

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE
REGULAR SESSION, 2022
SECOND DAY

Charleston, West Virginia, Thursday, January 13, 2022

The Senate met at 11:02 a.m.

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

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 Eric J. Tarr, a senator from the fourth district.

Pending the reading of the Journal of Wednesday, January 12, 2022,

At the request of Senator Geffert, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

The Senate then proceeded to the sixth order of business.

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

By Senator Roberts:

Senate Bill 251—A Bill to amend and reenact §21A-10-4 of the Code of West Virginia, 1931, as amended, relating to unemployment compensation records and reports; providing for the preservation of such records and reports; providing for the making of copies of reports and records, as well as their admissibility; dealing with their destruction and the appropriateness for doing so; and providing for a civil or criminal penalty for noncompliance.

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

By Senator Trump:

Senate Bill 252—A Bill to repeal §23-2-6a of the Code of West Virginia, 1931, as amended; to amend and reenact §23-2-6 and §23-2-8 of said code; and to amend and reenact §23-4-2 of said code, all relating to workers' compensation; providing for exemption of contributing employers from liability; providing that the rights of employees to benefits for work injuries are

exclusive of all other rights and remedies; providing for liability of employers electing not to pay or defaulting in payment of premiums and prohibiting certain common-law defenses, with exceptions; exceptions; and denying benefits to employees for self-inflicted injuries.

Referred to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 253—A Bill to amend and reenact §3-1-5 of the Code of West Virginia, 1931, as amended, relating to voting precincts and redistricting; designating the Secretary of State as this state's liaison to the U.S. Census Bureau for purposes of redistricting phases for the federal decennial census; requiring county commissions to submit information to the Secretary of State relating to precinct updates; and providing other responsibilities of the county commissions and Secretary of State relating to maps and accompanying technical files, business hours and availability of information to the public for inspection.

Referred to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 254—A Bill to amend and reenact §17C-5-1 of the Code of West Virginia, 1931, as amended, relating to clarifying the offense of vehicular homicide; changing negligent homicide to vehicular homicide; and adding a misdemeanor offense for when a person dies within a year as a proximate result of driving in a negligent manner.

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

By Senators Phillips, Grady, Martin, Maynard, and Smith:

Senate Bill 255—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6D-2-1, §6D-2-2, §6D-2-3, §6D-2-4, §6D-2-5, §6D-2-6, §6D-2-7, §6D-2-8, §6D-2-9, §6D-2-10, §6D-2-11, §6D-2-12, §6D-2-13, §6D-2-14, §6D-2-15, §6D-2-16, and §6D-2-17, relating to state contracts with and investments in certain companies that boycott energy companies.

Referred to the Committee on Energy, Industry, and Mining.

By Senator Lindsay:

Senate Bill 256—A Bill to amend and reenact §61-6-21 of the Code of West Virginia, 1931, as amended, relating to prohibiting civil rights violations based on disability, gender identity, or sexual orientation; criminal penalties; when evidence of constitutionally protected speech or associations is not admissible in criminal prosecutions; exceptions; providing for sentencing alternatives for persons convicted of violations; and designating amendments to this section as "Angel's Law".

Referred to the Committee on the Judiciary.

By Senator Lindsay:

Senate Bill 257—A Bill to amend and reenact §15-2-5 of the Code of West Virginia, 1931, as amended, relating to increasing salaries for members of the West Virginia State Police.

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

By Senator Lindsay:

Senate Bill 258—A Bill to amend and reenact §6B-2-5 of the Code of West Virginia, 1931, as amended, relating to prohibiting members of the Legislature and part-time public officials from having an interest in public contracts under certain circumstances; requiring certain disclosures; and requiring the Ethics Commission to conduct oversight and make a public statement in certain circumstances.

Referred to the Committee on Government Organization.

By Senator Lindsay:

Senate Bill 259—A Bill to amend and reenact §61-5-27 of the Code of West Virginia, 1931, as amended, relating to removing the requirement for the likelihood of imminent lawless action of a violent nature that could cause bodily harm to the prerequisites for the crime of intimidation and retaliation.

Referred to the Committee on the Judiciary.

By Senator Lindsay:

Senate Bill 260—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §62-12-26a, relating to mandating extended supervision for defendants convicted of stalking and related felonious acts; relating to establishing the start date of such extended supervision; relating to the monitoring procedure; relating to modifications or revocations of extended supervision; relating to violations during extended supervision; and relating to delayed extended supervision.

Referred to the Committee on the Judiciary.

