

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

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

Charleston, West Virginia, Thursday, March 3, 2022

The Senate met at 11:17 a.m.

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

Prayer was offered by Dr. Wanda Carter-Shelton, Pastor of Greater New Jerusalem Worship Center, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Michael T. Azinger, a senator from the third district.

Pending the reading of the Journal of Wednesday, March 2, 2022,

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

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

Senator Takubo called attention to today being the birthday of the senator from Tucker and on behalf of the Senate extended felicitations and good wishes to Senator Smith.

The Senate then proceeded to the third order of business.

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

Eng. House Bill 2300—A Bill to amend and reenact §51-9-1a of the Code of West Virginia, 1931, as amended, relating to including family court judges in the Judges' Retirement System.

Referred to the Committee on the Judiciary; 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 2751—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §6-9C-1, §6-9C-2, §6-9C-2A, §6-9C-3, §6-9C-4, §6-9C-

5, §6-9C-6, §6-9C-7, §6-9C-8, §6-9C-9, §6-9C-10, and §6-9C-11; to amend and reenact §8-35-2 of said code; and to amend said code by adding thereto by adding 4 new sections, designated §8-35-3, §8-35-4, §8-35-5 and §8-35-6, all relating generally to fiscal emergencies of local governments; establishing a system to remediate those emergencies; requiring certain action be taken by the State Auditor or a designee; and modernizing the process for the dissolution of municipalities.

Referred 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 2910—A Bill to amend and reenact §50-1-2, §50-1-3, and §50-1-13 of the Code of West Virginia, 1931, as amended, all relating generally to magistrates; relating to the allocation of magistrates serving in each county; setting a standardized formula for magistrate apportionment; providing for adjustment of those numbers of magistrates every 10 years following the census; removing the cap of 158 magistrates statewide; requesting the Chief Justice of the Supreme Court of Appeals develop a rule creating a system in which magistrates may be assigned on a temporary rotating basis outside the county of their election or appointment to preside over initial appearances, petitions for domestic violence, emergency protective orders, emergency mental hygiene petitions, emergency juvenile delinquency petitions, and applications for issuance of search warrants in counties in which he or she was not elected or appointed; granting the court authority to organize the system on a circuit-wide or regional basis as the court chooses; clarifying that magistrates may preside remotely if the Supreme Court of Appeals determines it appropriate; and eliminating antiquated language.

Referred to the Committee on Government Organization; 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 3073—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5D-6, relating to establishing the West Virginia Emergency School Food Act; providing findings; directing a county-by-county assessment of noninstructional or nontraditional remote learning day and public virtual school student feeding initiative; food insecurities; empowering county school boards to develop initiatives and programs for feeding students in need during summer and other noninstructional or nontraditional remote or virtual learning day time periods; providing county board reporting requirements to the Office of Child Nutrition; and directing the Office of Child Nutrition to collect and distribute information regarding available food resources and to create a crisis management and prevention plan that includes an assessment and plan to feed students.

Referred to the Committee on Education.

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 4001—A Bill to amend and reenact §31G-1A-7 of the Code of the West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §31G-3-5; to amend said code by adding thereto a new section, designated §31G-4-

2a; to amend said code by adding thereto a new article, designated §31G-7-1, §31G-7-2, §31G-7-3, §31G-7-4 and §31G-7-5; and to amend said code by adding thereto a new article, designated §31G-8-1, §31G-8-2 §31G-8-3 and §31G-8-4, all relating to certain provisions relating to broadband; creating a process for the mapping of disturbances in rights of way; creating utility pole rights of way and easement mapping initiative; creating existing customer protections for the Office of the Attorney General in coordination with the Office of Broadband and Department of Economic Development; establishing fees; providing for competitive access infrastructure; providing for credits; defining modems and other connection devices; defining competitive access infrastructure; defining eligible telecommunications carriers; defining the status of such; and providing for penalties where misrepresentation of eligible telecommunications carrier status occurs.

Referred to the Committee on Economic Development; 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. Com. Sub. for House Bill 4020—A Bill to amend and reenact §5F-1-2 of the Code of West Virginia, 1931, as amended, and to amend and reenact §5F-2-1 of said code; all relating to reorganizing the Department of Health and Human Resources; separating the Department of Health and Human Resources into two departments; creating the Department of Health; creating the Department of Human Resources; establishing the organizational structure of the Department of Health; and establishing the organizational structure of the Department of Human Services.

