

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE
REGULAR SESSION, 2022
TWENTY-SEVENTH DAY

Charleston, West Virginia, Monday, February 7, 2022

The Senate met at 11 a.m.

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

Prayer was offered by Ralph Coleman, Senate Assistant Doorkeeper, Big Chimney, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Chandler Swope, a senator from the sixth district.

Pending the reading of the Journal of Thursday, February 3, 2022,

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

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

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

Senator Rucker, and that Senator Takubo had been designated to vote on her behalf;

And,

Senator Smith, and that Senator Takubo had been designated to vote on his behalf.

The Senate proceeded to the third order of business.

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

Eng. Com. Sub. for House Bill 4311—A Bill to amend and reenact §3-9-17 of the Code of West Virginia, 1931, as amended, prohibiting knowingly and willfully voting more than once in any election, whether held in West Virginia or between West Virginia and another state, and making

such violations a felony offense; making it a felony offense to vote or attempt to vote when not legally entitled to do so; making it a felony offense to procure or attempt to procure the acceptance of illegal votes or the rejection of legal votes; and making it a felony offense to alter ballots, or deceive voters.

Referred to the Committee on the Judiciary.

The Senate proceeded to the fourth order of business.

Senator Maynard, 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 3rd day of February, 2022, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 244), Relating to appointment of judges to Intermediate Court of Appeals.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.

Steve Westfall,
Vice Chair, House Committee.

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

Your Committee on Education has had under consideration

Senate Bill 216, Creating Student Journalist Press Freedom Restoration Act.

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

Com. Sub. for Senate Bill 216 (originating in the Committee on Education)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-34-1, §18-34-2, §18-34-3, and §18-34-4; and to amend said code by adding thereto a new article, designated §18B-21-1, §18B-21-2, §18B-21-3, and §18B-21-4 all relating to student journalist press freedom; creating the Secondary Student Journalist Press Freedom Restoration Act and the Higher Education Student Journalist Press Freedom Act; providing for legislative findings; defining terms; providing that a student journalist has the right to exercise freedom of speech and of the press in school-sponsored media; allowing student media advisors to teach professional standards of English and journalism to student journalists; providing expression that is not authorized or protected by student journalists' freedom of expression section; prohibiting prior restraint of material prepared for official school publications with certain exceptions; clarifying that nothing in student journalist freedom of expression section is to be construed as authorizing the publication of an advertisement in a school-sponsored media that promotes the purchase of a product or service that is unlawful for purchase or use by minors; providing that a student journalist cannot be disciplined for exercising freedom of speech and of the press in school-sponsored media; providing that a state institution of higher education student media adviser cannot be

dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against for certain specified reasons; requiring adoption of written policy for the exercise of the right of student journalists to freedom of speech and the press in school sponsored media; providing that no expression made by students in the exercise of free speech or free press rights is deemed to be an expression of school policy and no school district or employee of a school district shall be held responsible in any civil or criminal action for any expression made or published by students; allowing institution of proceedings for injunctive or declaratory relief to enforce rights provided in student journalists' freedom of expression section; and providing that the student journalist press freedom restoration acts do not apply to private middle or high schools or private colleges or universities.

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

Respectfully submitted,

Rollan A. Roberts,
Vice Chair.

The bill (Com. Sub. for S. B. 216), under the original double committee reference, was then referred to the Committee on the Judiciary.

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

Your Committee on the Judiciary has had under consideration

Senate Bills 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 324, 325, 326, 327, 328, and 329, Alcohol Beverage Control Commission rule relating to private club licensing.

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

Com. Sub. for Senate Bill 312 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §64-7-1 *et. seq.* of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Revenue to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee and as amended by the Legislature; relating to authorizing the Alcohol Beverage Control Commission to promulgate a legislative rule relating to private club licensing; relating to authorizing the Alcohol Beverage Control Commission to promulgate a legislative rule relating to nonintoxicating beer licensing and operations procedures; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to continuing education for individual insurance producers and individual in; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to the adoption of the valuation manual; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to pharmacy auditing entities and pharmacy benefit managers; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to term and universal life insurance reserve financing; relating to authorizing the Insurance Commission to promulgate a legislative rule relating to bail bondsmen in criminal cases; relating to authorizing the Lottery Commission to promulgate a legislative rule relating to the West Virginia Lottery State Lottery Rules; relating to authorizing the Lottery Commission to promulgate a legislative rule relating to West Virginia Lottery Limited Video Lottery Rule; relating to authorizing the Racing Commission to promulgate

a legislative rule relating to thoroughbred racing; relating to authorizing the Racing Commission to promulgate a legislative rule relating to pari-mutuel wagering; relating to authorizing the Tax Department to promulgate a legislative rule relating to the West Virginia tax credit for Federal Excise Tax imposed upon small arms and ammunition manufacturers; relating to authorizing the Tax Department to promulgate a legislative rule relating to the Sales Tax Holiday; relating to authorizing the Tax Department to promulgate a legislative rule relating to the exemption for repair, remodeling, and maintenance of an aircraft; relating to authorizing the Tax Department to promulgate a legislative rule relating to vendor absorption or assumption of Sales and Use tax; and relating to authorizing the Tax Department to promulgate a legislative rule relating to on-line bingo and raffles; and relating to authorizing the Tax Department to promulgate a legislative rule to the corporation net income tax.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Maroney, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Senate Bill 419, Establishing pilot project to evaluate impact of certain post-substance use disorder residential treatments.