By Senators Nelson, Phillips, and Rucker:

Senate Bill 261—A Bill to amend and reenact §18-20-11 of the Code of West Virginia, 1931, as amended, relating to requiring video cameras in certain special education classrooms; allowing school principal to designate another school administrator to be the custodian of the video camera, all recordings of the camera, and access to those recordings; modifying provisions pertaining to the amount of time a video is required to be retained; clarifying that the principal or other designated school administration is not required to view the video recording absent an authorized request or suspicion of an incident; removing prohibition against allowing regular, continuous, or continual monitoring of video recording; allowing the school principal or other school administration designee to view a video recording; modifying provisions pertaining to the viewing of a video recording by a law-enforcement officer or the Department of Health and Human Resources; requiring a public school or school district to allow a judge, counsel, or other legal entity to view a video recording in certain instances; requiring certain incidents to be reported pursuant to code section mandating reporting of suspected child abuse and neglect; and providing that cameras in special education classrooms section only applies to cameras installed pursuant to that section.

Referred to the Committee on Education.

By Senator Phillips:

Senate Bill 262—A Bill to amend the Code of West Virginia, 1931, as amended, by creating a new section, designated §12-1-15, relating generally to financial institutions engaged in boycotts of energy companies; defining terms; authorizing the State Treasurer to prepare, maintain, and publish a list of financial institutions engaged in boycotts of energy companies; requiring the Treasurer to post the list on his or her website and submit the list to certain public officials; setting forth sources of information on which the Treasurer may rely in preparing the list; requiring the

Treasurer to send written notice to a financial institution of its inclusion on the list; requiring the Treasurer to remove a financial institution from the list if it presents information demonstrating that it is not engaged in a boycott of energy companies; authorizing the Treasurer to exclude financial institutions on the list from the selection process for state banking contracts; authorizing the Treasurer to refuse to enter into a banking contract with a financial institution on the list; authorizing the Treasurer to require, as a term of a banking contract, an agreement by the financial institution not to engage in a boycott of energy companies; and limiting liability of public officials, public employees, and members or employees of financial institutions for actions taken in compliance with the new code section.

Referred to the Committee on Energy, Industry, and Mining.

By Senator Roberts:

Senate Bill 263—A Bill to amend §17E-1-9 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §17E-1-9a, all relating to testing and qualifying for a Commercial Driver's License; granting the power to the commissioner of motor vehicles to authorize third parties, public and private, to administer skills testing; authorizing the commission to set limits on fees charged for testing of applicants; and providing a limitation on the liability of driver examiners.

Referred to the Committee on Transportation and Infrastructure; and then to the Committee on Finance.

By Senator Trump:

Senate Bill 264—A Bill to amend and reenact §19-21A-1 of the Code of West Virginia, 1931, as amended; to repeal §19-21A-2 of said code; and to amend and reenact §19-21A-3, §19-21A-4, §19-21A-6, and §19-21A-8 of said code, all relating to conservation districts; providing for a title of the article to be known as the "Conservation Districts Law of West Virginia"; providing for legislative determinations; providing for revised definitions; modifying the process for elections and for the filling of vacancies; and providing an updated process for public meetings.

Referred to the Committee on Natural Resources; and then to the Committee on Government Organization.

By Senator Weld:

Senate Bill 265—A Bill to amend and reenact §11-21-3 of the Code of West Virginia, 1931, as amended, relating to the personal income tax by exempting certain irrevocable trusts from the personal income tax.

Referred to the Committee on Finance.

By Senator Rucker:

Senate Bill 266—A Bill to amend and reenact §61-7-2 of the Code of West Virginia, 1931, as amended, relating to adding definition of "ammunition" for purposes of obtaining state license to carry concealed deadly weapon.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 267—A Bill to amend and reenact §18-5-13 of the Code of West Virginia, 1931, as amended, relating to the transportation of students.

Referred to the Committee on Education.

Senators Phillips and Stollings offered the following resolution:

Senate Concurrent Resolution 8—Requesting the Division of Highways name a portion of County Route 30/1, beginning at (38.239066), (-82.192876) and ending at (38.239066), (-82.200978), locally known as Sheridan Road, in Lincoln County, the "U.S. Army SGT Charles L. Toppings Memorial Road".

Whereas, Charles L. Toppings was born in Man, West Virginia, on October 13, 1930, the son of Sesco and Elva Toppings; and

Whereas, Charles L. Toppings was a graduate of Hamlin High School and entered the U.S. Army; and

Whereas, SGT Charles L. Toppings served in Company C, 72nd Tank Battalion, 2nd Infantry in Korea; and

Whereas, On May 18, 1951, SGT Charles L. Toppings distinguished himself by heroic achievement near Chaun-ni, Korea, while riding in a tank retriever attempting to run an enemy roadblock. The retriever crew saw several wounded soldiers exposed to enemy fire when SGT Charles L. Toppings, while being exposed to enemy fire, manned a machine gun and delivered heavy fire on the enemy. He then left the retriever and moved the wounded soldiers into the retriever; and