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 4021—A Bill to amend and reenact §18C-3-1 of the Code of West Virginia, 1931, as amended, relating to the Medical Student Loan Program; defining terms; establishing programs at certain schools, authorizing medical schools to make loans; authorizing the use of special revolving funds for program use; establishing eligibility requirements; setting maximum loan amount; requiring an agreement for persons participating; requiring persons participating to select service commitment area; providing for cancellation of loan if person satisfies the obligations of the service agreement; establishing repayment obligation for those participants who do not satisfy commitment obligation; creating procedure for person to request working less than full-time; and establishing school reporting requirements.

Referred to the Committee on Education.

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 4050—A Bill to amend and reenact §19-18-1 of the Code of West Virginia, 1931, as amended, relating to defining terms related to livestock trespassing.

Referred to the Committee on Agriculture and Rural Development.

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 4293—A Bill to amend and reenact §3-3-5 of the Code of West Virginia, 1931, as amended, relating to absentee ballots; requiring applications for absentee ballots to be available at the office of the county clerk and online at the Secretary of State's official website; permitting first responders to vote by electronic absentee ballot in certain emergency circumstances; defining "qualified first responder" and providing examples; providing for submittal and acceptance of qualified first responder absentee voting applications; providing for transmittal of ballots to qualified first responders; providing for processing of received electronic absentee ballots cast by qualified first responders; prohibiting an election official from providing an unsolicited application for absentee voting to any voter; prohibiting any person from providing more than 10 unsolicited applications for absentee voting to any voter; creating a misdemeanor penalty upon conviction for such prohibited activity; and providing exceptions.

Referred 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 4320—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-3-14, relating to requiring that a covered employer accept biological immunity for a communicable disease; prohibiting requiring a vaccine if protective antibody level occur; and defining terms

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

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 4336—A Bill to amend and reenact §11-1C-10 of the Code of West Virginia, 1931, as amended; relating generally to valuation and assessment regarding personal property taxation; providing for a revised methodology to value property producing oil, natural gas, and natural gas liquids by the Tax Commissioner for property tax assessments; providing for methods, limitations, calculation requirements, and definitions, all of which are used to determine fair market value, net proceeds, actual annual operating costs, a capitalization rate, production decline rates, a yield capitalization model, a working interest model, and a royalty interest model; providing for a safe harbor for marginal wells costs; providing limitations on calculations by the commissioner; providing for annualized gross receipts and actual annual operating expenses before calculation of the models; providing limitations on minimum valuations of wells; providing for reporting by the Tax Commissioner of certain information; providing for rule-making; providing a sunset date; and providing multiple effective dates.

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 4353—A Bill to amend and reenact §3-1-30 and §3-1-31 of the Code of West Virginia, 1931, as amended; to amend and reenact §3-2-19 of said code; to

amend and reenact §3-11-1 of said code; to amend and reenact §7-1-1a of said code; to amend and reenact §7-4-1 of said code; to amend and reenact §7-14B-21 of said code; to amend and reenact §7-17-12 of said code; to amend and reenact §7-20-7 and §7-20-12 of said code; to amend and reenact §8-1-2 of said code; to amend and reenact §8-2-5 of said code; to amend and reenact §8-3-6 of said code; to amend and reenact §8-4-7, §8-4-8, and §8-4-10 of said code; to amend and reenact §8-5-5 of said code; to amend and reenact §8A-7-7, §8A-7-8a, and §8A-7-13 of said code; to amend and reenact §11-8-16, and §11-8-17 of said code; to amend and reenact §13-1-7, and §13-1-11 of said code; to amend and reenact §15-2-13 of said code; to amend and reenact §16-12-1 of said code; to amend and reenact §18-9-1, §18-9-2, and §18-9-2a of said code; to amend and reenact §20-5K-3 of said code; to amend and reenact §22-15A-18 of said code; to amend and reenact §22C-4A-2, and §22C-4A-3 of said code; to amend and reenact §22C-6-3 of said code; to amend and reenact §29-22C-7 of said code; to amend and reenact §29-25-7 of said code; to amend and reenact §47-20-26 of said code; to amend and reenact §47-21-24 of said code; and to amend and reenact §60-5-1, §60-5-3, and §60-5-4 of said code, all relating to bringing uniformity to local elections by ensuring that all counties hold local elections on a date that a statewide election is already taking place, on a primary or general election date; requiring that local elections and any elections to increase levies coincide with a primary or a general election; removing references to special elections for levies; providing a saving clause for the renewal of existing levies by providing for levying bodies and boards of education to vote in order to schedule such elections to renew or extend these levies in a manner which brings them into conformity with the new structure; and authorizing poll clerks to work and be compensated for both full and half days worked during an election.