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

Com. Sub. for Senate Bill 419 (originating in the Committee on Health and Human Resources)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §9-5-29, relating to the Department of Health and Human Resources entering into contracts with managed care organizations that allow payments based upon performance-based metrics; evaluating the impact that post-discharge planning and the provision of wraparound services has on the outcomes of substance use disorder in three years post-substance use disorder residential treatment; requiring the Bureau for Medical services to seek an amendment to existing waivers from the Centers for Medicare and Medicaid Services; creating advisory committee; setting terms of performance based contract; and required reporting.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Michael J. Maroney,
Chair.

Senator Roberts, from the Committee on the Workforce, submitted the following report, which was received:

Your Committee on the Workforce has had under consideration

Senate Bill 501, Eliminating requirement on apprenticeship tax credit for certain tax years.

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

Com. Sub. for Senate Bill 501 (originating in the Committee on the Workforce)—A Bill to amend and reenact §11-13W-1 of the Code of West Virginia, 1931, as amended, all relating to the tax credit for apprenticeship training; eliminating the requirement that the credit base be limited to wages paid to apprentices in the construction trades; specifying effective date; and making stylistic changes.

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

Respectfully submitted,

Rollan A. Roberts,
Chair.

The bill (Com. Sub. for S. B. 501), under the original double committee reference, was then referred to the Committee on Finance.

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

Your Committee on Finance has had under consideration

Senate Bill 533, Relating to funding for health sciences and medical schools in state.

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

Com. Sub. for Senate Bill 533 (originating in the Committee on Finance)—A Bill to amend and reenact §11-19-2 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §11-19-13; and to amend said code by adding thereto a new section, designated §33-3-14e, all relating to funding for health sciences and medical schools in this state; eliminating the direction of proceeds of the soda tax into special medical school fund; providing for the eventual elimination of the tax; providing for a sunset date; directing a portion of insurance premium tax to health sciences and medical schools in this state; setting out findings; providing for specific amounts to be directed to Health Sciences Center at West Virginia University, Marshall University School of Medicine, and West Virginia school of Osteopathic Medicine; providing for effective dates, providing for quarterly distribution for dedicated fund; and providing that the amounts directed from premium tax shall not limit total appropriation to the health sciences and medical schools.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Eric J. Tarr,
Chair.

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

Your Committee on the Judiciary has had under consideration

Senate Bill 540, Allowing municipal fire departments provide retirees with service weapon in certain circumstances.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

Your Committee on Finance has had under consideration

Senate Bill 546, Expanding uses of fees paid by students at higher education institutions.

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

Respectfully submitted,

Eric J. Tarr,
Chair.

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

Your Committee on Finance has had under consideration

Senate Bill 550, Relating to funding for higher education institutions.

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

Com. Sub. for Senate Bill 550 (originating in the Committee on Finance)—A Bill to amend and reenact §18B-1-1F of the Code of West Virginia, 1931, as amended; and to amend and reenact §18B-1B-4 of said code; all relating to funding for institutions of higher education; clarifying the powers and duties of the Higher Education Policy Commission; establishing additional criteria for a state institution of higher education to be considered exempt from the requirement that the council or the commission approve the establishment of new programs on their own campuses for programs incentivized within the funding formula established herein; directing the Higher Education Policy Commission to develop and implement a funding formula model; providing that the funding formula shall govern the appropriation requests to the Legislature regarding distribution of general revenue to the state's institutions of higher education; providing for rulemaking; setting forth factors to be included in the rule; setting out factors which may not be included in the rule and making the rule applicable to the 2024 budget cycle.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Eric J. Tarr,
Chair.

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

Your Committee on the Judiciary has had under consideration

Senate Bill 576, Relating to unemployment insurance and COVID-19 vaccination requirement.

And reports the same back without recommendation as to passage.

Respectfully submitted,

Charles S. Trump IV,
Chair.

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

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 3220, Restrictions on Taxpayer funded lobbying.

And has amended same.

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

Respectfully submitted,

Mark R. Maynard,
Chair.

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

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 4074, Require schools provide eating disorder and self-harm training for teacher and students.

And has amended same.

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

Respectfully submitted,

Rollan A. Roberts,
Vice Chair.

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

Senator Maroney, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Eng. Com. Sub. for House Bill 4276, WVU to create a Parkinson's disease registry.

And has amended same.

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

Respectfully submitted,

Michael J. Maroney,
Chair.

The Senate proceeded to the sixth order of business.

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

By Senator Maynard:

Senate Bill 581—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §55-20-1 and §55-20-2, all relating to immunity from civil liability for owners, agents, employees, or contractors of sports or exposition venues; providing definitions; and providing for exceptions to immunity.

Referred to the Committee on the Judiciary.

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

Senate Bill 582—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §29-33-1, §29-33-2, §29-33-3, and §29-33-4, all relating to creating the West Virginia Workforce Resiliency Act; establishing the West Virginia Workforce Resiliency Office in the Office of the Governor; establishing the position of the West Virginia Workforce Resiliency Officer; setting forth the authority and duties of the West Virginia Workforce Resiliency Officer; and allowing for the West Virginia Workforce Resiliency Officer to hire staff.

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

By Senator Maynard:

Senate Bill 583—A Bill to amend and reenact §31B-2-203 of the Code of West Virginia, 1931, as amended; to amend and reenact §31B-10-1002 of said code; to amend and reenact §31D-2-202 of said code; to amend and reenact §31E-2-202 of said code; to amend and reenact §47-9-8 of said code; and to amend and reenact §59-1-2a of said code, all relating to permitting registered business organizations to voluntarily submit a public telephone number to the Secretary of State.

Referred to the Committee on the Judiciary.

By Senator Jeffries:

Senate Bill 584—A Bill to amend and reenact §31-15A-17c of the Code of West Virginia, 1931, as amended, all relating to the critical needs and failing systems sub account; increasing the maximum loan balance for each congressional district from \$4 million to \$6 million; and increasing the cap relating to providing extensions to a water facility or wastewater facility from \$1 million to \$1.5 million.