Whereas, SGT Charles L. Toppings, for his heroism on that day, was awarded the Bronze Star; and

Whereas, SGT Charles L. Toppings worked for the C&O Railroad in West Virginia for over 30 years; and

Whereas, SGT Charles L. Toppings passed away on April 5, 2017, survived by three sons: Charles Toppings and wife, Sheila; William (Bill) Toppings and wife, Vicki; and Steve Toppings and wife, Karen; and

Whereas, It is fitting that an enduring memorial be established to commemorate SGT Charles L. Toppings and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a portion of County Route 30/1, beginning at (38.239066), (-82.192876) and ending at (38.239066), (-82.200978), locally known as Sheridan Road, in Lincoln County, the "U.S. Army SGT Charles L. Toppings Memorial Road"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the portion of road as the "U.S. Army SGT Charles L. Toppings Memorial Road"; and, be it

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

Which, under the rules, lies over one day.

Senators Plymale and Woelfel offered the following resolution:

Senate Concurrent Resolution 9—Requesting the Division of Highways name bridge number 50-075/00-007.25 (50A149), locally known as Buffalo Beam Span, carrying WV 75 over Twelvepole Creek in Wayne County, the "Haynie Family Veterans Memorial Bridge".

Whereas, The Haynies have been in the Buffalo Creek area since the early 1800s and served their country in World Wars I and II; and

Whereas, Anthony Haynie, PVT, WW I, was born July 22, 1895, in Wayne County, West Virginia. He enlisted in the U.S. Army on October 5, 1917, and was discharged on June 10, 1919. He served under General Pershing, Battery C 315, Field Artillery, 80 Division. PVT Anthony Haynie's unit had advanced to the town of Romagne and were engaged with the Germans. Three guns of his battery were knocked out by shell fire and gas attack. The battery commander asked for volunteers to man the guns in spite of the fierce gas attack and PVT Anthony Haynie answered the call. His record reveals that he was severely wounded in that engagement and that he received the Purple Heart. PVT Anthony Haynie died on January 17, 1976; and

Whereas, Arthur Haynie was born November 17, 1921. He attended the old wooden school in Buffalo, West Virginia. He entered the U.S. Army on December 14, 1942. At discharge, he was a Tech 5 of the military police. He died on September 18, 1995; and

Whereas, James E. Haynie, PVT, WW II, was born on August 16, 1923, in Wayne County. He attended and graduated from Buffalo High School. He served in the U.S. Army from July 8, 1943, through December 7, 1945. PVT James E. Haynie was a demolition expert and served in Calcutta and Burma. His unit merged with Merrill's Marauders and came behind them, "cleaning up their mess". He received the Asiatic Pacific Theater Ribbon, WW II Victory Ribbon, and Distinguished Unit Badge with two Bronze Stars. PVT James E. Haynie died September 14, 2014; and

Whereas, Robert V. Haynie, PVT, WW II, was born on March 24, 1925, in Wayne County. He attended Buffalo High School. He served in the U.S. Army from August 28, 1943, through February 14, 1946. PVT Robert V. Haynie was a military policeman serving in the European Theater of Operation. He served in Normandy, Northern France, and the Rhineland. He was a recipient of the Purple Heart, the European African Middle Eastern Theater Ribbon, and the WW II Victory Ribbon. PVT Robert V. Haynie died December 25, 2018; and

Whereas, Charles E. Haynie, WW II, was born on April 14, 1927, in Wayne County. He attended Buffalo High School. He enlisted in the U.S. Navy and served on the USS Sandoval (APA-194) as a coxswain in Iwo Jima. Charles E. Haynie died November 20, 2016; and

Whereas, It is fitting that an enduring memorial be established to commemorate the Haynie family and their contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 50-075/00-007.25 (50A149), locally known as Buffalo Beam Span, carrying WV 75 over Twelvepole Creek in Wayne County, the "Haynie Family Veterans Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "Haynie Family Veterans Memorial Bridge"; and, be it

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

Which, under the rules, lies over one day.

Senator Roberts offered the following resolution:

Senate Concurrent Resolution 10—Requesting the Division of Highways name bridge number 55-010/00-031.60 (55A035), (37.66588, -81.57373) locally known as Jesse Bridge, carrying WV 10 over Laurel Fork in Wyoming County, the "U.S. Air Force TSGT Franklin A. Bradford Bridge".

