

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE
REGULAR SESSION, 2022
FORTY-FIRST DAY

Charleston, West Virginia, Monday, February 21, 2022

The Senate met at 11:02 a.m.

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

Prayer was offered by Dr. Jesse Waggoner, Senior Pastor, Mount Calvary Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Rupie Phillips, a senator from the seventh district.

Pending the reading of the Journal of Friday, February 18, 2022,

At the request of Senator Takubo, 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 third order of business.

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

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

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 4077—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §46A-2-141, relating to exempting certain assets from collections by creditors.

Referred to the Committee on the Judiciary.

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

Eng. Com. Sub. for House Bill 4141—A Bill to amend and reenact §64-6-1 et. seq. of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Homeland Security to promulgate legislative rules; authorizing the rules as filed, as modified, and as amended by the Legislative Rule-Making Review Committee; relating to authorizing the Governor's Committee on Crime, Delinquency and Corrections to promulgate a legislative rule relating to law enforcement training and certification standards; relating to authorizing the Fire Commission to promulgate a legislative rule relating to the Fire Code; relating to authorizing the Fire Commission to promulgate a legislative rule relating to the State Building Code; relating to authorizing the Fire Commission to promulgate a legislative rule relating to volunteer fire department equipment and training grant funding disbursement; relating to authorizing the Fire Commission to promulgate a legislative rule relating to specialized membership; relating to authorizing the Fire Commission to promulgate a legislative rule relating to junior firefighters; relating to authorizing the Fire Commission to promulgate a legislative rule relating to the certification of fire chiefs; relating to authorizing the Fire Commission to promulgate a legislative rule relating to the use of aqueous film-forming foam (AFFF) for fire training program purposes; relating to authorizing the Fire Marshal to promulgate a legislative rule relating to the regulation of fireworks and related explosive materials; and relating to authorizing the State Police to promulgate a legislative rule relating to career progression.

Referred to the Committee on the Judiciary.

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

Eng. Com. Sub. for House Bill 4242—A Bill to amend and reenact §64-10-1 et. seq. of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Commerce to promulgate legislative rules; authorizing the rules as filed, as modified, and as amended by the Legislative Rule-Making Review Committee; authorizing the Division of Labor to promulgate a legislative rule relating to child labor; authorizing the Office of Miners' Health, Safety and Training to promulgate a legislative rule relating to the safety of those employed in and around surface mines in West Virginia; authorizing the Office of Miners' Health, Safety and Training to promulgate a legislative rule relating to the first-aid training of shaft and slope employees; authorizing the Office of Miners' Health, Safety and Training to promulgate a legislative rule relating to substance abuse screening, standards, and procedures; authorizing the Division of Natural Resources to promulgate a legislative rule relating to the revocation of hunting and fishing licenses; authorizing the Division of Natural Resources to promulgate a legislative rule relating to special motorboating; authorizing the Division of Natural Resources to promulgate a legislative rule relating to public shooting ranges; authorizing the Division of Natural Resources to promulgate a legislative rule relating to hunting; authorizing the Division of Natural Resources to promulgate a legislative rule relating to the commercial sale of wildlife; and authorizing the Division of Natural Resources to promulgate a legislative rule relating to lifetime hunting, trapping, and fishing licenses.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the passage by that body, to take effect May 1, 2022, and requested the concurrence of the Senate in the passage of

Eng. House Bill 4338—A Bill to amend and reenact §29-22B-1103 of the Code of West Virginia, 1931, as amended, relating to reducing the annual permit fee for each video lottery terminal owned or leased by a limited video lottery licensee.

Referred to the Committee on Finance.

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 4340—A Bill to amend and reenact §16-19-9, §16-19-14 and §16-19-22 of the Code of West Virginia, 1931, as amend; and to amend and reenact §61-12-3 of said code, all relating to anatomical gifts; authorizing the Department of Health and Human Resources to be guardian to make an anatomical gift without a court order; clarifying the duties of procurement organization with regard to state medical examiner; requiring the state medical examiner to cooperate with procurement organizations to maximize the opportunity to recover anatomical gifts; authorizing procurement organizations to conduct a test to evaluate the medical suitability of the body part; requiring a prosecuting attorney who denies the release of a body or part that is the subject of an anatomical gift to consult with the procurement organization about the proposed recovery; and authorizing the state's chief medical examiner to enter into agreements with a procurement organization to facilitate the recovery of anatomical gifts.

Referred to the Committee on Health and Human Resources; and then to the Committee on the Judiciary.

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 4406—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9A-5-1, relating to creating a West Virginia Military Hall of Fame to honor veterans of West Virginia who have distinguished themselves on the field of battle.

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

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 4430—A Bill to amend and reenact §8-22-16 of the Code of West Virginia, 1931, as amended, relating to providing definitions of "base salary" and "overtime and other remuneration" for a policemen's pension and relief fund and a firemen's pension and relief fund.

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

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. House Bill 4433—A Bill to amend and reenact the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §8-22-25b, relating to the protection of benefits and assets of members of a policemen's pension and relief fund or a firemen's pension

and relief fund from execution, assignment or other process and certain taxes; and providing exceptions.

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

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. House Bill 4568—A Bill to amend and reenact §11-24-23a of the Code of West Virginia, 1931, as amended, relating to tax credits for qualified rehabilitation expenditures for certified historic structures; elimination of certain limitations on and allocations of tax credits allowed against corporation net income tax and personal income tax per year and per rehabilitation of a certified historic structure; elimination of allocation of portion of limited tax credits for certified rehabilitation projects with proposed tax credits of \$500,000; authorizing phased rehabilitations of certified historic structures; authorizing tax credit certificates for completed phases of a phased rehabilitation; providing for recapture of tax credits; removing provisions providing for guarantee of tax credits; and requiring issuance of tax credit certificates based on issuance of Phase Advisory Determination in certain circumstances.

Referred to the Committee on Finance.

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 4583—A Bill to amend and reenact §39B-1-106 of the Code of West Virginia, 1931, as amended, relating to the validity of a power of attorney; clarifying the definition of "incapacity"; and providing that criminal incarceration or detention outside of the United States may not be inferred as resulting in a lack of capacity to execute a power of attorney.

Referred to the Committee on the Judiciary.

A message from the Clerk of the House of Delegates announced the adoption by that body and requested the concurrence of the Senate in the adoption of the following resolutions:

House Concurrent Resolution 35—Requesting the Division of Highways name bridge number bearing Identification Number 04A078, located in Frametown, Braxton County, West Virginia, on County-Route Map 04-021/00-008.14, Latitude 38.635, Longitude -80.86440, approximately 0.01 miles South of West Virginia Route 4 along Frametown Herold Road on County Route 21, "David Allen Drake, Sr. Memorial Bridge".

House Concurrent Resolution 45—Requesting the Division of Highways name bridge number 24-005/02-004.51 (24A031), (37.41379, -81.78366), locally known as Avondale Bridge, carrying CR 5/2 over Dry Fork in McDowell County, the "U. S. Army SP4 Dennis Harvey Roberts Memorial Bridge".

House Concurrent Resolution 54—Requesting the Division of Highways name Bridge Number: 02-009/56-000.25 () (02A166), (39.46467,-77.96611) locally known as Raleigh Street over Winchester and Western RR South, carrying CR 9/56 over Winchester & Western RR in Berkeley County, the "Mayor George Karos Bridge".

House Concurrent Resolution 62—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".

House Concurrent Resolution 63—Requesting the Division of Highways name Bridge Number: 20-060/00-013.99 () (20A146), (38.36623,-81.66858) locally known as PATRICK STREET BRIDGE, carrying US 60 over KANAWHA RIVER & BLVD in Kanawha county., the "U. S. Army Master Sergeant Donald Lewis Coen Memorial Bridge".

House Concurrent Resolution 64—Requesting the Division of Highways name a portion of Old Route 73 (39.659317, -79.772097 to 39.658476, -79.645041), in Preston County, West Virginia, the "Robin W. Ames Memorial Road".