Referred to the Committee on Finance.

By Senator Takubo:

Senate Bill 585—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-3-11c, relating to administrative licenses and granting rule-making authority related thereto.

Referred to the Committee on Health and Human Resources.

By Senator Weld:

Senate Bill 586—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25e, relating to allowing students to transfer schools and retain his or her athletic eligibility at least one-time during a student's four years of secondary school.

Referred to the Committee on Education.

By Senator Azinger:

Senate Bill 587—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-1-31, relating to establishing a tip line to the Governor's office for when parents or students observe the teaching of Critical Race Theory in West Virginia public schools.

Referred to the Committee on Education.

By Senator Trump:

Senate Bill 588—A Bill to amend and reenact §5B-1A-1, §5B-1A-2, §5B-1A-3, §5B-1A-4, §5B-1A-5, §5B-1A-6, and §5B-1A-9 of the Code of West Virginia, 1931, as amended, all relating to updating and correcting sections of the West Virginia Rail Trails Program; providing for updating definitions to include a definition of "rail with trail;" and addressing railroad liability and safety risk concerns proposed during the 2021 regular legislative session.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 589—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-15a, relating to setting forth legislative findings and declarations; defining "area of critical need and shortage for substitute bus operators"; setting forth conditions under which a person receiving certain retirement benefits or who is entitled to retirement benefits during the fiscal year in which that person retired, can accept employment as a critical need substitute bus operator for an unlimited number of days each fiscal year without affecting the monthly retirement benefit to which the retirant is otherwise entitled; requiring loss

of certain retirement benefits for any person who retires and begins work as a critical need substitute bus operator within the same fiscal year; providing that retired bus operators employed to perform expanded substitute service are considered day-to-day, temporary, part-time employees who are not eligible for benefits paid to regularly employed employees and may not accrue seniority; requiring county board to continue to post the vacant position and to post electronically when a retired bus operator is employed as critical need substitute; and providing expiration date for section.

Referred to the Committee on Education.

By Senator Woelfel:

Senate Bill 590—A Bill to amend and reenact §37-6-5, §37-6A-1, §37-6A-5, of the Code of West Virginia, 1931, as amended; and to amend and reenact §55-3A-1 of said code, all relating generally to clarifying that tenancy includes persons who reside in a sober living home; providing a definition for a "sober living home"; and providing that reasonable attorney's fees shall be awarded for a landlord's willful or bad-faith noncompliance relating to rental security deposits when the tenant resides in a sober living home.

Referred to the Committee on the Judiciary.

By Senator Trump:

Senate Bill 591—A Bill to amend and reenact §3-10-5 of the Code of West Virginia, 1931, as amended, relating to the process for filling vacancies in the state Legislature; clarifying the process for filling a vacancy if the member was elected to a multicounty senatorial or delegate district; and authorizing the county executive committee of single-county senatorial or delegate district to fill vacancies.

Referred to the Committee on the Judiciary.

Senator Romano offered the following resolution:

Senate Concurrent Resolution 36—Requesting the Division of Highways name bridge number 17-098/00-004.06 (17A348), locally known as V.A. Hospital Bridge, carrying WV 98 over Fitness Trail in Harrison County, the "U.S.M.C. CPL Harry Edward Dean Jr., Memorial Bridge".

Whereas, Harry Edward Dean, Jr., was educated during the era of the polio pandemic and received his degree in physical therapy in 1950, after being interrupted for his service in the U.S. Marine Corps during WW II. He served in the Pacific during WW II with combat tours in Okinawa, the Ryukyu Islands, and occupied China; and

Whereas, CPL Harry Edward Dean Jr., was one of the state's first physical therapists, advocate, and friend for thousands of West Virginia children with disabilities. He held a full-time job at the VA Medical Center in Clarksburg, West Virginia, while treating disabled children in his spare time, teaming with the Clarksburg Rotary Club to launch the Children's Treatment Center in 1955; and

Whereas, CPL Harry Edward Dean Jr., while continuing his treatment of children with disabilities, was the first licensed physical therapist to open the St. Mary's Hospital Physical Therapy Department and, as the head physical therapist, he became the executive director of the Easter Seal Society in 1971; and

Whereas, CPL Harry Edward Dean Jr., began a two-week summer camping program in 1971 for children with disabilities at Camp Horseshoe, in Parsons, West Virginia. He mentored medical school students who served as counselors year after year, out of respect for his selfless passion, and in turn becoming life-long friends, inspiring dozens with the same selfless passion; and

Whereas, No fees were ever charged for any of the services provided at the Children's Treatment Center during the time CPL Harry Edward Dean Jr., was director because he and others raised the needed funds through private and corporate donations, grants, and trusts. He always said he was richly rewarded with the success of the children with disabilities he treated and gratitude of their families; and

Whereas, CPL Harry Edward Dean Jr., was a member of the American Physical Therapy Association and the West Virginia Physical Therapy Association, and was awarded the West Virginia Physical Therapy Pioneer Award in 2007; and

Whereas, It is fitting that an enduring memorial be established to commemorate CPL Harry Edward Dean Jr., and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 17-098/00-004.06 (17A348), locally known as V.A. Hospital Bridge, carrying WV 98 over Fitness Trail in Harrison County, the "U.S.M.C. CPL Harry Edward Dean Jr., Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S.M.C. CPL Harry Edward Dean Jr., 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 Romano offered the following resolution:

Senate Concurrent Resolution 37—Requesting that the Division of Highways name bridge number 17A332 (17-098/00-003.27), locally known as the Veterans' Park Bridge, carrying State Route 98 over the West Fork River in Harrison County, the "Harrison County Veterans Memorial Bridge".