Whereas, Franklin Abb Bradford, was born at the Stevens Hospital in Welch, West Virginia on March 21, 1950. He was the son of a coal miner and grew up in a coal camp house where he graduated from Pineville High School in 1969. With the Vietnam War underway, Franklin Bradford voluntarily enlisted in the United States Air Force in the fall of 1969; and

Whereas, TSGT Franklin Abb Bradford spent his basic training at Lackland Air Force Base in San Antonio, Texas. He served his first tour of duty in the Southeast Asian theater of conflict. TSGT Franklin Bradford served with the civil engineering unit called Prime BEEF (Base Engineer Emergency Force), where he served as a machine gunner. Prime BEEF was a rapidly deployable squadron of specialized civil engineering unit members who provided a full range of engineering support for command operations; and

Whereas, TSGT Franklin Abb Bradford was stationed at Beale Air Force Base in California where he helped assemble the SR-71 Blackbird, an Air Force reconnaissance aircraft intended to operate at extreme velocities, altitudes, and temperatures, that played a key role in gathering intelligence during the Cold War; and

Whereas, TSGT Franklin Abb Bradford was stationed at the Ramstein Air Force Base in Germany and flew on international missions. After Shah Mohammad Reza Pahlavi was ousted from Iran on February 11, 1979, at the start of the Iranian Revolution, the Shah was welcomed into the United States for cancer treatments. In protest, Iranian students took over the U.S. Embassy in Tehran, holding Americans hostage for more than 440 days. Bradford took part in one of the airlift rescue missions for embassy members during what would become known as the Iranian hostage crisis; and

Whereas, TSGT Franklin Abb Bradford transferred to Charleston Air Force Base in South Carolina where he served as a quality control specialist for the mechanical air command, and then he transferred to the strategic air command at Randolph Air Force Base in San Antonio, Texas. Following his service in Texas, Bradford was sent to Kunsan Air Force Base in South Korea to a combat readiness unit, the 8th Fighter Wing, known as "The Wolf Pack". This was a strategic unit trained and prepared to execute immediate air combat against any aggressors threatening the United States or South Korea. Bradford's final duty station was at Maxwell Air Force Base in Alabama where he worked as a manpower management technician; and

Whereas, TSGT Franklin Abb Bradford always made time to volunteer with local schools, the Special Olympics, and the Red Cross wherever he was stationed. While stationed in San Antonio,

Pope John Paul II visited the city in September 1987 and conducted an outdoor mass with several thousand attendees, some of whom suffered the effects of the hot Texas sun. Bradford served with the Red Cross during the event, brought water and refreshments to attendees, and helped many who succumbed to the heat to shelter for assistance. The heart of a West Virginian is one of servitude and TSGT Franklin Abb Bradford displayed this quality whenever presented with the opportunity; and

Whereas, Upon retirement from the Air Force in 1991, TSGT Franklin Abb Bradford went back to school at Bluefield State College and earned a bachelor's degree, which allowed him to begin a career with the United States Department of Defense as a contract specialist with the Naval Sea Command and NASA. Bradford's duty station was at the Wright Patterson Air Force Base in Ohio. When a transfer opportunity opened for the Department of Defense in Blacksburg, Virginia, Bradford seized the chance to return home and moved to Princeton, West Virginia. He eventually worked with the Veterans Administration Hospital in Beckley, West Virginia as a contract specialist, and enjoyed his time serving the needs of fellow veterans; and

Whereas, It is fitting that an enduring memorial be established to commemorate TSGT Franklin Abb Bradford for his honorable service to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name Bridge Number: 55-010/00-031.60 (55A035), (37.66588, -81.57373) locally known as Jesse Bridge, carrying WV 10 over Laurel Fork in Wyoming County, the "U.S. Air Force TSGT Franklin A. Bradford Bridge"; and, be it

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

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

Which, under the rules, lies over one day.

Senator Roberts offered the following resolution:

Senate Concurrent Resolution 11—Requesting the Department of Veterans' Assistance to name the new veterans' nursing home, to be built in Beckley, the "Dennis E. Davis Veterans Nursing Home".

Whereas, Dennis E. Davis began his association with the United States military in 1959 when he entered the Reserve Officer Training Corps (ROTC) program at West Virginia State University; and

Whereas, Dennis E. Davis served stints with the U.S. Army at Fort Knox in Kentucky and Fort Sill in Oklahoma. In 1965, he graduated from the Army's Non-Commissioned Officer Academy and received an honorable discharge in 1970; and

Whereas, In 1968, Dennis E. Davis received a Bachelor of Science degree in the field of education from West Virginia State University and subsequently began a career with the Kanawha

County schools as a teacher, counselor, and administrator. In 1970, he received a Master of Science degree from Marshall University; and

Whereas, Dennis E. Davis ultimately took on the role of Assistant Superintendent of Kanawha County Schools for Vocational, Technical, and Adult Education; and

Whereas, In 1996, Governor Cecil Underwood appointed Dennis E. Davis as Executive Director of Workforce Development for West Virginia, in which position he served for four years; and

Whereas, Dennis E. Davis briefly returned to Kanawha County schools in 2013 as a member of the Kanawha County Board of Education, serving out the unexpired term of a previous member; and