House Concurrent Resolution 65—Requesting the Division of Highways name Bridge Number: 39-092/00-002.95 () (39A225), (39.33068,-79.85035) locally known as EVANSVILLE BRIDGE, carrying WV 92 over LITTLE SANDY CREEK in Preston county, the "U. S. Army Major Jesse A. Jennings Memorial Bridge".

House Concurrent Resolution 70—Requesting the Division of Highways name bridge number 42-022/00-014.01 () (42A251) locally known as Bemis Truss, carrying CR 22 over Shavers Fork Cheat River in Randolph County, the "Calvin H. Shifflett Memorial Bridge".

House Concurrent Resolution 71—Requesting the Division of Natural Resources name the waterfall located on North Branch of Short Creek across North Fork Road, County Route 9, from Short Creek United Methodist Church cemetery in Ohio County, West Virginia, "White Angel Falls".

House Concurrent Resolution 72—Requesting the Division of Highways name Bridge Number: 04-007/06-002.18 () (04A031), (38.74436,-80.74051) locally known as RIFFLE BRIDGE, carrying CR 7/6 over PERKINS FORK CEDAR CREEK in Braxton county, the "U. S. Army SP5 Dana V. Perkins Memorial Bridge".

House Concurrent Resolution 73—Requesting the Division of Highways name a set of twin bridges, number 11349, carrying US Route 35 over County Route 78 and 16-Mile Creek in Mason County, West Virginia as the "Halstead Brothers WWII Veterans Memorial Bridge".

House Concurrent Resolution 74—Requesting the Division of Highways name bridge number 21-033/00-018.34 () (21A215), locally known as Hardees Boxbeam, carrying US Route 33 over Stonecoal Creek in Lewis County, the "Judge Les Fury Memorial Bridge".

House Concurrent Resolution 75—Requesting the Division of Highways name bridge number 21-1/25-0.01 (11671) (39°2'50' North latitude, 80°27'54' West longitude), which will serve as a replacement for the bridge locally known as the Fourth Street Arch, carrying Fourth Street over the West Fork River in Weston, Lewis County, West Virginia, the "Pastor Glenn F. Lough Memorial Bridge".

House Concurrent Resolution 76—Requesting the Division of Highways name bridge number: 22-037/00-003.29 () (22A163), at mile post 3.29, locally known as Fourteen Mile Tub Girder Bridge, carrying WV 37 over Fourteen Mile Creek in Lincoln County, the "U. S. Navy BM1 Farris Burton Memorial Bridge".

The preceding resolutions were referred to the Committee on Transportation and Infrastructure.

The Senate proceeded to the fourth order of business.

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 430, Modifying witness fee rate paid by state to match federal court system.

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

Com. Sub. for Senate Bill 430 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §59-1-16 of the Code of West Virginia, 1931, as amended, relating to increasing the witness fee to match the witness fee paid in federal court and increasing the mileage rate paid to witnesses.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,
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 463, Best Interests of Child Protection Act of 2022.

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

Com. Sub. for Senate Bill 463 (originating in the Committee on the Judiciary)—A Bill to amend and reenact §48-9-102 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated § 48-1-102a; to amend and reenact §48-9-203, §48-9-204, §48-9-205, §48-9-206, §48-9- 207, §48-9-208, §48-9-209, §48-9-401, §48-9-402, §48-9-602, and §48-9-603 of said code, all relating generally to allocation of legal custody and parenting time in domestic relations matters; establishing collaborative parenting as a goal in allocation of custodial responsibility and decision-making; creating a rebuttable presumption that equal ("50-50") custodial allocation is in a child's best interest; requiring specific findings and legal conclusions by the court if equal ("50-50") parenting is not granted; establishing criteria for diverging from equal ("50-50") custodial allocation when it is sought; authorizing interlocutory appeals to the Intermediate Court of Appeals if the family court refuses all physical custody to a parent or denies equal ("50-50") custody when sought; requiring consideration of certain factors in developing a temporary parenting plan; ensuring that permanent parenting plans include provisions for financial support of children; requiring court not to consider temporary allocation of physical custody in final order unless parties agreed on temporary terms; removing provisions requiring consideration of terms in temporary orders when drafting final orders; requiring

consideration of parents' ability or inability to work together in allocating significant decision-making responsibilities; clarifying consideration for courts in developing or approving parenting plans; setting forth optional considerations for a court in allocating physical custody of a child; requiring court to designate which parent is entitled to tax deductions and exemptions when equal ("50-50") custody is ordered; clarifying that amendments made during 2022 regular session of the Legislature are prospective; and declaring custodial orders entered prior to the effective date of the amendments to Chapter 48 during the 2022 regular session of the Legislature remain in full force and effect until judicially modified.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Smith, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

Senate Bill 622, Establishing requirements for carbon dioxide sequestration.

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

Com. Sub. for Senate Bill 622 (originating in the Committee on Energy, Industry, and Mining)—A Bill to amend and reenact §22-11A-3 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new article, designated §22-11B-1, §22-11B-2, §22-11B-3, §22-11B-4, §22-11B-5, §22-11B-6, §22-11B-7, §22-11B-8, §22-11B-9, §22-11B-10, §22-11B-11, §22-11B-12, §22-11B-13, §22-11B-14, §22-11B-15, §22-11B-16, §22-11B-17, §22-11B-18, and §22-11B-19, all relating to regulating the drilling of injection wells for, and the operation and completion of, underground carbon dioxide storage sites; declaring legislative purpose; defining terms; specifying scope of former program; establishing requirement for permit; providing option for holders of pre-existing permits to pursue permit modifications under prior or new law; specifying application requirements and fees; clarifying that these provisions apply only to underground carbon dioxide sequestration operations and facilities; directing the proposal of legislative rules for permit applications, providing for public notice, participation, and permit hearings; authorizing the proposal of legislative rules for additional purposes to implement this act; authorizing additional conditions in permits and orders; preserving other existing powers of the secretary; preserving rights of existing mineral owners and authorizing cooperative agreements among owners and operators; declaring that carbon dioxide injected into an underground storage facility is not a pollutant; requiring permit holders to provide and update identification and contact information for a local agent; affirming exclusion of enhanced oil, natural gas, or coalbed methane recovery projects using carbon dioxide injection from requirement of underground carbon dioxide storage permit; specifying requirements for completion of an underground carbon dioxide storage project; directing transfer of ownership to surface owners upon completion of project; providing for liability to transfer to the state; establishing state responsibility for maintenance and monitoring after project completion; establishing the Carbon Dioxide Storage Facility Administrative Fund and the Carbon Dioxide Storage Facility Trust Fund as special revenue accounts and describing the authorized purposes and uses of fund moneys; providing a process for completion of underground carbon dioxide storage projects; requiring

annual fees for underground storage or carbon dioxide and a fee to apply for a project completion certificate; providing for cooperative agreements between the Department of Environmental Protection and other government entities for enforcement and regulatory activities; limiting state liability; authorizing the Secretary of the Department of Environmental Protection to make determinations of the amount of carbon dioxide able to be sequestered at a location and to assess fees for that determination; specifying local filing requirements; defining ownership of pore space formations; authorizing entry onto lands to conduct seismic surveys; requiring permit applicants and storage facility operators to identify and obtain consent from potential pore space owners; providing for pooling of interests if the storage operator does not obtain consent of pore space owners for the construction and operation of a storage facility; providing for hearings to establish interests of pore space owners in ownership pools; and providing for assessment of hearing costs.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Randy E. Smith,
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 Trump:

Senate Bill 686—A Bill to amend and reenact §31-18-6 and §31-18-9 of the Code of West Virginia, 1931, as amended, relating to clarify the use of notes or bonds of the West Virginia Housing Development Fund and to authorize the allocation from time to time of a portion of its state ceiling allocation under §13-2C-21(b) of said code to political subdivisions or city or county housing authorities authorized to issue bonds or notes for qualified residential rental projects.

Referred to the Committee on Finance.

By Senator Nelson:

Senate Bill 687—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-28, relating to meetings among county boards of education; and establishing procedures for potential consolidation of school districts.

Referred to the Committee on Education.