Whereas, Harrison County citizens have long been known as the first to fight for their country, and Harrison County was the centerpiece of West Virginias' efforts to fight the Axis Powers during WWII, seeing thousands of recruits on their way to defend their country; and

Whereas, Naming this bridge in honor of all the men and women who have served in the United States Armed Forces from Harrison County; and

Whereas, It is a fitting that an enduring memorial be established to commemorate the Harrison County Veterans for 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 17A33 (17-098/00-003.27), locally known as the Veterans' Park Bridge, carrying State Route 98 over the West Fork River in Harrison County, the "Harrison County 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 "Harrison County 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 Romano offered the following resolution:

Senate Concurrent Resolution 38—Requesting the Division of Highways name bridge number 17-050/00-006.08 (EB and WB) (17A187, 17A189), (39.28925, -80.49021), locally known as LOG CABIN BRIDGE, carrying APD 50 (EB and WB) over TENMILE CREEK, Harrison County, the "Cox Brothers' Veteran Memorial Bridge".

Whereas, The Cox Family demonstrated their utmost patriotism for the United States with 11 of 15 brothers in a family of 21 children serving in the U.S. military, including seven brothers who served during WWII; and

Whereas, Vaughn Cox was with the 101st Airborne, serving as a paratrooper on D-Day being shot several times before he hit the ground. Thereafter, Vaughn was picked up by burial crews who discovered that he still was alive after which he recovered and returned home with a glass eye having earned three Purple Hearts; and

Whereas, Glenn Cox was stationed with the Navy on Ocracoke Island at a top secret Amphibious Training Base where he operated from the "Loop Shack" to track Nazi U-Boats. Then at the end of the war, as reported by his daughter, Glenn had the honor of transcribing the radio code message announcing the end of WWII to his fellow sailors; and

Whereas, Edward Cox fought during the horrible battles for Guadalcanal and the Southern Philippines during WWII. He reenlisted and served in the Korean War, garnering multiple honors including medals for the Asiatic-Pacific Theater Campaign with two bronze stars, Philippine Liberation Ribbon with one bronze star and the Army of Occupation Medal, Korea; and

Whereas, Paul Loutrell Cox was a U.S. Marine, PFC-6, during WWII serving in the Central Pacific throughout those difficult times; and

Whereas, Carlos Walter Cox was a Staff Sergeant in the Army who served in Northern France and the Rhineland during WWII earning multiple service ribbons for valor and bravery; and

Whereas, Calvin Leco Cox served his country in the Army as Private First Class-Ordinance in Walla Walla, Washington; and

Whereas, The Cox Brothers' half-brother, Kenneth Bickerstaff, was in the Army and stationed in Australia during WWII to help fight off the Japanese invasion in the Pacific; and

Whereas, All seven of the Cox brothers who served in WWII were listed on the Honor Memorial in Wolf Summit, West Virginia, dedicated in 1946, symbolizing their heroism and sacrifice for continued freedom of the United States and our democracy; and

Whereas, It is fitting that an enduring memorial be established to commemorate all seven of the Cox brothers, who served in WWII, 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 numbers: 17-050/00-006.08 (EB and WB) (17A187, 17A189) , (39.28925, -80.49021) locally known as LOG CABIN BRIDGE, carrying APD 50 (EB and WB) over TENMILE CREEK, Harrison County, the "Cox Brothers' Veteran 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 "Cox Brothers' Veteran 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 Romano offered the following resolution:

Senate Concurrent Resolution 39—Requesting the Division of Highways to name bridge number 20-079/00-019.22 (NB and SB) (20A514-20A515), locally known as I-79 CLENDENIN I/C NB, carrying I-79 over CR 53 in Kanawha County, the "Walker Brothers' Veteran Memorial Bridge".

Whereas, All five of the Walker men volunteered for military service during the Vietnam War with three experiencing injuries while on active duty; and

Whereas, Albert J.L. Walker served as a civil engineer in the U.S. Air Force at the Eielson Air Force Base in Alaska when the Great Alaskan Earthquake struck in 1964. He was active in rescue efforts and recovery of the dead following the strongest earthquake in North American history; and

Whereas, Allie Melton Walker served in the U.S. Air Force at the Kaden Air Force Base, Okinawa, Japan, as an aircraft mechanic. He deployed to Vietnam for three months at a time as the crew chief on the C130 aircraft delivering cargo and picking up the wounded and the dead. He earned a Good Conduct Medal (AFGCM w/1BR OLC), Special Ops, and marksmanship; and

Whereas, Ray Milton Walker served in the U.S. Army at the Dong Tam Base Camp where he was a part of the ground recon team for the 1st Aviation Brigade. He was awarded the Combat Infantryman Badge (CIB), Bronze Star, National Defense Service Medal with two bronze stars, and Marksman Badge with Rifle Bar; and

Whereas, Ray Milton Walker is now suffering from cancer and long-term health issues from his exposure to Agent Orange; and

Whereas, Roger Bill Walker served in the U.S. Air Force at Udorn Airbase, Thailand, as a radar operator and air traffic controller assisting with the bombing of North Vietnam. He received the National Defense Service Medal, Vietnam Service Medal, Air Force Good Conduct, and Special Ops; and

Whereas, David Allen Walker joined the WV Army National Guard while he was still a senior in high school, serving as a Green Beret with the 19th S.F. Group Airborne as a combat engineer. He was injured during paratrooper training when his plane caught on fire and forced him to jump onto the tarmac wearing full combat gear, injuring both of his feet. He continued to serve in supply and transport. David Allen Walker also served the State of West Virginia as a WV Delegate from the 33rd District from 2009 to 2015; and

Whereas, It is fitting that an enduring memorial be established to commemorate the Walker brothers 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 20-079/00-019.22 (NB and SB) (20A514-20A515), locally known as I-79 CLENDENIN I/C NB, carrying I-79 over CR 53 in Kanawha County, the "Walker Brothers' Veterans Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and placed signs identifying the bridge as the "Walker Brothers' 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 Romano offered the following resolution:

Senate Concurrent Resolution 40—Requesting the Division of Highways name bridge number 17-034/00-000.01 (17A296), (39.23653, -80.39654), locally known as Laurel Park Truss, carrying CR 34 over West Fork River in Harrison County, the "Frye Brothers' Memorial Bridge".

