foregoing official returns of the election of members of the Senate, it appears that the persons therein named were elected to the Senate at the election held on the Tuesday next after the first Monday in November, 2020.

Whereupon,

On the call of the roll of the Senate, the following members and members-elect answered to their names:

Azinger, Baldwin, Beach, Blair, Boley, Caputo, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, and Woodrum.

Thirty-one present and prospective members having answered to their names, the Chair declared the presence of a quorum.

The following members-elect stood in his or her own place, taking and subscribing to the several oaths of office prescribed by the Constitution, which oaths were administered by the Honorable Evan H. Jenkins, Chief Justice of the Supreme Court of Appeals of West Virginia: Ryan W. Weld, of the County of Brooke; Donna J. Boley, of the County of Pleasants; Amy N. Grady, of the County of Mason; Robert H. Plymale, of the County of Wayne; Chandler Swope, of the County of Mercer; Rupie Phillips, of the County of Logan; Glenn D. Jeffries, of the County of Putnam; David Stover, of the County of Wyoming; Jack David Woodrum, of the County of Summers; Robert L. Karnes, of the County of Randolph; Patrick S. Martin, of the County of Lewis; Mike Caputo, of the County of Marion; Randy E. Smith, of the County of Tucker; Craig Blair, of the County of Berkeley; Patricia Puertas Rucker, of the County of Jefferson; and Eric Nelson, Jr., of the County of Kanawha.

The Senate then proceeded to its biennial organization.

The first order of business in the organization of the Senate being the election of a President,

For that office, Senator Trump nominated the Honorable Craig Blair, of the County of Berkeley; seconded by Senator Tarr.

On motion of Senator Baldwin, nominations for the office of President were closed and Senator Blair was elected President of the Senate by acclamation.

Whereupon, the Chair appointed Senators Trump, Tarr, and Baldwin a committee to escort the President-elect to the Chair.

A standing ovation was then accorded the President-elect, as he proceeded to the rostrum accompanied by the foregoing select committee.

Whereupon, Senator Blair qualified as President, by taking the several oaths of office prescribed by law and administered by the Honorable Evan H. Jenkins, Chief Justice of the Supreme Court of Appeals of West Virginia.

Senator Blair (Mr. President) assumed the Chair and addressed the Senate as follows:

MR. PRESIDENT: Thank you senators for your vote of confidence today.

We've got a path before us but we're going to change the State of West Virginia. But before I get to that point, I want to do a few more thank you's.

First of all, I want to thank all my friends. And that, again, is thanking the senators and the staff . . . some that are up in the gallery, some that are in the back. Life's not worth living without friends.

Felt a little bit like a funeral here because I missed the humor. I figured I was going to get worked a little bit here, but it was too orthodox so to speak. And so, I'll give you a little bit of humor before this is over and done with.

This is an honor and a privilege to be able to serve as your Senate President, both the majority and the minority . . . which I have been both. I know what it feels like to be outnumbered. I know what it feels like to be in the majority. But what I know more than anything is, is what it feels like to be a West Virginian. And that's what we're here to do. We're here to make the lives of West Virginians better; and we can do that together along with the House of Delegates and the Executive.

And by the way, it's been mentioned by the Junior Senator from the Fifteenth about being in the House. I proudly wear my House pin. There's many members in here right now that served in the House. We will work together with the House of Delegates, along with the Executive, to make this state the best state that it possibly can be. No idea will be off the table.

But two of them that are most important this year is making sure that we have broadband, fiber broadband hanging on the polls throughout the state to every West Virginian that we possibly can get it to. And we're going to do it. We're going to make it happen.

Personal income tax reduction and elimination will help us in a goal of bringing, over the next 10 years, over 400,000 people moving to the State of West Virginia. And we can do that as well.

I'm from the far east . . . the Eastern Panhandle. We have growth there; and it's because of our proximity to Baltimore, Washington, the East Coast. But that's not the only reason. We've been changing how we do business in the State of West Virginia the last six years, but further back than that. The tide has changed and it's coming in for West Virginia.