By Senator Takubo:

Senate Bill 688—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §9-4F-1, §9-4F-2, §9-4F-3, §9-4F-4, §9-4F-5, §9-4F-6, §9-4F-7, §9-4F-8, and §9-4F-9, all relating to creating the Affordable Medicaid Buy-In Program; requiring the Department of Health and Human Resources to develop and administer the Affordable Medicaid Buy-In Plan; setting eligibility criteria and coverage requirements; specifying role and duties of the Department of Health and Human Resources; establishing an advisory council to the Affordable Medicaid Buy-In Program; defining terms; setting limitations of employers; requiring a full-cost option be available for individuals who do not meet financial qualifications; requiring rulemaking; and mandating application for a federal innovation waiver.

Referred to the Committee on Banking and Insurance; and then to the Committee on Finance.

By Senators Smith and Phillips:

Senate Bill 689—A Bill to amend and reenact §22A-6-3 of the Code of West Virginia, 1931, as amended, relating to tie votes by the Board of Coal Mine Health and Safety; and providing that the Director of the Office of Miners' Health, Safety and Training or his or her designee may vote to break the tie.

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

By Senator Baldwin:

Senate Bill 690—A Bill to amend and reenact §17C-6-1 of the Code of West Virginia, 1931, as amended, relating to redefining school zone.

Referred to the Committee on Education.

By Senator Lindsay:

Senate Bill 691—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18B-21-1, §18B-21-2, §18B-21-3, §18B-21-4, §18B-21-5, §18B-21-6, §18B-21-7, §18B-21-8, §18B-21-9, and §18B-21-10, all relating to the Student Basic Needs Campus Initiative; establishing the Student Basic Needs Campus Initiative; authorizing the creation of the Student Basic Needs Campus Program office; establishing the duties of the Hunger-Free Campus Program office; authorizing the Student Basic Needs Campus Program office to administer and advise the Chancellor on the Student Basic Needs Campus Grant Program; establishing the requirement for designation as a Student Basic Needs Campus; setting requirements for awarding Student Basic Needs Grants; addressing Student Basic Needs Campus Grant administration; creating the Student Basic Needs Campus Program and Grant Fund; setting forth reporting requirements; and authorizing legislative rules.

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

By Senator Baldwin:

Senate Bill 692—A Bill to amend and reenact §49-2-809 of the Code of West Virginia, 1931, as amended, all relating to expanding the required reporting procedures by the Department of Health and Human Resources to include forwarding the report of any child abuse and neglect of a mandatory reporter to the Community Services Manager of the county.

Referred to the Committee on Health and Human Resources.

By Senator Tarr:

Senate Bill 693—A Bill to amend and reenact §3-1-9 of the Code of West Virginia, 1931, as amended, relating to clarifying the meeting of voting requirements for political party executive committees.

Referred to the Committee on the Judiciary.

By Senator Tarr:

Senate Bill 694—A Bill to amend and reenact §22C-9-1, §22C-9-2, §22C-9-3, §22C-9-4, and §22C-9-5 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §22C-9-7a, all relating to oil and gas conservation; providing further declaration of public policy and legislative findings; clarifying the definition of operator;

adding further definitions of "wells"; providing an expanded scope of the article; adding a fifth appointee; modifying the rules and notice requirements; and adding a section related to the unitization of interests in horizontal well drilling units.

Referred to the Committee on Finance.

By Senator Takubo:

Senate Bill 695—A Bill to amend and reenact §46A-7-111 of the Code of West Virginia, 1931, as amended, relating to consumer credit and protection; and clarifying the period for which the Attorney General may seek a civil penalty for violations of the Consumer Credit and Protection Act.

Referred to the Committee on the Judiciary.

By Senator Karnes:

Senate Bill 696—A Bill to amend and reenact §10-1-20 of the Code of West Virginia, 1931, as amended, relating to aid to libraries by the Library Commission; providing that Library Commission consider the base amount of funding necessary to keep a library operational when determining aid and support.

Referred to the Committee on Finance.

By Senator Trump:

Senate Bill 697—A Bill to amend and reenact §61-2-14a and §61-2-14g of the Code of West Virginia, 1931, as amended, all relating to the offenses of kidnapping and unlawful restraints generally; clarifying the distinctive elements of the offenses; removing redundant language; and making grammatical corrections.

Referred to the Committee on the Judiciary.

By Senator Weld:

Senate Bill 698—A Bill to amend and reenact §9A-1-2 of the Code of West Virginia, 1931, as amended, relating to the number and selection of members for the Governor's Veterans Council.

Referred to the Committee on Military.

By Senator Maroney:

Senate Bill 699—A Bill to amend and reenact §30-4-1, §30-4-3, §30-4-8a, and §30-4-19 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto two new sections, designated §30-4-25 and §30-4-26, all relating to the practice of dentistry; defining the practice of dentistry; specifying specific acts that are deemed the practice of dentistry; adding necessary definitions; revising certain definitions and removing unnecessary definitions; adding recently recognized dental specialties; adding additional acts or omissions subject to disciplinary action; providing for registration to practice dentistry or dental hygiene; registrants limited to providing interstate telehealth services; providing that registrants are subject to disciplinary action; adding language concerning orthodontic treatment; adding required provisions regarding telehealth services; and authorizing certain dentists and dental hygienists to perform certain medical practices and procedures during a declared public health emergency.

Referred to the Committee on Health and Human Resources.

By Senator Clements:

Senate Bill 700—A Bill to amend and reenact §9-8-2 of the Code of West Virginia, 1931, as amended, relating to eligibility requirements for public assistance; federal waivers from work requirements for able bodied adults without dependents; and removing provision that provided that all counties were ineligible for the waiver.

Referred to the Committee on the Workforce.

By Senator Weld:

Senate Bill 701—A Bill to amend and reenact §18-19-2 of the Code of West Virginia, 1931, as amended, relating to the eligibility of an active duty service member's child or spouse for tuition-free education through the War Orphan Education Program.

Referred to the Committee on Military.

By Senator Takubo:

Senate Bill 702—A Bill to amend and reenact §16-2D-8, §16-2D-10, and §16-2D-11 of the Code of West Virginia, 1931, as amended, all relating to certificate of need; eliminating specific certificate of need requirements; creating exemption requirements that do not require an application; and elimination certificate of need exemptions.

Referred to the Committee on Health and Human Resources.

By Senators Trump and Weld:

Senate Bill 703—A Bill to amend and reenact §60A-2-204; 60A-2-206; 60A-2-210, and 60A-2-212 of the Code of West Virginia, 1931, as amended, all relating to controlled substances, adding the following to the schedule I substance list: N-Methylnorfentanyl(N-(1-Methyl-4-piperidinyl)-N-phenyl-propanamide, monohydrochloride); Norfentanyl (N-Phenyl-N-4-piperidinyl-propanamide); 3-Hydroxy-phencyclidine (other name hydroxy PCP); Marijuana (Cannabis, sp.); FDU-PB-22 (1-Naphthyl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate); FUB-PB-22 (Quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate); 5-Fluoro-MN-24 (1-(5-Fluoropentyl)-N-(naphthalen-1-yl)-1H-indole-3-carboxamide); MN-24 (N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide); SDB-005 (Naphthalen-1-yl 1-pentyl-1H-indazole-3-carboxylate); SDB-006 (1-Pentyl-N-(phenylmethyl)-1H-indole-3-carboxamide); Methyl-Ethylaminopentiophenone; FUB-AMB (Methyl(1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate); 5-Fluoro-SDB-005 Indole (Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate); 5F-AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide); MMB-CHMICA (Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoat); MN-24 (N-(naphthalen-1-yl)-1-pentyl-1H-indole-3-carboxamide); SDB-005 (Naphthalen-1-yl 1-pentyl-1H-indazole-3-carboxylate); SDB-006 (1-Pentyl-N-(phenylmethyl)-1H-indole-3-carboxamide); Ethcathinone (2-(ethylamino)-1-phenyl-1-propanone, monohydrochloride); Methyl-Ethylaminopentiophenone; FUB-AMB (Methyl(1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate); 5-Fluoro-SDB-005 Indole (Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate);5F-AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide); MMB-CHMICA (Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoat); Bromazolam (8-bromo-1-methyl-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Clonazolam (6-(2-chlorophenyl)-1-methyl-8-nitro-4 H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Cloniprazepam (5-(2-chlorophenyl)-1-(cyclopropylmethyl)-1,3-dihydro-7-nitro-2H-1,4-benzodiazepin-2-one); Etizolam (4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine); Flualprazolam (8-chloro-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Flubromazepam (7-bromo-5-(2-fluorophenyl)-1,3-