Whereas, Three of the four Frye brothers served in World War II, with one brother killed in action; and

Whereas, The Frye brothers' father was killed in a coal mining accident forcing their mother to send them to group homes, until she found a job and was able to support her four boys and two girls who were all under the age of 12; and

Whereas, The oldest Frye brother, Thomas, was not allowed to enlist because he worked in the defense industry and would have been his widowed mother's sole source of support if his younger brothers were killed; and

Whereas, Kermit C. Frye was drafted in 1940 and served as a Navy Seaman Second Class; and

Whereas, Kermit C. Frye was killed in action with his body "lost at sea" after the East Indian motor merchant ship was torpedoed and sunk off the Coast of South Africa on November 3, 1942; and

Whereas, Kermit C. Frye was awarded a posthumous Purple Heart and memorialized with a cross at the North Africa American Cemetery in Carthage, Tunisia; and

Whereas, Richard G. Frye was drafted in 1942 and served as Army Private First Class, fighting in both Africa and Germany combat campaigns; and

Whereas, Harold Q. Frye, known as "Red", due to the color of his hair, was drafted in 1942 and served as a Private First Class cannoneer in the 119th Field Artillery Division of the 9th Army; and

Whereas, Harold Q. Frye, jumped into the icy waters off Normandy, surrounded by the bodies of dead comrades, making it safely to shore despite carrying a 90-pound pack and having a severe asthma attack, while fellow soldier Dale Crim shouted, "Swim Frye! Swim Dammit". Dale Crim later told Frye's daughter that the experience was so haunting many soldiers never talked about it, but he wanted her to know the bravery of her father and how they encouraged each other to survive; and

Whereas, Harold Q. Frye, operated a "Long Tom" gun during the Battle of the Bulge with a commendation from the XIX Corps Artillery headquarters for helping to protect aircraft, armor, and infantry as they made their rapid run through Germany in pursuit of enemy troops; and

Whereas, Harold Q. Frye received an additional commendation from Lieutenant General W. H. Simpson for taking part in the six-week bloody battle. Approximately 19,000 American troops were killed before the crushing defeat of the German Army was completed; and

Whereas, Harold Q. Frye returned to Clarksburg after the war and served as a nursing assistant at the Veterans Hospital for more than 20 years. He was recognized for saving the life of a patient who became choked on a piece of meat; and

Whereas, Harold Q. Frye retired after he was injured during an attack by a patient in the VA Psychiatric Unit; and

Whereas, it is fitting that an enduring memorial be established to commemorate the Frye brothers for the contributions of Thomas Frye, Kermit C. Frye, Richard G. Frye, and Harold Q. Frye 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 17-034/00-000.01 (17A296), (39.23653, -80.39654), locally known as Laurel Park Truss, carrying CR 34 over West Fork River in Harrison County, the "Frye Brothers' 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 "Frye Brothers' 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 and to forward four copies of the resolution to family members.

Which, under the rules, lies over one day.

Senator Romano offered the following resolution:

Senate Concurrent Resolution 41—Requesting the Division of Highways name bridge number 08-011/00-023.08 (08A108), locally known as NEW DILLE BR 23.03, carrying CR 11 over Strange Creek in Clay County, the "Henry Preston Hickman Memorial Bridge".

Whereas, Henry Preston Hickman was a beloved community leader in Dille, West Virginia. He was a source of guidance and wisdom affectionately known as "Grandpa" to all who knew and loved him; and

Whereas, Henry Preston Hickman filled out an "Old Man's Draft" registration card during WWII when he was 59 years old. However, he was never called to active duty, but served in critical industrial and civilian roles in both WWII, as well as the Korean War providing important materials for the war effort; and

Whereas, Henry Preston Hickman operated three sawmills, employing nearly 80 men and opened a coal mine and coal tipple on his property, providing additional jobs for the community, including creating jobs for troubled youth. He served on the Clay County Draft Board during the Korean War; and

Whereas, Henry Preston Hickman served as the Buffalo District Representative on the Clay County Board of Education for 33 years, several as board president; and

Whereas, Henry Preston Hickman, donated a large piece of property for the construction of the Dille Grade School. He helped build and maintain a neighborhood community center, providing a place for basketball, roller skating and movies, as well as a place where the Boy Scouts and other social clubs could meet. He led a Community Action Group which installed an outdoor concrete basketball court, erected cemetery signs, and provided first-aid and CPR classes; and

Whereas, Henry Preston Hickman served as Sunday School Superintendent of the Big Union Baptist Church, Dill, WV, for 70 years, also serving as deacon and as a Sunday school teacher; and

Whereas, Henry Preston Hickman died at age 93 after serving the community in many different capacities such as storekeeper, postmaster, and self-trained veterinarian all of which were to the great benefit of his community; and

Whereas, It is fitting that an enduring memorial be established to commemorate Henry Preston Hickman and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 08-011/00-023.08 (08A108), locally known as NEW DILLE BR 23.03, carrying CR 11 over Strange Creek in Clay County, the "Henry Preston Hickman 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 "Henry Preston Hickman 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 and forward a copy to his great granddaughter, Merry Cogar.