Referred 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 4373—A Bill to amend and reenact §47-19-3 of the Code of West Virginia, 1931, as amended, relating to excluding fentanyl test strips from the definition of drug paraphernalia; and specifying that fentanyl test strips are not prohibited under Chapter 60A of this code.

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 4439—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-J-6; and to amend and reenact §36-8-13 of said code, all relating generally to creating a special revenue account known as the Military Authority Reimbursable Expenditure Fund; establishing the account; declaring the purpose of the account; providing that the Adjutant General shall administer the account; authorizing the Adjutant General to invest moneys in the account; setting forth the permissible contents of the account; authorizing the Adjutant General to make certain expenditures from the account; requiring the Adjutant General to reimburse the account after receiving federal reimbursement moneys; providing that moneys in the account will revert to the Unclaimed Property Fund at the end of each fiscal year; and authorizing the unclaimed property administrator to transfer a certain amount from the Unclaimed Property Trust Fund to the account.

Referred to the Committee on Finance.

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

Eng. House Bill 4463—A Bill to amend and reenact §29-5A-1 and §29-5A-16 of the Code of West Virginia, 1931, as amended, all relating to the compensation the members of the State Athletic Commission may receive during a fiscal year for their attendance and participation in public meetings of the commission; and their work at exhibitions and matches sanctioned by the commission.

Referred to the Committee on Government Organization; 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. Com. Sub. for House Bill 4467—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-18d, relating to establishing a model project to provide early childhood classroom assistant teachers in certain grade levels and enrollment levels in said grade levels.

Referred to the Committee on Education; 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. Com. Sub. for House Bill 4497—A Bill to amend and reenact §15A-3-16 of the Code of West Virginia, 1931, as amended, relating to setting the regional jail per diem rate through July 1, 2023.

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 4565—A Bill to amend and reenact §5-10B-2 and §5-10B-3a of the Code of West Virginia, 1931, as amended; to amend §18-25-1 of said code; and to amend §18A-4-12 of said code; all relating generally to government employees deferred compensation plans; providing definitions; exempting certain employees from the requirement of automatic enrollment into certain plans; and removing outdated language to align with federal law.

Referred to the Committee on Education.

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

Eng. House Bill 4571—A Bill to amend and reenact §18-9A-7, of the Code of West Virginia, 1931, as amended, relating to including electric-powered school busses in the county foundation allowance; and increasing by 5% the allowance for school bus systems manufactured in the state of West Virginia.

Referred to the Committee on Education; 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. Com. Sub. for House Bill 4580—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18A-4-15a, relating to reemployment of retired bus operators; providing for legislative findings; providing for definitions; explaining the purpose of the section; defining the framework for when these individuals may work as needed; and providing for an expiration date.

Referred to the Committee on Education; 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. Com. Sub. for House Bill 4629—A Bill to amend and reenact § 55-17-3 of the Code of West Virginia, 1931, as amended, relating to actions against the State of West Virginia; authorizing the Attorney General or the chief officer of the subject government agency to issue a response to the potential claimant within 60 days of receipt of the notice to file suit; tolling the statute of limitations during pre-suit negotiations for actions against the state; providing that if pre-suit negotiations have not been concluded within six (6) months from the date of receipt of the notice of intent to file suit, then such pre-suit negotiations are deemed to be concluded; affording a 90 day time to file suit absent pretrial negotiations; providing an exemption from the 90 day time to file suit if the potential claimant is a minor; and dismissing claims absent suit filed within this 90 days.

Referred 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 4826—A Bill to amend and reenact §29-22D-3 of the Code of West Virginia, 1931, as amended relating to allowing wagering on e-sports events; providing definition of e-sports events; and including e-sports event in the definition of sports event or sporting event.

Referred 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 4842—A Bill to amend and reenact §61-8C-3 of the Code of West Virginia, 1931, as amended, relating to preparation, distribution, or exhibition of obscene matter to minors; and clarifying that the provisions of the section shall not apply to a certified law-enforcement officer or prosecuting attorney, or persons acting under the immediate direction of a certified law-enforcement officer or prosecuting attorney, certain court personnel, or attorneys representing an accused person, all while acting in the course of official duties.