Whereas, In January, 2017, Governor Jim Justice appointed Dennis E. Davis as Cabinet Secretary for the West Virginia Department of Veterans Assistance. He was responsible for the administration of claims for assistance across the state, plus the WV Veterans Nursing Facility, the West Virginia Veterans Home, and the Donel C. Kinnard Memorial State Veterans Cemetery, where he was also a member of the honor guard; and

Whereas, Dennis E. Davis passed away on January 18, 2021, at his home in Institute, West Virginia, in the presence of his loving wife and son. Dennis E. Davis was subsequently interred in the Donel C. Kinnard Memorial State Veterans Cemetery; and

Whereas, It is fitting that an enduring memorial be established to commemorate the achievements and contributions of Dennis E. Davis to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Department of Veterans Assistance name the new veterans' nursing home, to be built in Beckley, the "Dennis E. Davis Veterans Nursing Home"; and, be it

Further Resolved, That the Department of Veterans' Assistance is hereby requested to have made and be placed signs identifying the facility as the "Dennis E. Davis Veterans Nursing Home"; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the acting Secretary of the Department of Veterans Assistance and the Commissioner of the Division of Highways.

Which, under the rules, lies over one day.

Senator Roberts offered the following resolution:

Senate Concurrent Resolution 12—Requesting the Division of Highways name a portion of road, beginning at Dingess Branch Road at Liberty High School in Beckley to the unincorporated sign in Naoma in Raleigh County, as the "Raymond Jarrell, Jr., Memorial Road".

Whereas, Raymond Jarrell, Jr., was born on February 15, 1959, to Raymond and Ruth Jarrell; and

Whereas, Raymond Jarrell, Jr., was raised by his grandparents, Carl and Sylvia Jarrell, in Raleigh County, West Virginia, and he attended Raleigh County schools; and

Whereas, Raymond Jarrell, Jr., later became an employee of Raleigh County schools as a bus driver for 28 years and also ran Jarrell Backwoods Towing for 38 years; and

Whereas, Raymond Jarrell, Jr., was a member of the Naoma Methodist Church, was a bookkeeper for the Liberty High School Raiders basketball team, and was known for philanthropic acts to benefit his community that he provided personally and through his business; and

Whereas, Raymond Jarrell, Jr., gained fame from an early age as an expert in marble games, achieving his first national championship in New Jersey in 1972 at the age of 13, for which he was recognized in the New York Times; and

Whereas, Raymond Jarrell, Jr., went on to play for the Marble King team sponsored by the famous Marble King company of Paden City, West Virginia, and eventually won the title of World Marble Champion five times in competitions held in Tinsley Green, England;

Whereas, Raymond Jarrell, Jr., passed away August 10, 2019, and was buried at Adkins Cemetery in his home community of Naoma, West Virginia; and

Whereas, It is fitting that an enduring memorial be established to commemorate Raymond Jarrell, Jr., and his contributions to his community; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a portion of road, beginning at Dingess Branch Road at Liberty High School in Beckley to the unincorporated sign in Naoma in Raleigh County, as the "Raymond Jarrell, Jr., Memorial Road"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the portion of road as the "Raymond Jarrell, Jr., Memorial Road"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs reading "Home of Raymond Jarrell, Jr., Five-Time World Marble Champion" to be placed with the present signs identifying the unincorporated community of Naoma, Raleigh County, West Virginia; and, be it

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

Which, under the rules, lies over one day.

Senators Caputo and Weld offered the following resolution:

Senate Resolution 6—Designating January 14, 2022, as Fairmont State University Day at the Legislature.

Whereas, The State of West Virginia is committed to supporting higher education; and

Whereas, West Virginia's colleges and universities open the doors of opportunity for West Virginia's students; and

Whereas, Fairmont State University helps West Virginians achieve their education and career goals, and meets the workforce needs of the State of West Virginia; and

Whereas, Fairmont State University contributes significantly to the state and local economies of West Virginia; and

Whereas, Fairmont State University's student body is comprised of nearly 90 percent of native West Virginians and over 60 percent first-generation students; and

Whereas, Fairmont State University educates students from every county in West Virginia; and

Whereas, Through the commitment of outstanding students, faculty, staff, administration, and leadership, Fairmont State University fulfills student-centered missions which benefit the entire state; therefore, be it

Resolved by the Senate:

That the Senate hereby designates January 14, 2022, as Fairmont State University Day at the Legislature; and, be it

Further Resolved, That the Senate extends its sincere gratitude and appreciation to Fairmont State University for its contributions to the state of West Virginia; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to President of Fairmont State University, Dr. Mirta M. Martin.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 1, US Army PFC Billy Keith Ford Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 2, John B. Short Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 3, USMC CAPT Dempsey Stowers Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 4, US Army SP4 Warner Ray Osborne Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 5, US Marine Corps CPL James "Bud" Cox Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 6, Holden 22 Coal Miners Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Concurrent Resolution 7, James "Big Jim" Shaffer Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

Senate Resolution 4, Urging US Army Corps of Engineers study clean energy production at Summersville dam.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

The Senate proceeded to the thirteenth order of business.