The average worker in West Virginia now makes over \$5,000 more a year. It's like \$5,219 than what they were six short years ago. This is how you get people to move back to West Virginia. And that was with minimal inflation. This is how we keep our best and brightest living in this state. And we've done that together. Now's the time to press down on the accelerator—speed up the opportunities of change for the State of West Virginia. And I can't stress this enough. And we will do this together.

Members of Finance that served as I was the Finance Chairman up there knew that I kept a board up there of all the bills that was running. And you never once were able to walk into that room and see whether I had who the bill sponsors were. I didn't care. If it's a good idea for the people of West Virginia and it can make their lives better, we're going to do it. I have every intention as your Senate President to travel that same course because we're in this together to fix it for the state.

I want to take a few seconds and recognize my family because, without them, I wouldn't have this opportunity to be here. First of all, my wife, for putting up with me, tolerating my absence . . . which will be even more now.

My son and daughter, who are both two incredible individuals in spite of me. In spite of me. And there's not a man that could be ever more proud of their children. And, to be quite honest, I've been blessed. I used to say I was lucky and somebody said, "No. You're blessed." They were right. I've been blessed by both of my children.

My son had wisdom enough to marry a woman from Buckhannon. And she's been one of the delights of my life as well. And what those two have provided me though is something that I never dreamed I'd live to see—and that's a grandson. A grandson that knows how to excel. He knows how to win gracefully. But . . . we play cards and games and do stuff together all the time. He's demonstrated something to me that many do not. He knows how to lose as well. And that's one of the things in life that we need to learn better. It's not about winning. It's how you play the game and then if you lose, knowing how to do it gracefully. Cayden, you are a demonstration of what all men should be. Thank you. I couldn't be prouder.

I want to talk a little bit about myself. I've been a farmer. No wait, I want to back up.

Sometimes people don't realize how people have effects on their lives. We're really not allowed in the Senate to have props. But today, since I'm the Senate President—where's Lee at—I'm using props for a minute.

The first one is, (holding a W. Philip Porterfield for Senate sign) is that this was my grandfather and he ran for the Senate as a Republican in the fifteenth senatorial district. We used to have thousands of these but, on the farm that we worked on, they make great gasket material. So, we went through all of these and . . . a Democrat friend I graduated from high school gave me one of these. I'm so proud of this.

Another one that I'm very proud of was in seventh grade (holding an autographed Arch A. Moore photo). Arch Moore sent me this and it goes "Best wishes to Craig Blair from his friend Arch A. Moore, Governor". This was 1972. It's in gold ink, by the way. The Senator from Kanawha's got one that's very similar to this. But . . . where's Marilyn at? Marilyn Parsons, who's the Executive Assistant to the President now, was in that office when he took gold foil and wrote on it. I did not know that that's how the gold ink was applied there until I joined the House of Delegates in 2003 and I was talking about this. And Marilyn was actually in that office and . . . I need to take a few seconds for Marilyn, as well, who I consider family. Thank you for being here for the Senate. Not just for me, but for the Senate. You are an absolute godsend to the State of West Virginia.

I started talking about my work as a farmer. Somebody said to me the other day that your biography has a thing that I worked at Kentucky Fried Chicken (holding up a KFC bowtie). I was proud of earning the "White Glove Award"—and all the oldtimers might remember—"White Glove Award" was a big deal for Kentucky Fried Chicken. I still have this and think about it and it is an absolute honor to have been there. The Colonel passed away before he got . . . because he would come to every store that earned this. Notice I used the word "earned". We had to work hard for this. It taught me something. And that is, is work hard, achieve your goals, and never quit.

I grew up on a farm—apples and peaches—learned many things. Went to school to be an electrician. Went to school for many other things as well in the evening . . . to learn how to do welding, electronics . . . there's even more . . . refrigeration. Ammonia refrigeration is where, when I left the farm and did that, and I was a refrigeration engineer, we could fill this room up about every two days with ice. I manufactured ice.

And then I started my own business part time. That's where the name Sunset Water came from—when the sun went down, I started working for myself. And it grew into a full-time business. And I became a water treatment specialist which I had to do all kinds of education to be able to do that.