Which, under the rules, lies over one day.

Senator Romano offered the following resolution:

Senate Concurrent Resolution 42—Requesting the Division of Highways name bridge number 17A282 (17-025/99-000.34), locally known as Camden Street Bridge, over the West Fork River in Harrison County, the "U.S.M.C. SSGT Herbert 'Herbie' D. Barnes Veteran Memorial Bridge".

Whereas, Herbert "Herbie" D. Barnes was born May 15, 1927, to alcoholic parents and raised in extreme poverty in West Virginia. He enlisted in the U.S. Marine Corps at age 19, writing in his journal that the Marine Corps became his family and his home for two decades where he "slept in warm barracks, had three warm meals a day, had nice clothes, shoes, and a hot shower every day"; and

Whereas, SSGT Herbert "Herbie" D. Barnes left training in Quantico, Virginia, to board the troop ship USS President Adams headed for Trinidad in 1947 when the ship was caught in a typhoon that nearly capsized the vessel, causing him to remember that "I was scared to death that the ship was going to sink"; and

Whereas, SSGT Herbert "Herbie" D. Barnes helped guard the amphibious base in Trinidad where he watched PBY seaplanes land and take off on the water as part of their mission to hunt enemy submarines. He took his next ocean voyage, headed to South Korea, where he fought on the beaches in and around Inchon Harbor. SSGT Herbert "Herbie" D. Barnes and his unit fought their way to Korea's capital of Seoul where they were targeted by snipers during a 10-day battle; and

Whereas, SSGT Herbert "Herbie" D. Barnes and his fellow Marines dug in for an extremely bloody battle with Red Chinese soldiers in temperatures that dropped as low as 35 degrees below zero. They used sandbags and frozen bodies since it was too cold to dig foxholes for which he and his fellow troops were dubbed the "Frozen Chosen"; and

Whereas, SSGT Herbert "Herbie" D. Barnes served as a drill instructor during the Vietnam War, a time he rarely discussed with his family. His son remembers his father somberly describing it as the spookiest place he had ever been. SSGT Herbert "Herbie" D. Barnes retired after 20-years in the U.S. Marine Corps earning a WW II Victory Medal, Good Conduct Medal with three stars, Presidential Unit Citation with one-star, Korean Service Medal with three stars, and National Defense Service Medal with one star; and

Whereas, SSGT Herbert "Herbie" D. Barnes was a member of the VFW, Post 573, and past commander of the Elks and Moose. He died on October 29, 2017, at age 90; and

Whereas, It is fitting that an enduring memorial be established to commemorate SSGT Herbert "Herbie" D. Barnes and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 17A282 (17-025/99-000.34), locally known as Camden Street Bridge, over the West Fork River in Harrison County, the "U.S.M.C. SSGT Herbert 'Herbie' D. Barnes Veteran Memorial Bridge"; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S.M.C SSGT Herbert 'Herbie' D. Barnes 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 Clements offered the following resolution:

Senate Resolution 19—Congratulating the Ritchie County High School Rebels football team for winning the West Virginia 2021 Class A State Football Championship.

Whereas, The Ritchie County High School Rebels football team is to be commended for winning in the history of the school's program, their first ever state championship; and

Whereas, The Ritchie County High School Rebels football team led a near perfect year on the gridiron with a record of 14-1; and

Whereas, On Saturday night, December 4, 2021, at Wheeling Island Stadium their hard work and strong will brought home the school's first state championship with a winning score of 42-21 over Williamstown; and

Whereas, The Ritchie County High School Rebels football team is led by head coach, Rick Haught, and consists of players Cole Waugaman, Conner Shaffer, Seth Hardy, Austin Kuffner, Garrett Cunningham, Brandon Riddle, Jase Wells, Jensen Lucas, Charles Blair, Robert Knudsen, Ayden Sellers, Andrew Dobbins, Ryan Samples, Tristen Ginanni, James Sonju, William Dawson, Bodhi Utter, Morgan Knight, Kolton DePinho, Hayden Bartlett, Gus Morrison, Marlon Moore, Garrett Flesher, Rhett Johnson, Charles Copeland, Haiden Smith, Austin Bartlett, William Bell, Drake Jewell, Bruce Moyer, Domonic Worstell, CaDan Campbell, Ethan Haught, and Colton Walton; and

Whereas, The Ritchie County High School Rebels football team displayed their strong will and determination for an entire season and are a shining example of what can be accomplished with hard work, dedication, and spirit; and

Whereas, The 2021 Ritchie County High School Rebels football team will be remembered as one of the greatest football teams in the history of West Virginia sports; therefore, be it

Resolved by the Senate:

That the Senate hereby congratulates the Ritchie County High School Rebels football team for winning the West Virginia 2021 Class A Football Championship; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the Ritchie County High School Rebels football team.

Which, under the rules, lies over one day.

Senator Plymale offered the following resolution:

Senate Resolution 20—Designating February 8, 2022, as Marshall University Day.

Whereas, Marshall University has been an institution of advanced learning and innovation since its founding in 1837: and

Whereas, The university has been educating students from the great state of West Virginia and across the globe for 185 years; and

Whereas, Marshall's forward-focused academic programs like aviation, cyber forensics and security, and especially agriculture, will offer students the opportunity for in-demand careers; and

Whereas, Marshall's emphasis on research ranks it as a Carnegie R2 research institution, featuring federally funded investigators working collaboratively with professionals and students alike; and

Whereas, Marshall University has begun construction on its state-of-the-art new Center for Business and Innovation positioned to attract interdisciplinary collaboration among students and faculty, advance research and engage the community; and

Whereas, Nearly \$500 million and 3,000 jobs are contributed annually to West Virginia's economy by Marshall University; therefore, be it

Resolved by the Senate:

That the Senate hereby designates February 8, 2022, as Marshall University Day; and, be it

Further Resolved, That the Senate hereby recognizes Marshall University for its tremendous 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 Mr. Brad D. Smith, President of Marshall University.