At the request of Senator Weld, unanimous consent being granted, leaves of absence for the day were granted Senators Romano and Rucker.

Under the provisions of Rule 15 of the Rules of the Senate, the following senator was removed as a co-sponsor of the following bill on January 12, 2022:

Senate Bill 132: Senator Phillips.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on January 12, 2022:

Senate Bill 1: Senators Baldwin, Jeffries, and Stollings;

Senate Bill 2: Senator Jeffries;

Senate Bill 3: Senator Jeffries;

Senate Bill 4: Senators Nelson, Jeffries, and Lindsay;

Senate Bill 5: Senators Nelson, Baldwin, Jeffries, and Phillips;

Senate Bill 6: Senator Nelson;

Senate Bill 7: Senator Swope;

Senate Bill 8: Senators Lindsay, Jeffries, and Phillips;

- Senate Bill 9:** Senators Lindsay, Jeffries, Stollings, Phillips, and Caputo;
- Senate Bill 10:** Senators Lindsay, Jeffries, Stollings, Phillips, and Beach;
- Senate Bill 11:** Senators Jeffries, Caputo, Romano, and Stollings;
- Senate Bill 12:** Senators Jeffries and Caputo;
- Senate Bill 13:** Senator Stollings;
- Senate Bill 15:** Senator Romano;
- Senate Bill 16:** Senators Baldwin, Jeffries, Caputo, and Geffert;
- Senate Bill 17:** Senators Baldwin, Jeffries, Lindsay, Caputo, Geffert, and Stollings;
- Senate Bill 18:** Senators Jeffries, Lindsay, Caputo, and Geffert;
- Senate Bill 19:** Senators Baldwin, Lindsay, and Caputo;
- Senate Bill 20:** Senators Jeffries, Lindsay, Caputo, and Geffert;
- Senate Bill 21:** Senator Grady;
- Senate Bill 22:** Senators Sypolt, Lindsay, and Phillips;
- Senate Bill 23:** Senator Roberts;
- Senate Bill 24:** Senator Smith;
- Senate Bill 25:** Senator Stollings;
- Senate Bill 27:** Senator Jeffries;
- Senate Bill 28:** Senator Roberts;
- Senate Bill 29:** Senator Jeffries;
- Senate Bill 32:** Senator Caputo;
- Senate Bill 33:** Senators Lindsay and Caputo;
- Senate Bill 40:** Senators Lindsay, Jeffries, Caputo, Grady, Phillips, Romano, and Beach;
- Senate Bill 41:** Senator Grady;
- Senate Bill 44:** Senator Lindsay;
- Senate Bill 46:** Senators Jeffries and Romano;
- Senate Bill 48:** Senators Jeffries, Stollings, and Phillips;

- Senate Bill 49:** Senators Lindsay and Romano;
- Senate Bill 50:** Senator Jeffries;
- Senate Bill 51:** Senators Baldwin and Lindsay;
- Senate Bill 53:** Senators Baldwin, Grady, and Romano;
- Senate Bill 54:** Senators Baldwin, Lindsay, and Romano;
- Senate Bill 56:** Senator Jeffries;
- Senate Bill 57:** Senator Grady;
- Senate Bill 58:** Senator Lindsay;
- Senate Bill 59:** Senators Baldwin and Lindsay;
- Senate Bill 63:** Senator Phillips;
- Senate Bill 64:** Senator Sypolt;
- Senate Bill 65:** Senators Jeffries, Beach, and Stollings;
- Senate Bill 73:** Senator Jeffries;
- Senate Bill 76:** Senator Stollings;
- Senate Bill 77:** Senators Lindsay, Jeffries, Caputo, Beach, Phillips, and Grady;
- Senate Bill 78:** Senators Jeffries, Caputo, and Beach;
- Senate Bill 79:** Senators Jeffries, Lindsay, Caputo, and Beach;
- Senate Bill 80:** Senators Lindsay, Beach, and Romano;
- Senate Bill 81:** Senators Lindsay, Beach, Geffert, and Romano;
- Senate Bill 83:** Senators Lindsay, Caputo, and Romano;
- Senate Bill 84:** Senators Beach and Romano;
- Senate Bill 85:** Senators Lindsay, Caputo, and Romano;
- Senate Bill 86:** Senators Grady, Lindsay, and Caputo;
- Senate Bill 88:** Senator Nelson;
- Senate Bill 89:** Senators Lindsay, Caputo, and Stollings;
- Senate Bill 90:** Senators Lindsay and Caputo;