And the reason I'm drawing the point on this education level, because it's been brought to my attention by a certain . . . I'm not going to call him a reporter . . . but was making a big deal out of the fact that this will be your first Senate President in 106 years, I think it was, who doesn't have a college education. Let me tell you what: That type of logic hurts the people of West Virginia. What helps the people of West Virginia is making sure that all our people have the ability to have skills. And you don't have to be loved for what you do. What you have to do is do what you do so well that people love you for it. That's the most important thing. And I've tried to live my life like that.

And I've been lucky. But I've also been lucky to be surrounded by friends like yourself and friends like in the gallery and friends that are back home and throughout this state. And that's the beauty of being a West Virginian. Because when you walk down the sidewalk, West Virginians look at each other and they'll say, "Good morning. How are you doing?" You have a flat tire along the side of the road, people will stop and help.

This is how we're going to bring 400,000 people back to the State of West Virginia with job opportunities. We can get it done without doing tax increases.

I also want to say thank you to my predecessors: Former Senate President Bill Cole, former Senate President Mitch Carmichael, and we got former Finance Chairman Mike Hall back there as well. You guys have set the path forward, along with Senator Tomblin for that matter who took our pensions and whenever we travel throughout the country, people come up to us and say, "You guys in West Virginia have got your pensions under control. What did you do? How did you do it?" That path was set long before we became the majority. And we're building off that foundation.

This body, this Senate body, will continue to build at an accelerated rate of providing the best educational and job opportunities and entertainment opportunities that this state has ever witnessed. And there's nothing that's going to stop us unless we stop ourselves. We're going to be prepared. We're going to be proactive. We're going to work with the House. And we're going to work with the Governor. And we're going to get this job done for the people of West Virginia.

Thank you ladies and gentlemen. I appreciate this honor and privilege to be your Senate President.

Let's get to work.

At the request of Senator Takubo, and by unanimous consent, the foregoing acceptance remarks by Senator Blair (Mr. President) were ordered extended in the Journal.

The next order of business being the election of a Clerk,

For that office, Senator Takubo nominated the Honorable Lee Cassis, of the County of Kanawha; seconded by Senator Stollings.

On motions of Senator Baldwin, severally made, nominations were closed and the President was authorized to cast the unanimous vote of the Senate for the election of Mr. Cassis.

The President then announced the vote and declared that Mr. Cassis, having received all the votes cast, had been unanimously reelected Clerk of the Senate.

Whereupon, Mr. Cassis qualified as Clerk, by taking the several oaths of office prescribed by law and administered by the Honorable Evan H. Jenkins, Chief Justice of the Supreme Court of Appeals of West Virginia.

The next order of business being the election of a Sergeant at Arms,

For that office, Senator Weld nominated the Honorable Joseph A. Freedman, of the County of Kanawha; seconded by Senator Ihlenfeld.

On motions of Senator Baldwin, severally made, nominations were closed and the President was authorized to cast the unanimous vote of the Senate for the election of Mr. Freedman.

The President then announced the vote and declared that Mr. Freedman, having received all the votes cast, had been unanimously reelected Sergeant at Arms of the Senate.

Whereupon, Mr. Freedman qualified as Sergeant at Arms, by taking the several oaths of office prescribed by law and administered by the Honorable Evan H. Jenkins, Chief Justice of the Supreme Court of Appeals of West Virginia.

The last order of business in the biennial organization of the Senate being the election of a Doorkeeper,

For that office, Senator Boley nominated the Honorable Jeffrey L. Branham, of the County of Kanawha; seconded by Senator Lindsay.

On motions of Senator Baldwin, severally made, nominations were closed and the President was authorized to cast the unanimous vote of the Senate for the election of Mr. Branham.

The President then announced the vote and declared that Mr. Branham, having received all the votes cast, had been unanimously reelected Doorkeeper of the Senate.

Whereupon, Mr. Branham qualified as Doorkeeper, by taking the several oaths of office prescribed by law and administered by the Honorable Evan H. Jenkins, Chief Justice of the Supreme Court of Appeals of West Virginia.