dihydro-2H-1,4-benzodiazepin-2-one); Flubromazolam (8-bromo-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Flunitrazolam (6-(2-fluorophenyl)-1-methyl-8-nitro-4H-benzo[f][1,2,4]triazolo[4,3-a][1,4]diazepine); Nifoxipam (5-(2-fluorophenyl)-1,3-dihydro-3-hydroxy-7-nitro-2H-1,4-benzodiazepin-2-one); Nitrazolam (1-methyl-8-nitro-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Pyrazolam (8-bromo-1-methyl-6-(2-pyridinyl)-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); 4-CN-CUMYL-BUTINACA (1-(4-Cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide); Alpha-Phenylacetoacetonitrile (3-Oxo-2-phenylbutanenitrile); 2-Fluoro Deschloroketamine (2-(2-Fluorophenyl)-2-(methylamino)-cyclohexanone, monohydrochloride); 4-MEAP (2-(Ethylamino)-1-(4-methylphenyl)pentan-1-one); Bromazolam (8-bromo-1-methyl-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Clonazolam (6-(2-chlorophenyl)-1-methyl-8-nitro-4 H-[1,2,4]triazolo[4,3 a][1,4]benzodiazepine); Cloniprazepam (5-(2-chlorophenyl)-1-(cyclopropylmethyl)-1,3-dihydro-7-nitro-2H-1,4-benzodiazepin-2-one); Etizolam (4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine); Flualprazolam (8-chloro-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Flubromazepam (7-bromo-5-(2-fluorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one); Flubromazolam (8-bromo-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Flunitrazolam (6-(2-fluorophenyl)-1-methyl-8-nitro-4H-benzo[f][1,2,4]triazolo[4,3-a][1,4]diazepine); Nifoxipam (5-(2-fluorophenyl)-1,3-dihydro-3-hydroxy-7-nitro-2H-1,4-benzodiazepin-2-one); Nitrazolam (1-methyl-8-nitro-6-phenyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Pyrazolam (8-bromo-1-methyl-6-(2-pyridinyl)-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine); Declazepam (7-Chloro-5-(2-chlorophenyl)-1-methyl-1,3-dihydro-2H-1,4-benzodiazepin-2-one); Deschloroetizolam (2-Ethyl-9-methyl-4-phenyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine); Ethcathinone (2-(ethylamino)-1-phenyl-1-propanone, monohydrochloride); Alpha-PHP (1-Phenyl-2-(pyrrolidin-1-yl)hexan-1-one); MPHP (1-(4-Methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one); PV8 (1-Phenyl-2-(pyrrolidin-1-yl)heptan-1-one); 4-Chloro-Alpha-PVP (1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one); N-Ethylhexedrone (2-(Ethylamino)-1-phenylhexan-1-one); Methoxetamine (2-(Ethylamino)-2-(3-methoxyphenyl)-cyclohexanone); 3-Fluorophenmetrazine (2-(3-Fluorophenyl)-3-methylmorpholine); adding the following to the schedule II list: Norfentanyl; Oliceridine; adding the following to the schedule IV list: Lemborexant; Remimazolam; Serdexmethylphenidate; and removing Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid] from the schedule V list.

Referred to the Committee on Health and Human Resources.

By Senator Grady:

Senate Bill 704—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-27, relating to requiring each classroom teacher to comply with any request by a parent, grandparent, or guardian to inspect any instructional materials and books in the classroom that are available for students to read; requiring, as part of the inspection and upon request of the parent, grandparent, or guardian, that the classroom teacher demonstrate how the supplementary instructional material relates to the content standards adopted by the State Board of Education; requiring the classroom teacher to include any book or books students will be required to read on a class syllabus by the first day of the course; requiring the syllabus to be made available to the parent, grandparent, or guardian upon request; allowing any parent, grandparent, or guardian to file a complaint with the county superintendent if the classroom teacher fails to comply with this new section and then, with the state superintendent, if the complaint is not resolved by the county superintendent within seven days; and requiring a report to the Legislative Oversight Commission on Education Accountability on the number of complaints filed.

Referred to the Committee on Education.

By Senator Baldwin:

Senate Bill 705—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §5-30-1, §5-30-2, §5-30-3, §5-30-4, and §5-30-5, all relating to state recognition of Native American Tribes; defining terms; designating certain tribes as recognized by the state; establishing criteria for state recognition of additional tribes; authorizing unique trademarks for certain arts and crafts; prohibiting gambling; and providing penalty for unauthorized use of trademark.

Referred to the Committee on Government Organization.

By Senator Plymale:

Senate Bill 706—A Bill to amend §5-16-25 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §5-16-30, all relating to the West Virginia Public Employees Insurance Act; reimbursement of hospital in-patient rates by the plan; naming of funds within the Public Employees Insurance Agency; creating the Supplemental Reimbursement Fund; providing for the administration of the fund, sources of funding for the fund, the purposes for expenditures from the fund; and authorizing expenditures from the fund from collections and pursuant to legislative appropriations.

Referred to the Committee on Health and Human Resources.

By Senators Roberts and Grady:

Senate Bill 707—A Bill to amend and reenact §18A-4-8 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §18A-4-23, all relating to providing minimum experience requirement for director or coordinator of services class title involving school transportation; providing eligibility for candidates for professional employee positions involving supervision of a county transportation department; making any service employee who is certified as a Director or Supervisor of Pupil Transportation by the National Association for Pupil Transportation Certification; and requiring county boards to consider such candidates.

Referred to the Committee on Education.

By Senators Clements, Nelson, Smith, and Swope:

Senate Bill 708—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-4-17f; relating to costs of relocating public utility facilities for certain highway construction projects; identifying projects that are subject to this statute; and providing for sharing of relocation costs between the utility and the Division of Highways.

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

By Senator Lindsay:

Senate Bill 709—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-5-7; relating to authorizing the Secretary of the Department of Health and Human Resources to designate positions as critical needs; creating a Critical Needs Position Fund; authorizing salary supplement to critical needs positions; specifying authorized expenditures; granting authority to promulgate necessary rules; and requiring an annual report on the effectiveness of supplementing salaries and filling vacancies.

Referred to the Committee on Health and Human Resources; and then to the Committee on Finance.

By Senator Tarr:

Senate Bill 710—A Bill to amend and reenact §16-3-4b of the Code of West Virginia, 1931, as amended, relating to exemptions from COVID-19 immunization; requiring any hospital licensed in this state to reimburse the state in certain circumstances; precluding the use of West Virginia National Guard members as labor replacement without reimbursement in certain circumstances; allowing the adjutant general to set reimbursement rate; allowing the State Auditor to certify the rate; and clarifying that a hospital is a covered employer.

Referred to the Committee on Finance.

By Senator Rucker:

Senate Bill 711—A Bill to amend and reenact §18-2-7f of the Code of West Virginia, 1931, as amended, relating to establishing alternative educational opportunities for elective course credit; requiring the state board to establish, develop, and maintain a program whereby students can earn elective course credit for extended learning opportunities; establishing eligibility requirements for extended learning opportunity programs; setting forth parameters for the implementation of the program by the state board; providing for an application, denial, and appeals process; allowing for the auditing of approved programs; and providing guidelines for student credit transfers and transportation.

Referred to the Committee on Education.

By Senator Azinger:

Senate Bill 712—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-5Y-14, relating to strengthening the regulation of medication-assisted treatment programs; providing for legislative findings; requiring the population of the city, town, or municipality to correspond with number of beds within medication-assisted treatment programs; establishing performance-based standards for medication-assisted treatment programs; establishing a return plan for those participants who have successfully completed the program; and providing for an effective date.