Which, under the rules, lies over one day.

Senators Weld, Brown, Maroney, and Clements offered the following resolution:

Senate Resolution 21—Congratulating Jeff and Janet Allen for winning the Conservation Farm of the Year Award.

Whereas, The Conservation Farm of the Year competition showcases the best examples of farms owned and operated by people dedicated to conservation; and

Whereas, Cooperating farms in each county are nominated by their local conservation district and go on to compete at the county, district, area, and state levels; and

Whereas, Farms are judged on several topics, such as resource management, conservation plan, best management practices, and involvement in the community, and

Whereas Jeff and Janet Allen, of Moundsville, represents the Northern Panhandle Conservation District, which consists of Hancock, Brooke, Ohio, and Marshall counties, and

Whereas, For their efforts in conservation farming, Jeff and Janet Allen were awarded the 2021 West Virginia Conservation Farm of the Year: therefore, be it

Resolved by the Senate:

That the Senate hereby congratulates Jeff and Janet Allen for winning the Conservation Farm of the Year Award; and, be it

Further Resolved, That the Senate extends its sincere appreciation and gratitude to Jeff and Janet Allen for their excellence in conservation farming: and be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to Jeff and Janet Allen.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 33, US Army SGT Lewis M. "Mike" Totten Memorial Road.

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 34, USMC SGTMAJ Herman H. Brawner 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 35, Ira "Noon" Copley and Marie Copley 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 18, Designating February 7, 2022, as Sexual Violence Awareness Day in WV.

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

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

Thereafter, at the request of Senator Baldwin, and by unanimous consent, the remarks by Senators Weld, Woelfel, and Maroney regarding the adoption of Senate Resolution 18 were ordered printed in the Appendix to the Journal.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 7, Relating to damages for medical monitoring.

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

Pending extended discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 7 pass?"

On the passage of the bill, the yeas were: Azinger, Boley, Clements, Grady, Maroney, Maynard, Nelson, Phillips, Plymale, Roberts, Rucker (by proxy), Smith (by proxy), Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woodrum, and Blair (Mr. President)—20.

The nays were: Baldwin, Beach, Brown, Caputo, Geffert, Hamilton, Karnes, Lindsay, Martin, Romano, Stollings, Stover, and Woelfel—13.

Absent: Jeffries—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 7) passed with its title.

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

Eng. Com. Sub. for Senate Bill 481, Relating to Adopt-A-Stream Program.

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

On the passage of the bill, the yeas were: Azinger, Baldwin, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker (by proxy), Smith (by proxy), Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Jeffries and Weld—2.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 481) passed with its title.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 2, Relating to unemployment benefits program.

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

At the request of Senator Takubo, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

Com. Sub. for Senate Bill 3, Requiring work search activities to qualify for unemployment benefits.

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

At the request of Senator Takubo, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

Com. Sub. for Senate Bill 231, Relating generally to broadband connectivity.

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

Com. Sub. for Com. Sub. for Senate Bill 264, Relating to conservation districts law of WV .

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

Senate Bill 493, Requiring county BOE make meetings available to public in-person and through internet.

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

At the request of Senator Takubo, and by unanimous consent, the bill was advanced to third reading with the right for amendments to be considered on that reading.

Senate Bill 499, Authorizing legislative rules for School Building Authority.

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

Eng. House Bill 2325, Removing the requirement of continuing education for barbers and cosmetologists.

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

Eng. Com. Sub. for House Bill 4062, Removing the residency requirement for the Commissioner of the Division of Highways.

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

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

On page one, section two, line four, after the word "responsibilities;" by inserting the words "shall be a resident of West Virginia;"

The bill (Eng. Com. Sub. for H. B. 4062), as amended, was then ordered to third reading.

Eng. House Bill 4301, Reforming membership requirements of Huntington Park and Recreation District Board.

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

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

On page two, section two, line forty, by striking out "1".

The bill (Eng. H. B. 4301), as amended, was then ordered to third reading.

The Senate proceeded to the tenth order of business.

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

Com. Sub. for Senate Bill 6, Establishing common law "veil piercing" claims not be used to impose personal liability.

Com. Sub. for Senate Bill 242, Restricting authority to prevent or limit owner's use of natural resources or real property in certain agricultural operations.

Com. Sub. for Senate Bill 245, Revising wage payment and collection.

Com. Sub. for Senate Bill 445, Modifying police and firemen's pension plans for trustees.

Com. Sub. for Senate Bill 472, Relating to access to juvenile records by certain employees of Division of Corrections and Rehabilitation.

And,

Com. Sub. for Senate Bill 487, Relating to Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B.

(Senator Sypolt in the Chair.)

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Blair (Mr. President) and Geffert.

Thereafter, at the request of Senator Trump, and by unanimous consent, the remarks by Senator Blair (Mr. President) were ordered printed in the Appendix to the Journal.

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

Remarks were made by Senators Tarr, Romano, and Baldwin.

At the request of Senator Romano, unanimous consent being granted, the Senate stood in observance of a moment of silence in recognition of the passing of L. J. "Joe" Trupo, former Harrison County Sheriff and former West Virginia State Trooper.