With the completion of organization of the Senate, by the election of officers for the eighty-fifth Legislature,

The first organizing resolution was then offered, Senator Takubo submitting the following:

Senate Resolution 1—Adopting rules of the Senate.

Resolved by the Senate:

That the rules of the Senate in effect at the expiration of the eighty-fourth Legislature are hereby adopted and shall govern the proceedings of the regular sessions of the eighty-fifth

Legislature and any extraordinary sessions insofar as applicable, subject to amendment as provided by Rule 60.

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.

On motion of Senator Takubo, at 1:12 p.m., the Senate recessed for the purpose of making introductions.

The Senate reconvened at 1:17 p.m. today.

Senator Takubo then offered the following resolution:

Senate Resolution 2—Raising a committee to notify the House of Delegates the Senate has assembled and completed its organization.

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, with a quorum present, organized by the election of the Honorable Craig Blair as President and the reelection of Mr. Lee Cassis as Clerk, and is ready to proceed with the business of this regular session.

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 Caputo.

Subsequently, Senator Martin reported that the committee had performed the duty assigned to it.

The first message this session from the House of Delegates, by

Delegates Graves, Gearheart, and Boggs, announced that the House of Delegates has assembled, with a quorum present, organized by the reelection of the Honorable Roger Hanshaw as Speaker, and Mr. Stephen J. Harrison as Clerk, and is ready to proceed with the business of this first regular session of the eighty-fifth Legislature.

Senator Takubo then offered the following resolution:

Senate Resolution 3—Raising a committee to inform the Governor that the Legislature is organized.

Resolved by the Senate:

That a committee of three on the part of the Senate, to join with a committee on the part of the House of Delegates, be appointed by the President to notify His Excellency, the Governor, that the Legislature has assembled in regular session and organized by the election of officers as required by the Constitution and is ready, with a quorum of each house present, to proceed with

the business of this session and to receive any communication or message he may desire to present.

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 Phillips, Grady, 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 the similar committee on the part of the Senate under the provisions of Senate Resolution 3 to wait upon the Governor. Senate and House members of this select committee then proceeded to the executive offices.

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

Senator Tarr offered the following resolution:

Senate Resolution 4—Relating to the mailing of bills and journals.

Resolved by the Senate:

That during the regular and any extraordinary sessions of the eighty-fifth Legislature the Clerk of the Senate is hereby authorized to have mailed from the Senate document room copies of bills and daily journals of the Senate; the expenses of such mailing, including postage, to be paid out of the contingent fund of the Senate by the Auditor of West Virginia, in advance of the appropriation therefor, under requisition drawn by the Clerk of the Senate.

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 Tarr offered the following resolution:

Senate Resolution 5—Authorizing the appointment of permanent and per diem employees for the First Regular Session of the Eighty-Fifth Legislature and payment of their compensation.

Resolved by the Senate:

That the Clerk of the Senate, with the approval of the presiding officer of the Senate, or the presiding officer of the Senate is hereby authorized to appoint employees to receive the per diem compensation, as herein provided, during this regular sixty-day session of the Eighty-Fifth Legislature, and any extension thereof as follows:

Up to thirty Class I administrative assistants at a rate of eighty dollars per diem to one hundred ten dollars per diem;

Up to four Class II administrative assistants at a rate of eighty dollars per diem to one hundred twenty dollars per diem;

Up to five legislative analysts at a rate of eighty dollars per diem to two hundred dollars per diem;

Up to ten legal counselors at a rate of two hundred five dollars per diem to two hundred eighty dollars per diem; assignments and salary to be determined by the presiding officer of the Senate;

Up to four proofreaders at a rate of eighty dollars per diem to one hundred dollars per diem;

One Sergeant at Arms at a rate not to exceed one hundred fifty dollars per diem;

Up to two assistants to the Sergeant at Arms at a rate of eighty dollars per diem to one hundred dollars per diem;

One Doorkeeper at a rate not to exceed one hundred fifty dollars per diem;

Up to six assistants to the Doorkeeper at a rate of eighty dollars per diem to one hundred dollars per diem;