Referred to the Committee on Health and Human Resources.

By Senator Lindsay:

Senate Joint Resolution 13—Proposing an amendment to the Constitution of the State of West Virginia, amending article VI thereof by adding a new section designated section 57, relating to establishing a state minimum wage; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment.

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

Senators Baldwin and Woodrum offered the following resolution:

Senate Concurrent Resolution 50—Requesting the Division of Highways name bridge number 13-060/29-000.01 (13A271), (37.99398, -80.74791), locally known as Reese Bridge, carrying County Route 60/29 over Meadow River in Greenbrier County, the "U. S. Army CPL John William (J.W.) Cruse Jr. Memorial Bridge".

Whereas, John William (J.W.) Cruse Jr. was born on March 30, 1924, in Oak Hill, West Virginia to John William and Anna Cruse; and

Whereas, CPL John William (J.W.) Cruse Jr. served in the US Army during World War II from July 13th, 1944, to December 18, 1945, he was honorably discharged. During his service, he was a Corporal under George Patton with the 2nd Armored Division nicknamed "Hell on Wheels". While CPL John William (J.W.) Cruse Jr. was serving, he had four brothers also deployed for active duty during WWII; and

Whereas, CPL John William (J.W.) Cruse Jr. received a Purple Heart after being wounded in action on the Rhine River, he was also awarded the Bronze Star; and

Whereas, In a picture taken during his service, CPL John William (J.W.) Cruse Jr. is seen cracking a smile after learning that Germany had surrendered, and the war was over; in that moment, he and his unit were 10 miles outside of Berlin; and

Whereas, CPL John William (J.W.) Cruse Jr. married Margaret Dollie Gipson Cruse in 1951, they had four children; and

Whereas, CPL John William (J.W.) Cruse Jr. raised his family in McRoss, which is just across the bridge proposed to be named in his honor herein; and

Whereas, According to his children, CPL John William (J.W.) Cruse Jr. was a family man who valued Christianity and education, and he was often a quiet man unless he had an opinion because then you would definitely know what he thought; and

Whereas, CPL John William (J.W.) Cruse Jr. passed away on June 5, 2003. He was survived by his wife, Margaret Dolly Cruse, and his children, Rev. Bill Cruse, Judy Cruse Ballangee, Don Cruse, and John Melvin Cruse (d.2004); and

Whereas, It is fitting that an enduring memorial be established to commemorate U. S. Army CPL John William (J.W.) Cruse 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 13-060/29-000.01 (13A271), (37.99398, -80.74791), locally known as Reese Bridge, carrying County Route 60/29 over Meadow River in Greenbrier County, the "U. S. Army CPL John William (J.W.) Cruse 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. Army CPL John William (J.W.) Cruse 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 Grady offered the following resolution:

Senate Concurrent Resolution 51—Requesting the Division of Highways name bridge number 11351 (located at 38°46'52"N 82°04'13"W), carrying Route 35 over Lower Five-mile Creek in Mason County, the "Deputy Kenneth 'Kenny' Ward Love, Sheriff Elvin Eugene 'Pete' Wedge, and Jailer Ernest Ray 'Ernie' Hesson Memorial Bridge".

Whereas, Mason County suffered a devastating tragedy on March 2, 1976, when three local law-enforcement officers lost their lives in the line of duty due to a bombing inside the Mason County Courthouse on Sixth Street in Point Pleasant, West Virginia; and

Whereas, Deputy Kenneth "Kenny" Ward Love was born in Point Pleasant, Mason County, West Virginia on April 14, 1940; and

Whereas, Deputy Kenneth "Kenny" Ward Love was a member of the Fraternal Order of Police – Tue-Endie-Wei #102 and Sheriffs Association of West Virginia. He was a Mason County Sheriff from 1974 to 1976; and

Whereas, Deputy Kenneth "Kenny" Ward Love was killed instantly in the line of duty during the Mason County Courthouse bombing on March 2, 1976; and

Whereas, Sheriff Elvin Eugene "Pete" Wedge was born June 19, 1927, in Point Pleasant, Mason County, West Virginia; and

Whereas, Sheriff Elvin Eugene "Pete" Wedge was a member of the Fraternal Order of Police – Tue-Endie-Wei #102 and Sheriffs Association of West Virginia. He was a Mason County Sheriff from 1974 to 1976; and

Whereas, Sheriff Elvin Eugene "Pete" Wedge convinced the Mason County bomber to release an inmate from her jail cell prior to the bombing, saving her life; and

Whereas, Sheriff Elvin Eugene "Pete" Wedge, in an adjoining cell at the time of the explosion, ultimately died from his injuries resulting from the blast on March 3, 1976; and

Whereas, Jailer Ernest Ray "Ernie" Hesson was born in Glenwood, Mason County, West Virginia on December 4, 1904. He devoted his life to a career in law enforcement, serving under several sheriffs and ultimately winning election as sheriff himself; and

Whereas, Jailer Ernest Ray "Ernie" Hesson was a member of the Fraternal Order of Police – Tue-Endie-Wei #102 and Sheriffs Association of West Virginia, and the United Brothers of Carpenters and Joiners of America; and

Whereas, Jailer Ernest Ray "Ernie" Hesson was serving as a county jailer on March 2, 1976, the day of the bombing. He was locked in a jail cell with the bomber at the time of the blast; and

Whereas, Jailer Ernest Ray "Ernie" Hesson ultimately died from injuries he sustained in the blast on March 9, 1976, after a week in intensive care; and

Whereas, All three men were honorable law-enforcement officers taken too soon due to this unfathomable tragedy; and

Whereas, It is fitting that an enduring memorial be established to commemorate these three men, their family, their sacrifice, 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 11351 (located at 38°46'52"N 82°04'13"W), carrying Route 35 over Lower Five-mile Creek in Mason County the "Deputy Kenneth 'Kenny' Ward Love, Sheriff Elvin Eugene 'Pete' Wedge, and Jailer Ernest Ray 'Ernie' Hesson 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 "Deputy Kenneth 'Kenny' Ward Love, Sheriff Elvin Eugene 'Pete' Wedge, and Jailer Ernest Ray 'Ernie' Hesson 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 the families of these three men.

Which, under the rules, lies over one day.

Senator Weld offered the following resolution:

Senate Resolution 32—Designating February 22, 2022, as Domestic Violence Awareness Day in West Virginia.

Whereas, All people have a right to be safe in their home, school, workplace, college campus, and community; and

Whereas, On average, nearly 20 people per minute are physically abused by an intimate partner in the United States, which in one year equates to more than 10 million women and men; and

Whereas, During the fiscal year 2019-2020, 12,928 individuals were served by one or more of the 14 licensed domestic violence programs in West Virginia, nine of which also provide rape crisis services; and

Whereas, The West Virginia Child Advocacy Network reports 4,600 children were served at a child advocacy center as a new client indicating a 4.5 percent increase over fiscal year 2019-2020; and

Whereas, Last year 14 licensed domestic violence programs provided 24/7 crisis intervention services in 55 counties including 55,614 shelter nights, 117,127 service hours and 12,080 volunteer hours; and

Whereas, The lifetime economic burden of intimate partner violence among US adults is \$103,767 lifetime cost per female victim and \$23,414 lifetime cost per male victim; and

Whereas, Domestic, sexual violence, and child abuse can be deterred, prevented, and reduced through a large network of private, public, and nonprofit entities working together as coalitions to provide social, legal, medical, educational, and protective services for victims of domestic, sexual violence, and child abuse; and

Whereas, The West Virginia Coalition Against Domestic Violence has been working for 40 years to provide safe space, quality services, and systemic change to give individuals, children, and families options for building lives free from violence; therefore, be it

Resolved by the Senate:

That the Senate hereby designates February 22, 2022, as Domestic Violence Awareness Day in West Virginia and commits itself to treating this problem with the seriousness that it deserves and working to achieve solutions that deter, prevent, and reduce domestic violence; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the West Virginia Coalition Against Domestic Violence and the West Virginia Child Advocacy Network.

Which, under the rules, lies over one day.