Referred 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 4844—A Bill to amend and reenact §18-20-1c of the Code of West Virginia, 1931, as amended; and to amend and reenact §18A-4-10 and §18A-4-14 of said code, all relating to public school personnel; prohibiting regular classroom teachers and special education classroom teachers required to participate an individualized education program committee from being required to prepare or reduce to writing the individualized education program plan unless no other knowledgeable professional is available; increasing number of personal leave days an employee may use without regard to the cause for the absence; providing alternative conditions for authorized use of consecutive personal leave days without cause; and requiring state board rule providing uniform notice method and exchange process, prohibition on contact for certain purposes, agreement form and benefit amount regarding a teacher's voluntary exchange of duty-free lunch recess to perform duties at the school.

Referred to the Committee on Education; 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 4845—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-2L-1, §18-2L-2, §18-2L-3, §18-2L-4, §18-2L-5, §18-2L-6, §18-2L-7, §18-2L-8, §18-2L-9, §18-2L-10, §18-2L-11, and §18-2L-12; and to amend said code by adding thereto a new article, designated §18C-10-1, §18C-10-2, §18C-10-3, §18C-10-4, and §18C-10-5, all relating generally to the establishment of the Katherine Johnson Academy as magnet school programs at colleges and universities in West Virginia; defining terms; creating a board of trustees to govern the Katherine Johnson Academy; providing for membership of the board of trustees, the selection of a chair, terms of the trustees, duties and responsibilities, setting of meetings, and establishing trustees to serve without compensation; authorizing the board of trustees to perform certain duties; providing for the appointment of a president; providing for collaboration agreements for the establishment of magnet school programs; providing for restrictions on the amount that may be charged for tuition, fees, room, board, and books; authorizing the establishment of residential programs and commuter programs at colleges and universities; establishing the Academy of Mathematics and Science and the Academy for the Performing Arts; requiring the board of trustees to select certain host institutions pursuant to a competitive bidding process; establishing certain minimum eligibility requirements for students; authorizing a host institution to determine admission and enrollment; requiring students accepted and admitted into a magnet school program to receive the PROMISE scholarship; providing for students to receive a scholarship from the Katherine Johnson Scholarship Fund; providing that no county board or college or university will be required to participate in this program; requiring the Katherine Johnson Academy, the State Board of Education, and the Higher Education Policy Commission to promulgate a joint rule for the administration of the Katherine Johnson Academy; establishing the Katherine Johnson Scholarship Fund; providing for state and county support for the Katherine Johnson Scholarship Fund based upon per-pupil allocations; defining terms; and providing for rulemaking.

Referred to the Committee on Education; 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 4846—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article designated §17C-24-1, et. seq.; all relating to flying under the influence and other aviation offenses; prohibiting operation of aircraft while under the influence of

alcohol, controlled substances, or drugs; defining terms; providing for implied consent to testing; preliminary analysis of breath to determine alcoholic content of blood; the administration of blood tests; interpretation of such tests; rights to demand testing; providing for fee for withdrawing a blood sample and making a urine test; forbidding careless or reckless operation of an aircraft; forbidding unauthorized taking of an aircraft; requiring federal licensure to operate an aircraft; providing criminal penalties; and requiring state officers to collaborate in enforcing aeronautics laws.

Referred 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 4847—A Bill to amend and reenact §15-3D-4, and §15-3D-5 of the Code of West Virginia, 1931, as amended, relating to missing persons generally; providing that missing persons information shall be furnished to West Virginia State Police; providing that persons aged over 75 years qualify as high risk persons; and, providing that an investigation shall start in all such instances as soon as the missing persons complaint is received..