Up to three mail clerks at a rate of eighty dollars per diem to one hundred dollars per diem;

Two night custodians at a rate of eighty to eighty-five dollars per diem;

The Clerk of the Senate, with the approval of the presiding officer of the Senate, or the presiding officer of the Senate shall have authority to employ such per diem staff personnel during any session of the Legislature as shall be needed in addition to staff personnel authorized by this Senate resolution adopted during any such session. The Clerk of the Senate, with the approval of the presiding officer of the Senate, or the presiding officer of the Senate shall have authority to employ such staff personnel between sessions of the Legislature as shall be needed, the compensation of all staff personnel during and between sessions of the Legislature, notwithstanding any such Senate resolution, to be fixed by the presiding officer of the Senate. In all such cases, the Clerk of the Senate, with the approval of the presiding officer of the Senate, or the presiding officer of the Senate shall have authority to supervise and dismiss such staff personnel; and, be it

Further Resolved, That the appointment of salaried full-time employees of the Senate for the year two thousand twenty and their compensation, at the following amounts per month, for such periods of time as they are employed in the positions designated, is hereby authorized, as follows:

Clerk	7,697.50
Assistant Clerk	5,629.93
Executive Assistant to Clerk	3,544.17
Fiscal Officer	5,452.50
Fiscal Officer	5,452.50
Director of Technology	4,794.17
Chief Desk Clerk	5,376.29

Chief Journal Clerk.....	4,709.10
Bill Clerk.....	3,294.17
Clerk to Minor Committees.....	3,739.17
Counsel to President.....	9,697.50
Executive Assistant to President.....	7,127.50
Director of Communications.....	6,590.00
Parliamentarian.....	5,127.50
Executive Assistant to Majority Leader.....	4,197.50
Counsel to Minority Leader.....	6,416.67
Administrative Assistant to Minority Leader.....	3,083.33
Counsel to Education Committee.....	7,666.17
Clerk/Analyst to Education Committee.....	3,739.17
Administrative Assistant to Education Committee.....	2,666.67
Counsel to Finance Committee.....	7,697.50
Budget Analyst to Finance Committee.....	4,364.17
Budget Analyst to Finance Committee.....	3,614.17
Assistant to Finance Chairman/Clerk.....	3,739.17
Administrative Assistant to Finance Committee.....	2,877.50
Counsel to Government Organization.....	7,072.50
Clerk to Government Organization Committee.....	3,739.17
Admin. Assistant to Government Organization Committee.....	3,764.98
Counsel to Health and Human Resources Committee.....	7,072.50
Clerk to Health and Human Resources Committee.....	3,739.17
Counsel to Judiciary Committee.....	7,072.50
Clerk/Analyst to Judiciary Committee.....	3,739.17
Supervisor, Materials & Supplies.....	4,676.66

Purchasing & Procurement Clerk	3,940.85
Mail Clerk	2,460.83
Custodian.....	2,565.35

The Clerk of the Senate, with the approval of the presiding officer of the Senate, or the presiding officer of the Senate shall have authority to employ such full-time staff personnel during any session of the Legislature as shall be needed in addition to staff personnel authorized by this Senate resolution adopted during any such session. The Clerk of the Senate, with the approval of the presiding officer of the Senate, or the presiding officer of the Senate shall have authority to employ such staff personnel between sessions of the Legislature as shall be needed, the compensation of all staff personnel during and between sessions of the Legislature, notwithstanding any such Senate resolution, to be fixed by the presiding officer of the Senate. In all such cases, the Clerk of the Senate, with the approval of the presiding officer of the Senate, or the presiding officer of the Senate shall have authority to supervise and dismiss such staff personnel.

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.

Senators Blair (Mr. President), Takubo, and Baldwin offered the following resolution:

Senate Concurrent Resolution 1—Adopting joint rules of the Senate and House of Delegates.

Resolved by the Legislature of West Virginia:

That the Joint Rules of the Senate and House of Delegates governing the eighty-fourth Legislature are hereby adopted to govern the proceedings of the eighty-fifth Legislature, subject to subsequent amendment.

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.