- Senate Bill 91:** Senators Phillips and Grady;
- Senate Bill 97:** Senators Jeffries, Lindsay, and Beach;
- Senate Bill 98:** Senators Lindsay, Jeffries, Caputo, Stollings, Phillips, Grady, and Beach;
- Senate Bill 99:** Senators Lindsay and Jeffries;
- Senate Bill 101:** Senators Baldwin and Lindsay;
- Senate Bill 102:** Senators Jeffries and Phillips;
- Senate Bill 103:** Senators Lindsay and Beach;
- Senate Bill 104:** Senator Jeffries;
- Senate Bill 105:** Senators Jeffries and Beach;
- Senate Bill 106:** Senators Baldwin, Jeffries, Lindsay, and Romano;
- Senate Bill 107:** Senators Baldwin and Lindsay;
- Senate Bill 108:** Senators Baldwin, Jeffries, Lindsay, Geffert, Beach, and Romano;
- Senate Bill 114:** Senator Baldwin;
- Senate Bill 116:** Senator Phillips;
- Senate Bill 117:** Senator Phillips;
- Senate Bill 118:** Senator Baldwin;
- Senate Bill 120:** Senators Baldwin, Phillips, Nelson;
- Senate Bill 121:** Senators Lindsay, Jeffries, and Stollings;
- Senate Bill 122:** Senators Stollings and Beach;
- Senate Bill 123:** Senator Stollings;
- Senate Bill 124:** Senator Stollings;
- Senate Bill 127:** Senators Jeffries and Phillips;
- Senate Bill 129:** Senator Stollings;
- Senate Bill 131:** Senators Baldwin, Stollings, Romano, Beach, and Phillips;
- Senate Bill 132:** Senator Swope;
- Senate Bill 133:** Senators Romano and Beach;

- Senate Bill 135:** Senators Lindsay, Jeffries, and Stollings;
- Senate Bill 136:** Senators Lindsay, Jeffries, Phillips, Caputo, and Stollings;
- Senate Bill 139:** Senators Jeffries and Stollings;
- Senate Bill 140:** Senator Romano;
- Senate Bill 141:** Senators Lindsay and Jeffries;
- Senate Bill 142:** Senators Sypolt, Romano, and Phillips;
- Senate Bill 143:** Senators Jeffries and Romano;
- Senate Bill 144:** Senators Baldwin, Jeffries, and Romano;
- Senate Bill 145:** Senator Romano;
- Senate Bill 147:** Senators Jeffries, Lindsay, and Beach;
- Senate Bill 148:** Senators Lindsay and Caputo;
- Senate Bill 149:** Senators Jeffries, Lindsay, Caputo, and Stollings;
- Senate Bill 150:** Senators Lindsay and Caputo;
- Senate Bill 152:** Senators Jeffries, Lindsay, and Beach;
- Senate Bill 153:** Senator Beach;
- Senate Bill 154:** Senators Lindsay and Stollings;
- Senate Bill 155:** Senators Lindsay and Stollings;
- Senate Bill 156:** Senators Lindsay, Stollings, and Beach;
- Senate Bill 160:** Senator Lindsay;
- Senate Bill 162:** Senator Lindsay;
- Senate Bill 163:** Senators Lindsay, Caputo, Beach, and Romano;
- Senate Bill 164:** Senators Lindsay and Caputo;
- Senate Bill 165:** Senator Caputo;
- Senate Bill 166:** Senators Lindsay and Romano;
- Senate Bill 167:** Senators Lindsay and Stollings;
- Senate Bill 168:** Senators Lindsay and Caputo;

- Senate Bill 169:** Senators Caputo and Geffert;
- Senate Bill 170:** Senators Lindsay, Jeffries, Caputo, Stollings, Phillips, and Grady;
- Senate Bill 171:** Senator Phillips;
- Senate Bill 172:** Senators Lindsay, Jeffries, Phillips, Caputo, and Stollings;
- Senate Bill 173:** Senator Phillips;
- Senate Bill 174:** Senators Baldwin, Jeffries, Caputo, and Stollings;
- Senate Bill 175:** Senators Jeffries, Lindsay, Caputo, and Stollings;
- Senate Bill 176:** Senators Jeffries, Lindsay, Caputo, and Stollings;
- Senate Bill 177:** Senators Jeffries, Lindsay, Caputo, and Beach;
- Senate Bill 178:** Senators Jeffries and Lindsay;
- Senate Bill 179:** Senators Jeffries, Caputo, and Beach;
- Senate Bill 181:** Senators Baldwin and Phillips;
- Senate Bill 182:** Senator Phillips;
- Senate Bill 183:** Senator Lindsay;
- Senate Bill 184:** Senator Lindsay;
- Senate Bill 186:** Senator Lindsay;
- Senate Bill 187:** Senator Phillips;
- Senate Bill 188:** Senators Baldwin, Lindsay, and Caputo;
- Senate Bill 189:** Senator Phillips;
- Senate Bill 190:** Senator Phillips;
- Senate Bill 191:** Senators Lindsay, Baldwin, Jeffries, and Phillips;
- Senate Bill 192:** Senators Baldwin, Lindsay, Romano, and Phillips;
- Senate Bill 194:** Senators Lindsay, Caputo, and Stollings;
- Senate Bill 195:** Senators Lindsay, Caputo, and Stollings;
- Senate Bill 196:** Senators Lindsay and Caputo;
- Senate Bill 197:** Senators Jeffries, Lindsay, and Phillips;