Referred 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 4848—A Bill to repeal §60-3A-19 of the Code of West Virginia, 1931, as amended; to repeal §60-4-10 of said code; to repeal §60-7-17 of said code; to amend and reenact §11-16-6d, §11-16-6f, and §11-16-8 of said code; to amend said code by adding thereto a new section, designated §60-1-3a; to amend and reenact §60-3-22 of said code; to amend and reenact §60-3A-3a, §60-3A-3b, §60-3A-8, §60-3A-17, and §60-3A-19 of said code; to amend and reenact §60-4-22 and §60-4-23 of said code; to amend and reenact §60-6-24 of said code; to amend and reenact §60-7-2, §60-7-6, §60-7-8a, and §60-7-8f, of said code; to amend said code by adding thereto a new section, designated §60-7-2a; to amend and reenact §60-8-6c, §60-8-6e, and §60-8-6f of said code; and to amend and reenact §61-8-27 of said code, all relating to nonintoxicating beer, wine, and liquor licenses and requirements; removing limitations on the convenience fee; removing provisions requiring a scanned stored image of a driver's license or other legal identification; providing for other legal identification verification requirements; providing for removal of the 300 foot requirement under certain conditions; clarifying that persons convicted of certain crimes under certain conditions are not eligible for a license when applying for a nonintoxicating beer, nonintoxicating craft beer, or liquor license; clarifying that licensees are not required to place alcoholic liquors in a bag after purchase; streamlining certain sale requirements; altering the requirements relating to prior approval for a sampling event; revising to require prior notice before a tasting event; removing provisions relating to a five dollar cap on the convenience fee to deliver drinks containing liquor, wine, or nonintoxicating beer or nonintoxicating craft beer; increasing the minimum markup from 110 percent to 115 percent; removing unconstitutional provisions relating to a moratorium on exotic entertainment; revising the blood alcohol chart; creating a license for a private bakery to produce confections with alcohol added and setting a license fee; creating a license for a private cigar shop to, where legally permissible, permit the sale of alcohol, food, and cigars for on-premises consumption, and setting a license fee; creating a license for a private college sports stadium for alcohol sales in certain areas of Division I, II, or III sports stadiums, and setting a license fee; creating a license for a private food truck to conduct food and alcohol sales at various locations when permitted by a municipality, and setting a license fee; permitting private hotels and private resort hotels to apply for a private caterer license; authorizing private hotels and private resorts hotels to utilize in-room mini-bars for limited alcohol

sales to adults 21 year of age and over; authorizing licensed entities to hold a secondary license for purposes of events, fairs, and festivals; authorizing wine growler sales where wine may be mixed with ice and water to produce a frozen alcoholic beverage for sale in sealed wine growlers, and additional requirements; and providing additional exceptions to the criminal penalty for the unlawful admission of children to a dance hall for certain private clubs with an age verification system.

Referred 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 4849—A Bill to amend and reenact §38-10-4 of the Code of West Virginia, 1931, as amended, all relating to bankruptcy; correcting an erroneous terms; excluding life insurance proceeds paid to the debtor as a beneficiary, not to exceed \$100,000; excluding any annuities, other than those annuities included in §38-10-4(i)(5), which are paid to the debtor as a beneficiary, not to exceed \$20,000 per year in value; and, excluding any annuities or life insurance policies owned by the debtor which are payable to someone other than the debtor, including any applicable cash surrender value, from attachment by creditors in a bankruptcy proceeding.

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

Eng. House Joint Resolution 104—Proposing an amendment to the Constitution of the State of West Virginia, amending section four, article VII thereof, relating to preventing any individual from serving in the office of Secretary of State, Auditor, State Treasurer, Commissioner of Agriculture, or Attorney General for more than three consecutive terms; 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.

The Senate proceeded to the fourth order of business.

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 3rd day of March, 2022, presented to His Excellency, the Governor, for his action, the following bill, signed by the President of the Senate and the Speaker of the House of Delegates:

(S. B. 639), Providing 45-day waiting period on rate increases when water and sewer services are purchased from municipality.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.

Dean Jeffries,
Chair, House Committee.

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

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2177, Permitting the issuance of a state issued identification card without a photo on the card under certain conditions.

And has amended same.

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

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

Eng. Com. Sub. for House Bill 4141, Authorizing the Governor's Committee on Crime, Delinquency and Corrections to promulgate a legislative rule relating to Law Enforcement Training and Certification Standards.

And has amended same.

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

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

Eng. Com. Sub. for House Bill 4242, Authorizing the Division of Labor to promulgate a legislative rule relating to Child Labor.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Weld, from the Committee on Military, submitted the following report, which was received:

Your Committee on Military has had under consideration

Eng. Com. Sub. for House Bill 4406, To establish the West Virginia Military Hall of Fame.

And has amended same.

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

Respectfully submitted,

Ryan W. Weld,
Chair.

At the request of Senator Maynard, as chair of the Committee on Government Organization, unanimous consent was granted to dispense with the second committee reference of the bill contained in the foregoing report from the Committee on Military.