At the request of Senator Baldwin, and by unanimous consent, the Senate then stood in observance of a moment of silence in recognition of the passing of Jose Antonio Puertas Gomez, father of the Honorable Patricia Puertas Rucker, a senator from the sixteenth district.

At the request of Senator Caputo, unanimous consent being granted, the remarks by Senators Romano and Baldwin were ordered printed in the Appendix to the Journal.

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were removed as co-sponsors of the following bill on February 3, 2022:

Com. Sub. for Senate Bill 3: Senators Romano and Jeffries.

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 February 3, 2022:

Senate Bill 32: Senator Hamilton;

Senate Bill 33: Senator Hamilton;

Senate Bill 34: Senator Hamilton;

Senate Bill 419: Senators Stollings and Plymale;

Senate Bill 487: Senators Plymale and Jeffries;

Senate Bill 500: Senator Lindsay;

Senate Bill 533: Senators Hamilton, Jeffries, Martin, and Plymale;

Senate Bill 546: Senator Plymale;

Senate Bill 570: Senator Hamilton;

Senate Bill 571: Senator Stollings;

Senate Bill 574: Senator Plymale;

Senate Bill 575: Senator Woelfel;

Senate Bill 576: Senators Grady, Sypolt, Martin, and Phillips;

Senate Bill 577: Senators Stollings, Lindsay, Baldwin, Grady, and Caputo;

Senate Bill 578: Senator Grady;

Senate Concurrent Resolution 33: Senators Stollings and Phillips;

Senate Concurrent Resolution 35: Senators Woelfel, Jeffries, Phillips, and Stollings;

And,

Senate Resolution 18: Senators Woelfel, Stollings, Jeffries, Lindsay, Baldwin, and Hamilton.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 12:27 p.m., the Senate adjourned until tomorrow, Tuesday, February 8, 2022, at 11 a.m.

SENATE CALENDAR

**Tuesday, February 08, 2022
11:00 AM**

UNFINISHED BUSINESS

- S. C. R. 36 - USMC CPL Harry Edward Dean, Jr., Memorial Bridge
- S. C. R. 37 - Harrison County Veterans Memorial Bridge
- S. C. R. 38 - Cox Brothers' Veteran Memorial Bridge
- S. C. R. 39 - Walker Brothers' Veteran Memorial Bridge
- S. C. R. 40 - Frye Brothers' Memorial Bridge
- S. C. R. 41 - Henry Preston Hickman Memorial Bridge
- S. C. R. 42 - USMC SSGT Herbert "Herbie" D. Barnes Veteran Memorial Bridge
- S. R. 19 - Congratulating Ritchie County High School Rebels football team for winning WV 2021 Class A State Football Championship
- S. R. 20 - Designating February 8, 2022, as Marshall University Day
- S. R. 21 - Congratulating Jeff and Janet Allen for winning Conservation Farm of Year Award

THIRD READING

- Eng. Com. Sub. for S. B. 2 - Relating to unemployment benefits program - (With right to amend)
(original similar to HB4009)
- Eng. Com. Sub. for S. B. 3 - Requiring work search activities to qualify for unemployment benefits - (With right to amend) (original similar to HB4018)
- Eng. Com. Sub. for S. B. 231 - Relating generally to broadband connectivity
- Eng. Com. Sub. for Com. Sub. for S. B. 264 - Relating to conservation districts law of WV
(original similar to HB4302)
- Eng. S. B. 493 - Requiring county BOE make meetings available to public in-person and through internet - (With right to amend)
- Eng. S. B. 499 - Authorizing legislative rules for School Building Authority
- Eng. H. B. 2325 - Removing the requirement of continuing education for barbers and cosmetologists
- Eng. Com. Sub. for H. B. 4062 - Removing the residency requirement for the Commissioner of the Division of Highways
- Eng. H. B. 4301 - Reforming membership requirements of Huntington Park and Recreation District Board - (Com. title amend. pending)

SECOND READING

- Com. Sub. for S. B. 6 - Establishing common law “veil piercing” claims not be used to impose personal liability
- Com. Sub. for S. B. 242 - Restricting authority to prevent or limit owner's use of natural resources or real property in certain agricultural operations
- Com. Sub. for S. B. 245 - Revising wage payment and collection
- Com. Sub. for S. B. 445 - Modifying police and firemen's pension plans for trustees (original similar to HB4432)
- Com. Sub. for S. B. 472 - Relating to access to juvenile records by certain employees of Division of Corrections and Rehabilitation (original similar to HB4541)
- Com. Sub. for S. B. 487 - Relating to Revenue Shortfall Reserve Fund and Revenue Shortfall Reserve Fund – Part B

FIRST READING

- Com. Sub. for S. B. 312 - Alcohol Beverage Control Commission rule relating to private club licensing (original similar to HB4151)
- Com. Sub. for S. B. 419 - Establishing pilot project to evaluate impact of certain post-substance use disorder residential treatments
- Com. Sub. for S. B. 533 - Relating to funding for health sciences and medical schools in state
- S. B. 540 - Allowing municipal fire departments provide retirees with service weapon in certain circumstances
- S. B. 546 - Expanding uses of fees paid by students at higher education institutions
- Com. Sub. for S. B. 550 - Relating to funding for higher education institutions
- S. B. 576 - Relating to unemployment insurance and COVID-19 vaccination requirement
- Eng. Com. Sub. for H. B. 3220 - Restrictions on Taxpayer funded lobbying - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4074 - Require schools provide eating disorder and self-harm training for teacher and students - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4276 - WVU to create a Parkinson's disease registry - (Com. amend. and title amend. pending)

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2022

Tuesday, February 8, 2022

10 a.m.

Transportation & Infrastructure

(Room 451M)