Senators Blair (Mr. President), Tarr, and Baldwin offered the following resolution:

Senate Concurrent Resolution 2—Relating to the payment of bills for supplies, services and printing and authorized contingent and other expenses of the eighty-fifth Legislature.

Resolved by the Legislature of West Virginia:

That for the regular and any extraordinary session of the eighty-fifth Legislature, the Auditor of West Virginia, in advance of the appropriation for such purposes, is hereby authorized, upon proper requisition of the Clerk of the Senate and the Clerk of the House of Delegates, to pay bills for supplies and for services furnished to the Legislature preparatory to the beginning of, during

and following the adjournment of sessions, including contingent expenses of the respective houses; the per diem of officers, other than the President of the Senate and the Speaker of the House of Delegates, and employees of the Senate and of the House of Delegates; travel expenses of members as authorized by law; bills for legislative printing as the accounts for same become due; and any other authorized contingent and other expenses of the Legislature or the respective houses.

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.

The Senate proceeded 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 1—Raising a Joint Assembly to open and publish election returns.

Resolved by the Legislature of West Virginia:

That the two houses of the Legislature convene in Joint Assembly in the Hall of the House of Delegates at 1:45 o'clock postmeridian, this day, that the Speaker of the House of Delegates may, in the presence of the Senate, open and publish the returns of the election held throughout the State on the 3rd day of November, 2020, as provided by Sec. 3, Article VII of the Constitution.

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 adoption by that body and requested the concurrence of the Senate in the adoption of

House Concurrent Resolution 2—Providing for an adjournment of the Legislature until February 10, 2021.

Whereas, The first regular session of the 85th Legislature assembled on this date, the second Wednesday in January, 2021, organized by the election of officers of the two houses, and the two houses in joint assembly opened and published the returns of the election of state officers held on the 3rd day of November, 2020, all as prescribed by Section 18, Article VI of the Constitution of the State; and the two houses adopted rules to govern their proceedings and separately and concurrently acted on certain other matters incident to organization; therefore, be it

Resolved by the Legislature of West Virginia:

That having complied with the provisions of said section of the Constitution, when adjournment is taken by the two houses this day, such adjournment shall be until February 10, 2021, at 12 o'clock meridian.

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 adoption of

Senate Concurrent Resolution 1, Adopting joint rules of Senate and House of Delegates.

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

Senate Concurrent Resolution 2, Authorizing payment of expenses of 85th Legislature.

Senator Blair (Mr. President) announced appointment of the standing committees of the Senate for this first session of the eighty-fifth Legislature and, at the request of Senator Takubo, and by unanimous consent, the complete list was ordered printed in the Journal as follows:

STANDING AND SELECT COMMITTEES OF THE SENATE

2021

AGRICULTURE AND RURAL DEVELOPMENT

Senators Sypolt (*Chair*), Woodrum (*Vice Chair*), Grady, Martin, Maynard, Roberts, Rucker, Smith, Baldwin, Beach, and Unger.

BANKING AND INSURANCE

Senators Azinger (*Chair*), Clements (*Vice Chair*), Boley, Hamilton, Karnes, Nelson, Rucker, Swope, Weld, Beach, Ihlenfeld, Romano, and Woelfel.

CONFIRMATIONS

Senators Boley (*Chair*), Takubo (*Vice Chair*), Azinger, Rucker, Tarr, Weld, Baldwin, Plymale, and Stollings.

ECONOMIC DEVELOPMENT

Senators Swope (*Chair*), Martin (*Vice Chair*), Azinger, Hamilton, Nelson, Roberts, Stover, Tarr, Woodrum, Ihlenfeld, Jeffries, Romano, Stollings, and Woelfel.

EDUCATION

Senators Rucker (*Chair*), Karnes (*Vice Chair*), Azinger, Boley, Clements, Grady, Roberts, Tarr, Trump, Beach, Plymale, Romano, Stollings, and Unger.

ENERGY, INDUSTRY, AND MINING

Senators Smith (*Chair*), Phillips (*Vice Chair*), Boley, Clements, Hamilton, Martin, Nelson, Sypolt, Swope, Caputo, Ihlenfeld, Jeffries, and Romano.