Senators Stover, Romano, Martin, Sypolt, and Rucker offered the following resolution:

Senate Resolution 33—Recognizing the 150th Anniversary of Glenville State College.

Whereas, In February 1872, the passage of West Virginia Senate Bill 52 allowed for a branch of the State Normal School to be established at Glenville; and

Whereas, The Glenville branch of the West Virginia State Normal School was originally founded in order to provide the educational needs of West Virginian citizens by preparing teachers to serve in classrooms across the state; and

Whereas, Glenville State College has expanded its mission to now prepare students for careers in teaching, business, land resources, criminal justice, music, liberal arts, science, and human services; and

Whereas, Glenville State College continues to be critical to the educational and economic vitality of central West Virginia and beyond through a variety of educational and professional degrees at the associate, bachelor, and now, master's levels; and

Whereas, Glenville State College continues to be a vital resource and provides support for many first generation and rural college students, students of modest means, and students who enter college still deciding their educational and career pathways to the future; and

Whereas, Throughout its 150-year history, the faculty and staff of Glenville State College have served its students with distinction with an individualized, career-focused approach; and

Whereas, Glenville State College students, employees, and alumni actively support their communities financially; and

Whereas, The year 2022 marks the 150th Anniversary of Glenville State College's founding; therefore, be it

Resolved by the Senate:

That the Senate hereby extends its sincere appreciation and gratitude to Glenville State College 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 the president of Glenville State College, Dr. Mark A. Manchin.

Which, under the rules, lies over one day.

Senator Boley offered the following resolution:

Senate Resolution 34—Congratulating the St. Marys High School golf team for winning the 2021 Class A State Golf Championship.

Whereas, The St. Marys golf team had an outstanding season on the links culminating in the Blue Devil's winning their third consecutive state championship (2019, 2020, and 2021); and

Whereas, The St. Marys golf team captured their most recent title by edging out runner-up Wheeling Central at Ogelbay Resort's Speidel Course on October 6, 2021; and

Whereas, St. Marys' Brandon Lawhon finished the day with the lowest score of the tournament (+18), earning the Individual State Tournament Medalist; and

Whereas, Brandon Lawhon and Grant Barnhart earned 2021 All-State member recognition; and

Whereas, In route to winning the state championship, St. Marys High School golf team also won the Little Kanawha Conference Championship; and

Whereas, The St. Marys golf team is led by head coach Catie Hamilton, and assistant coach Blaze Armstrong. The team consists of members: Kenzie Armstrong, Grant Barnhart, Ethan Bennett, Brayden Hall, Tyson Kimball, Trent Renner, Brady Rinard, Brandon Lawhon, and Preston Lawhon; therefore, be it

Resolved by the Senate:

That the Senate congratulates the St. Marys High School golf team for winning the 2021 Class A State Golf Championship; and be it

Further Resolved, That the Clerk forward a copy of this resolution to the St. Marys High School golf team.

Which, under the rules, lies over one day.

Senator Maynard offered the following resolution:

Senate Resolution 35—Congratulating the Tug Valley High School Lady Panthers for winning the 2021 Class A State Championship in Girls Basketball.

Whereas, The Tug Valley High School Lady Panthers won the 2021 Class A State Championship in Girls Basketball; it was the first girls basketball title in school history, which was established in 1987; and

Whereas, Much like other teams, the Lady Panthers' season was very challenging due to COVID-19; the team was only able to play 12 of their scheduled 22 regular season games; and

Whereas, The Lady Panthers and their coaching staff also faced several obstacles due to health. Head Coach Clyde Farley's wife, Rhonda, was battling stage 4 liver cancer; she passed away November 15, 2021; her daughter, Brooklyn was a member of the team. Assistant Coach

Christa Hall was battling breast cancer during the season; her daughter Autumn was a starter on the team; and

Whereas, The Tug Valley High School Lady Panthers and their coaching staff exhibited extraordinary character, determination, and dedication to persevere over all of these obstacles, which is truly an extraordinary accomplishment; and

Whereas, It was also fitting that the Tug Valley High School Lady Panthers basketball team won the Class A championship on Coach Clyde Farley's birthday, which also happened to be his and Rhonda's anniversary; and

Whereas, The Tug Valley High School Lady Panthers' basketball Class A Championship team was coached by Head Coach Clyde Farley and assistant coaches Seth Ooten, Christa Hall, Eddie May, and Chad Baisden; and

Whereas, The Tug Valley High School Lady Panthers' basketball Class A Championship team members were: Kaitlyn Copley, Brooklyn Farley, Makayla May, Alyssa Newsome, Kaylea Baisden, Audrey Evans, Autumn Hall, Emily Hatfield, Kristen Fields, Haley Gillman, Kaydence Gillman, and Gabby Hatfield; and

Whereas, The Tug Valley High School Lady Panthers' basketball Class A Championship is truly a demonstration of triumph over extreme adversity and is a feature that should be appropriately recognized; therefore, be it

Resolved by the Senate:

That the Senate hereby congratulates the Tug Valley High School Lady Panthers girls basketball team for winning the 2021 Class A State Championship; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the Tug Valley High School Lady Panthers basketball team.

Which, under the rules, lies over one day.

Senator Maynard offered the following resolution:

Senate Resolution 36—Recognizing the Tug Valley Cheerleaders for winning the 2021 Class A State Championship.

Whereas, The Tug Valley Lady Panthers won their fourth straight state championship in cheerleading in 2021. It was their eighth title overall. The Lady Panthers were coached by Tara Wolford. The 2021-2022 Tug Valley Panther Cheerleaders Seniors are: Kacey Brewer and Sarah Deaton; Juniors: Maddie Deskins, Talena Centerebury, Cami Thompson, and Maloree Reed; Sophomores: Tailyn Russell, Natalee Jarvis, Jessica Spaulding, Laura Spaulding, Jaden Starr, Selicity Baisden, Kylee Reed, and Karissa Davis; and Freshmen: Chelsea Perry and Ticaran Hurley; and

Whereas, It is fitting of the accomplishments of the Tug Valley Lady Panthers and their coach; therefore, be it

Resolved by the Senate:

That the Senate congratulates the Tug Valley Lady Panthers and their coach on their cheerleader accomplishment and their fourth straight title; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to Coach Tara Wolford and each member of the Tug Valley Lady Panthers.

Which, under the rules, lies over one day.

Senator Geffert offered the following resolution:

Senate Resolution 37—Recognizing Leadership Berkeley for its services, dedication, and commitment to Berkeley County.

Whereas, The objective of Leadership Berkeley is to promote knowledge and awareness of the problems, opportunities, and issues facing Berkeley County; and

Whereas, Leadership Berkeley is designed to provide a series of educational and participatory experiences, as well as an opportunity for dialogue and development of relationships among participants in order to encourage growth of Berkeley County; and

Whereas, The membership of Leadership Berkeley includes individuals from nearly every facet of Berkeley County's business, professional, religious, governmental, educational, civic, the arts, and minority organizations who demonstrate a commitment to the community; and

Whereas, The 2022 membership of Leadership Berkeley consists of: Brandy Boyd, City National Bank; Shannon Combs, Bowles Rice; Jeffrey Cross, United Bank; Chasidy Darfus, WVU Medicine; David Deamer, Region 9 Planning & Development; Amy Eakle, Martinsburg-Berkeley County Public Libraries; Keri Goodwin, Panhandle Home Health; Morgan Gower, Blue Ridge Community and Technical College; Timothy Guerino, Martinsburg Rescue Mission; Charli Heilmann, CoxHollidaYoung PLLC; Melissa Knott, City National Bank; Olivia Lana, CNB Bank; Will Lorensen, Berkeley County Council; Mike McCullough, Valley Health; Stacy McFarland, American Red Cross of Greater Shenandoah Valley; Erin Milton, WVU Medicine; Rebecca Russell, City of Martinsburg; Amber Taylor, CoxHollidaYoung PLLC; Donna Van Metre, James Ramsey Technical Institute; Harry Van Metre, Jr., Berkeley County Schools; Sheri Williams, Blue Ridge Community and Technical College; Pamela Wagoner, Depot Florist and Chairperson of the Martinsburg Berkeley County Chamber of Commerce Board of Directors; and Elizabeth Webster, President & CEO of the Martinsburg-Berkeley County Chamber of Commerce; therefore, be it

Resolved by the Senate:

That the Senate hereby recognizes Leadership Berkeley for its service, dedication, and commitment to Berkeley County; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the appropriate officials of Leadership Berkeley.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 49, Establishing Honor Guard in each National Guard unit.