- Senate Bill 198:** Senators Lindsay and Caputo;
- Senate Bill 199:** Senators Baldwin, Jeffries, Lindsay, and Caputo;
- Senate Bill 200:** Senator Caputo;
- Senate Bill 201:** Senators Lindsay and Caputo;
- Senate Bill 202:** Senator Lindsay;
- Senate Bill 203:** Senator Romano;
- Senate Bill 204:** Senator Stollings;
- Senate Bill 205:** Senator Stollings;
- Senate Bill 206:** Senators Lindsay and Caputo;
- Senate Bill 207:** Senators Lindsay and Caputo;
- Senate Bill 208:** Senators Lindsay and Caputo;
- Senate Bill 213:** Senator Baldwin;
- Senate Bill 214:** Senators Baldwin and Lindsay;
- Senate Bill 215:** Senators Lindsay and Caputo;
- Senate Bill 217:** Senator Roberts;
- Senate Bill 228:** Senators Lindsay, Jeffries, Phillips, Romano, Caputo, and Stollings;
- Senate Bill 231:** Senator Romano;
- Senate Bill 233:** Senators Baldwin, Lindsay, and Caputo;
- Senate Bill 234:** Senators Lindsay and Caputo;
- Senate Bill 235:** Senator Lindsay;
- Senate Bill 236:** Senator Lindsay;
- Senate Bill 238:** Senators Jeffries and Caputo;
- Senate Bill 240:** Senators Lindsay, Geffert, and Beach;
- Senate Bill 241:** Senator Lindsay;
- Senate Bill 243:** Senators Baldwin and Caputo;
- Senate Bill 246:** Senators Lindsay, Roberts, and Phillips;

Senate Bill 247: Senators Baldwin and Romano;

Senate Bill 248: Senator Grady;

Senate Bill 249: Senators Lindsay and Caputo;

Senate Joint Resolution 1: Senators Phillips and Smith;

Senate Joint Resolution 2: Senators Baldwin and Smith;

Senate Joint Resolution 3: Senators Baldwin, Phillips, and Smith;

Senate Joint Resolution 4: Senators Baldwin, Beach, Phillips, and Smith;

Senate Joint Resolution 5: Senators Baldwin and Lindsay;

Senate Joint Resolution 6: Senators Sypolt and Smith;

Senate Joint Resolution 7: Senators Sypolt and Phillips;

Senate Joint Resolution 8: Senators Romano, Lindsay, and Smith;

Senate Concurrent Resolution 1: Senators Jeffries, Lindsay, and Stollings;

Senate Concurrent Resolution 2: Senators Jeffries and Stollings;

Senate Concurrent Resolution 3: Senators Jeffries and Stollings;

Senate Concurrent Resolution 4: Senators Jeffries and Stollings;

Senate Concurrent Resolution 5: Senator Stollings;

Senate Concurrent Resolution 6: Senators Jeffries, Lindsay, Romano, and Smith;

Senate Concurrent Resolution 7: Senators Jeffries and Romano;

Senate Resolution 4: Senators Baldwin, Romano, Phillips, and Stollings;

And,

Senate Resolution 5: Senators Sypolt and Swope.

Pending announcement of meetings of standing committees of the Senate, including a minority party caucus,

On motion of Senator Weld, at 11:10 a.m., the Senate adjourned until tomorrow, Friday, January 14, 2022, at 9 a.m.

SENATE CALENDAR

**Friday, January 14, 2022
9:00 AM**

UNFINISHED BUSINESS

- S. C. R. 8 - US Army SGT Charles L. Toppings Memorial Road
- S. C. R. 9 - Haynie Family Veterans Memorial Bridge
- S. C. R. 10 - US Air Force TSGT Franklin A. Bradford Bridge
- S. C. R. 11 - Dennis E. Davis Veterans Nursing Home
- S. C. R. 12 - Raymond Jarrell, Jr., Memorial Road
- S. R. 6 - Designating January 14, 2022, as Fairmont State University Day at Legislature