ENROLLED BILLS

Senators Maynard (*Chair*), Roberts (*Vice Chair*), Tarr, Lindsay, and Woelfel.

FINANCE

Senators Tarr (*Chair*), Sypolt (*Vice Chair*), Boley, Clements, Hamilton, Maroney, Martin, Nelson, Roberts, Swope, Takubo, Baldwin, Ihlenfeld, Jeffries, Plymale, Stollings, and Unger.

GOVERNMENT ORGANIZATION

Senators Maynard (*Chair*), Swope (*Vice Chair*), Maroney, Martin, Nelson, Smith, Stover, Sypolt, Woodrum, Caputo, Ihlenfeld, Jeffries, Lindsay, and Woelfel.

HEALTH AND HUMAN RESOURCES

Senators Maroney (*Chair*), Grady (*Vice Chair*), Azinger, Roberts, Rucker, Stover, Takubo, Weld, Woodrum, Lindsay, Plymale, Stollings, and Unger.

INTERSTATE COOPERATION

Senators Karnes (*Chair*), Stover (*Vice Chair*), Maynard, Trump, Woodrum, Ihlenfeld, and Romano.

JUDICIARY

Senators Trump (*Chair*), Weld (*Vice Chair*), Azinger, Grady, Karnes, Maynard, Phillips, Rucker, Smith, Stover, Takubo, Woodrum, Beach, Caputo, Lindsay, Romano, and Woelfel.

MILITARY

Senators Weld (*Chair*), Phillips (*Vice Chair*), Grady, Hamilton, Maroney, Smith, Caputo, Lindsay, and Romano.

NATURAL RESOURCES

Senators Hamilton (*Chair*), Stover (*Vice Chair*), Grady, Phillips, Roberts, Rucker, Smith, Sypolt, Woodrum, Beach, Jeffries, Stollings, and Woelfel.

PENSIONS

Senators Nelson (*Chair*), Clements (*Vice Chair*), Azinger, Karnes, Trump, Lindsay, and Plymale.

RULES

Senators Blair (*Chair*), Takubo (*Vice Chair*), Azinger, Boley, Maroney, Takubo, Tarr, Trump, Weld, Baldwin, Plymale, and Stollings.

TRANSPORTATION AND INFRASTRUCTURE

Senators Clements (*Chair*), Swope (*Vice Chair*), Boley, Karnes, Maynard, Roberts, Beach, Jeffries, and Plymale.

WORKFORCE

Senators Roberts (*Chair*), Nelson (*Vice Chair*), Maroney, Martin, Phillips, Smith, Tarr, Weld, Caputo, Jeffries, and Unger.

The President then announced the appointment of Senator Takubo, of the County of Kanawha, as the majority leader of the Senate;

Senator Baldwin, of the County of Greenbrier, as the minority leader of the Senate;

Senator Weld, of the County of Brooke, as the majority whip of the Senate;

Senator Woelfel, of the County of Cabell, as the minority whip of the Senate;

And,

Senator Boley, of the County of Pleasants, as President *pro Tempore* of the Senate.

The hour of 1:45 p.m. having arrived, that being the time set for the joint assembly to open and publish state election returns (under the provisions of H. C. R. 1, previously adopted by the Senate),

On motion of Senator Takubo, the Senate recessed until five minutes after adjournment of the joint assembly. Members of the Senate then repaired in a body to the hall of the House of Delegates.

(NOTE: For formal procedure in the joint assembly, see the Journal of the House of Delegates for this day.)

The joint assembly having been dissolved, at 2:12 p.m., the Senate returned to its chamber and resumed its regular session,

The Senate proceeded to the thirteenth order of business.

Senator Blair presented Senators Boley, Caputo, Grady, Martin, Nelson, Phillips, Stover, and Woodrum with Senate service pins.

On motion of Senator Takubo, and in accordance with House Concurrent Resolution 2, previously adopted, at 2:18 p.m., the Senate adjourned until Wednesday, February 10, 2021, at 12 o'clock Noon.