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

Senate Resolution 31, Designating February 21, 2022, as Pancreatic Cancer Awareness Day.

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

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

The Senate proceeded to the eighth order of business.

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

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Rev. Com. Sub. for S. B. 221) 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 274, Requiring secretary of DHHR to allocate CPS workers by Bureau of Social Services' district annually.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 274) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 274) takes effect from passage.

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 371, Authorizing miscellaneous boards and agencies to promulgate legislative rules.

Having been read a third time on February 17, 2022, and now coming up in regular order, was reported by the Clerk.

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

Eng. Senate Bill 414, Creating special revenue account for statewide records management 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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 414) passed with its title.

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

Eng. Senate Bill 480, Relating to DEP Office of Oil and Gas.

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

Pending discussion,

The question being "Shall Engrossed Senate Bill 480 pass?"

On the passage of the bill, the yeas were: Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Lindsay, Maroney, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—25.

The nays were: Azinger, Karnes, Martin, Maynard, Nelson, Phillips, Stover, and Tarr—8.

Absent: Baldwin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 480) 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 489, Clarifying amount of deputy sheriff annual salary increase.

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

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

Eng. Com. Sub. for Senate Bill 494, Creating Broadband Carrier Neutral and Open Access Infrastructure Development Fund.

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 494 pass?"

On the passage of the bill, the yeas were: Azinger, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 494) passed with its title.

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

Eng. Senate Bill 529, Encouraging additional computer science education in WV schools.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 529) 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 534, Clarifying that secondary source on insurance is not controlling authority .

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 534) passed with its title.

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

Eng. Senate Bill 541, Requiring homeschooled child's academic assessment be submitted by certain date.

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

Pending discussion,

The question being "Shall Engrossed Senate Bill 541 pass?"

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

The nays were: Beach, Brown, Caputo, Geffert, Hamilton, Jeffries, Lindsay, Plymale, Romano, Stollings, Stover, Weld, and Woelfel—13.

Absent: Baldwin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. S. B. 541) 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 568, Relating to health insurance loss ratio information.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 568) 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 571, Declaring certain claims to be moral obligations of state.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 571) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 571) takes effect from passage.

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 573, Providing system where magistrates shall preside in certain instances outside normal court hours.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 573) 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 575, Ensuring that imposition of certain sexual offenses apply to persons working in juvenile facilities .

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 575) 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 593, Allowing Marshall University's Forensic Analysis Laboratory access and participation in WV DNA database for certain purposes.

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

Pending discussion,

The question being "Shall Engrossed Committee Substitute for Senate Bill 593 pass?"

On the passage of the bill, the yeas were: Azinger, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 593) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 593) takes effect from passage.

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 595, Relating to Dangerousness Assessment Advisory Board.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 595) passed with its title.

Senator Takubo moved that the bill take effect from passage.

On this question, the yeas were: Azinger, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale,

Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 595) takes effect from passage.

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 598, Establishing partnerships and aid for at-risk veterans to combat suicide.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 598) 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 609, Allowing DOH Commissioner to accept ownership of rented and leased equipment.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 609) 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 611, Removing cap on bidder's contract bond.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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. 611) passed with its title.

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

Eng. Senate Bill 660, Setting forth standard of care requirements for telehealth practice.

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

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

Eng. House Bill 4060, Repealing outdated sections of code relating to health.

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, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 4060) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. Com. Sub. for House Bill 4369, Update the telepsychology compact.

On third reading, coming up in regular order, with the right having been granted on February 18, 2022, for amendments to be received on third reading, was read a third time.

There being no amendments offered,

Engrossed Committee Substitute for House Bill 4369 was then put upon its passage.

On the passage of the bill, the yeas were: Azinger, Beach, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Stover, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—33.

The nays were: None.

Absent: Baldwin—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 H. B. 4369) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 137, Requiring persons convicted of certain felonies on or after March 8, 1995, provide DNA samples.

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 216, Creating Student Journalist Press Freedom Restoration Act.

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

Com. Sub. for Senate Bill 226, Allowing substitute teachers who suspect unfair exclusion from certain assignments to request explanation from certain school officials.

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

At the request of Senator Takubo, unanimous consent being granted, the bill was referred to the Committee on Rules.

Com. Sub. for Senate Bill 486, Allowing PERS retirees to designate special needs trust as beneficiary.

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

Com. Sub. for Senate Bill 488, Eliminating restrictions on voting rights for formerly incarcerated individuals.

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

Senator Takubo requested unanimous consent that the bill be referred to the Committee on Rules.

Which consent was not granted, Senator Hamilton objecting.

Thereafter, on motion of Senator Takubo, the bill was referred to the Committee on Rules.

Com. Sub. for Senate Bill 523, Transferring oversight of Jobs Investment Trust Fund to WV Economic Development Authority.

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

Com. Sub. for Senate Bill 535, Providing for revocation of school personnel certification or licensure in certain circumstances.

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

Senate Bill 548, Authorizing Workforce WV employers to obtain employment classifications and work locations.

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

Com. Sub. for Senate Bill 585, Creating administrative medicine license for physicians not practicing clinical medicine.

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

Senate Bill 597, Relating to PSC underground facilities damage prevention and one-call system.

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

Senate Bill 624, Making supplementary appropriation to DHHR, Division of Health, Laboratory Services.

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

Com. Sub. for Senate Bill 625, Making supplementary appropriation to DHHR, Division of Health, Vital Statistics Account.

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

Senate Bill 626, Supplementing, amending, and increasing existing items of appropriation from State Road Fund to DOT, DMV.

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

Senate Bill 627, Supplementing, amending, and increasing existing item of appropriation from State Road Fund to DOT, DOH.

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

Senate Bill 634, Making supplementary appropriation to DHHR, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations.

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

Com. Sub. for Senate Bill 641, Requiring Consolidated Public Retirement Board to set contributions to Deputy Sheriff's Retirement System.

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

Senate Bill 669, Relating to contribution levels of certain judges who participate in retirement system.

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

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

Senate Bill 670, Permitting newly hired 911 personnel to participate in Emergency Medical Services Retirement System.

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

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

Eng. House Bill 3303, Relating to clarifying the process of filling vacancies on ballots.

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

At the request of Senator Takubo, and by unanimous consent, the bill was advanced to third reading with the unreported Judiciary committee amendment pending and the right for further amendments to be considered on that 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 230, Relating generally to public employees grievance procedure.

Com. Sub. for Senate Bill 470, Relating generally to health care decisions.

Com. Sub. for Senate Bill 553, Relating to powers of WV Health Care Authority.

Senate Bill 556, Removing outdated reference to federal officers' peace-keeping authority.

Com. Sub. for Senate Bill 586, Relating to athletic eligibility of transfer students.

Senate Bill 619, Relating to rulemaking for unidentified and unclaimed remains in possession of Chief Medical Examiner.

Senate Bill 628, Supplementing and amending appropriations to Department of Commerce, DNR.

Senate Bill 629, Supplementing and amending appropriations to Department of Education, WV BOE, Vocational Division.

Senate Bill 630, Supplementing and amending appropriations to Higher Education Policy Commission, Administration – Control Account.

Senate Bill 633, Supplementing and amending appropriations to DHHR, Consolidated Medical Services Fund.

Senate Bill 636, Supplementing and amending appropriations to Department of Revenue, Office of Tax Appeals.

Senate Bill 637, Supplementing and amending appropriations to Executive, Governor's Office – Civil Contingent Fund.

Senate Bill 639, Providing 45-day waiting period on rate increases when water and sewer services are purchased from municipality.

Senate Bill 640, Eliminating requirement of PSC to send certain recommended decisions by certified mail.

Com. Sub. for Senate Bill 643, Removing residency requirement of members appointed to county airport authority.

Com. Sub. for Senate Bill 650, Eliminating number of royalty owners required for utilization by operator for lawful use and development by co-tenants.

Senate Bill 651, Allowing county BOE participating in operation of multicounty vocational center to withdraw.

And,

Senate Bill 685, Relating to WV Real Estate License Act.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senators Karnes, Geffert, Romano, and Lindsay.

Thereafter, at the request of Senator Caputo, and by unanimous consent, the remarks by Senators Geffert and Romano were ordered printed in the Appendix to the Journal.

At the request of Senator Trump, unanimous consent being granted, the remarks by Senator Lindsay 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 added as co-sponsors to the following bills and resolutions on February 18, 2022:

Senate Bill 230: Senator Karnes;

Senate Bill 434: Senator Jeffries;

Senate Bill 456: Senator Rucker;

Com. Sub. for Senate Bill 470: Senator Rucker;

Senate Bill 602: Senator Rucker;

Senate Bill 651: Senators Karnes and Rucker;

Senate Bill 661: Senators Sypolt and Grady;

Senate Bill 671: Senator Woelfel;

Senate Bill 672: Senators Maroney, Stollings, Caputo, and Phillips;

Senate Bill 673: Senators Stollings and Baldwin;

Senate Bill 675: Senator Lindsay;

Senate Bill 676: Senator Rucker;

Senate Bill 678: Senator Smith;

Senate Bill 682: Senators Woodrum and Woelfel;

Senate Bill 684: Senators Martin, Woodrum, and Rucker;

Senate Concurrent Resolution 49: Senators Jeffries, Hamilton, Woodrum, Grady, Beach, Phillips, and Lindsay;

And,

Senate Resolution 31: Senators Jeffries, Hamilton, Woodrum, Stollings, Caputo, Baldwin, Phillips, and Lindsay.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 12:42 p.m., the Senate adjourned until tomorrow, Tuesday, February 22, 2022, at 11 a.m.

SENATE CALENDAR

**Tuesday, February 22, 2022
11:00 AM**

UNFINISHED BUSINESS

- S. C. R. 50 - US Army CPL John William (J.W.) Cruse Jr. Memorial Bridge
- S. C. R. 51 - Deputy Kenneth "Kenny" Ward Love, Sheriff Elvin Eugene "Pete" Wedge, and Jailer Ernest Ray "Ernie" Hesson Memorial Bridge
- S. R. 32 - Designating February 22, 2022, as Domestic Violence Awareness Day in WV
- S. R. 33 - Recognizing 150th Anniversary of Glenville State College
- S. R. 34 - Congratulating St. Marys High School golf team for winning 2021 Class A State Golf Championship
- S. R. 35 - Congratulating Tug Valley High School Lady Panthers for winning 2021 Class A State Championship in Girls Basketball
- S. R. 36 - Recognizing Tug Valley Cheerleaders for winning 2021 Class A State Championship
- S. R. 37 - Recognizing Leadership Berkeley for its services, dedication, and commitment to Berkeley County

THIRD READING

- Eng. Com. Sub. for S. B. 137 - Requiring persons convicted of certain felonies on or after March 8, 1995, provide DNA samples
- Eng. Com. Sub. for Com. Sub. for S. B. 216 - Creating Student Journalist Press Freedom Restoration Act
- Eng. Com. Sub. for S. B. 371 - Authorizing miscellaneous boards and agencies to promulgate legislative rules (original similar to HB4210)
- Eng. Com. Sub. for S. B. 486 - Allowing PERS retirees to designate special needs trust as beneficiary (original similar to HB4676)
- Eng. Com. Sub. for S. B. 489 - Clarifying amount of deputy sheriff annual salary increase
- Eng. Com. Sub. for S. B. 523 - Transferring oversight of Jobs Investment Trust Fund to WV Economic Development Authority (original similar to HB4501)
- Eng. Com. Sub. for S. B. 535 - Providing for revocation of school personnel certification or licensure in certain circumstances (original similar to HB4503)
- Eng. S. B. 548 - Authorizing Workforce WV employers to obtain employment classifications and work locations
- Eng. Com. Sub. for S. B. 585 - Creating administrative medicine license for physicians not practicing clinical medicine
- Eng. S. B. 597 - Relating to PSC underground facilities damage prevention and one-call system

- Eng. S. B. 624 - Making supplementary appropriation to DHHR, Division of Health, Laboratory Services (original similar to HB4752)
- Eng. Com. Sub. for S. B. 625 - Making supplementary appropriation to DHHR, Division of Health, Vital Statistics Account (original similar to HB4738)
- Eng. S. B. 626 - Supplementing, amending, and increasing existing items of appropriation from State Road Fund to DOT, DMV (original similar to HB4719)
- Eng. S. B. 627 - Supplementing, amending, and increasing existing item of appropriation from State Road Fund to DOT, DOH (original similar to HB4739)
- Eng. S. B. 634 - Making supplementary appropriation to DHHR, Division of Health – Hospital Services Revenue Account Special Fund Capital Improvement, Renovation and Operations (original similar to HB4716)
- Eng. Com. Sub. for S. B. 641 - Requiring Consolidated Public Retirement Board to set contributions to Deputy Sheriff's Retirement System
- Eng. S. B. 660 - Setting forth standard of care requirements for telehealth practice
- Eng. S. B. 669 - Relating to contribution levels of certain judges who participate in retirement system - (With right to amend)
- Eng. S. B. 670 - Permitting newly hired 911 personnel to participate in Emergency Medical Services Retirement System - (With right to amend)
- Eng. H. B. 3303 - Relating to clarifying the process of filling vacancies on ballots - (Com. amend. and title amend. pending) - (With right to amend)

SECOND READING

- Com. Sub. for S. B. 230 - Relating generally to public employees grievance procedure
- Com. Sub. for S. B. 470 - Relating generally to health care decisions - (Com. title amend. pending)
- Com. Sub. for S. B. 553 - Relating to powers of WV Health Care Authority
- S. B. 556 - Removing outdated reference to federal officers' peace-keeping authority
- Com. Sub. for S. B. 586 - Relating to athletic eligibility of transfer students
- S. B. 619 - Relating to rulemaking for unidentified and unclaimed remains in possession of Chief Medical Examiner
- S. B. 628 - Supplementing and amending appropriations to Department of Commerce, DNR (original similar to HB4740)
- S. B. 629 - Supplementing and amending appropriations to Department of Education, WV BOE, Vocational Division (original similar to HB4714)
- S. B. 630 - Supplementing and amending appropriations to Higher Education Policy Commission, Administration – Control Account (original similar to HB4721)
- S. B. 633 - Supplementing and amending appropriations to DHHR, Consolidated Medical Services Fund (original similar to HB4715)

- S. B. 636 - Supplementing and amending appropriations to Department of Revenue, Office of Tax Appeals (original similar to HB4717)
- S. B. 637 - Supplementing and amending appropriations to Executive, Governor's Office – Civil Contingent Fund (original similar to HB4720)
- S. B. 639 - Providing 45-day waiting period on rate increases when water and sewer services are purchased from municipality (original similar to HB4691)
- S. B. 640 - Eliminating requirement of PSC to send certain recommended decisions by certified mail (original similar to HB4769).
- Com. Sub. for S. B. 643 - Removing residency requirement of members appointed to county airport authority
- Com. Sub. for S. B. 650 - Eliminating number of royalty owners required for utilization by operator for lawful use and development by co-tenants
- S. B. 651 - Allowing county BOE participating in operation of multicounty vocational center to withdraw
- S. B. 685 - Relating to WV Real Estate License Act

FIRST READING

- Com. Sub. for S. B. 430 - Modifying witness fee rate paid by state to match federal court system
- Com. Sub. for S. B. 463 - Best Interests of Child Protection Act of 2022 (original similar to HB4316)
- Com. Sub. for S. B. 622 - Establishing requirements for carbon dioxide sequestration

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2022

Tuesday, February 22, 2022

10 a.m.	Transportation & Infrastructure	(Room 451M)
10 a.m.	Military	(Room 208W)