Senator Swope, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Eng. Com. Sub. for House Bill 4418, Relating to the Small Business Supplier Certification Assistance Program.

Eng. Com. Sub. for House Bill 4675, Relating to autonomous delivery vehicles.

And,

Eng. Com. Sub. for House Bill 4797, To create an EV Infrastructure Deployment Plan for West Virginia that describes how our state intends to use its share of NEVI Formula Program funds.

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

Respectfully submitted,

Chandler Swope,
Chair.

Senator Nelson, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Eng. Com. Sub. for House Bill 4430, Relating to definitions of base salary and overtime for police and firemen pensions.

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

Respectfully submitted,

Eric Nelson, Jr.,
Chair.

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

Senator Nelson, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Eng. House Bill 4433, Providing that retirement benefits are not subject to execution.

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

Respectfully submitted,

Eric Nelson, Jr.,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary.

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

Your Committee on the Judiciary has had under consideration

Eng. House Bill 4438, Applying current requirements for certain voting systems to be independent and non-networked to all voting systems that seek certification in West Virginia.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Nelson, from the Committee on Pensions, submitted the following report, which was received:

Your Committee on Pensions has had under consideration

Eng. House Bill 4462, Relating to Deferred Retirement Option Plan evaluations.

Now on second reading, having been read a first time and referred to the Committee on Pensions on February 24, 2022;

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

Respectfully submitted,

Eric Nelson, Jr.,
Chair.

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

Senator Swope, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Eng. Com. Sub. for House Bill 4479, Establishing the Coalfield Communities Grant Facilitation Commission.

And has amended same.

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

Respectfully submitted,

Chandler Swope,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance, with an amendment from the Committee on Economic Development pending.

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

Your Committee on the Judiciary has had under consideration

Eng. House Bill 4578, Relating to authorizing the Superintendent of the State Police to administer the Handle with Care program.

And reports the same back with the recommendation that it 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

Eng. Com. Sub. for House Bill 4583, Clarifying the definition of incapacity so that incarceration in the penal system or detention outside of the United States may not be inferred as resulting in a lack of capacity to execute a power of attorney.

And has amended same.

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

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

Eng. Com. Sub. for House Bill 4596, Relating generally to additional persons qualifying for the provisions of the Law-Enforcement Officers Safety Act.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

Senator Swope, from the Committee on Economic Development, submitted the following report, which was received:

Your Committee on Economic Development has had under consideration

Eng. Com. Sub. for House Bill 4667, Prohibition on county, city, or municipality restrictions on advanced air mobility aircraft.

And has amended same.

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

Respectfully submitted,

Chandler Swope,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on the Judiciary, with amendments from the Committee on Economic Development pending.

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

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 4785, Relating to judicial vacancies.

And has amended same.

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

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Tarr, unanimous consent being granted, the Senate returned to the consideration of

Eng. Com. Sub. for House Bill 4479, Establishing the Coalfield Communities Grant Facilitation Commission.

Having been reported from the Committee on Economic Development and, under the original double committee reference, referred to the Committee on Finance in earlier proceedings today,

At the request of Senator Tarr, as chair of the Committee on Finance, unanimous consent was granted to dispense with the second committee reference of Engrossed Committee Substitute for House Bill 4479.

The Senate proceeded to the sixth order of business.

Senators Nelson and Takubo offered the following resolution:

Senate Resolution 48—Congratulating the George Washington High School Patriots girls' swim team for winning the 2022 State Championship.

Whereas, The George Washington High School Patriots girls' swim team had another outstanding year in the pool, which culminated in the team winning the 2022 State Championship; and

Whereas, The George Washington High School Patriots girls' swim team continued their domination in the pool, winning their third consecutive state championship and seventh in the past 10 years; and

Whereas, The George Washington High School Patriots girls' swim team, coached by Lyn Wilcher, head coach, and Doug Price, assistant coach, consists of team members Caroline Bazzle, Lily Blake, Kara Edstrom, Ainsley Lewis, Emma Martin, Madilyn McGlothen, Morgan Reynolds, Olivia Ridenour, Maddie Schaefer, Kathryn St. Jean, Amelia Walko, Ashlee Wilcher, and Faith Wu; and

Whereas, Team members Madilyn McGlothen won the 500-yard freestyle and 200-yard IM, and Ashlee Wilcher won the 100-yard freestyle, and both girls were named to the WVSSAC All-Tournament Team; and

Whereas, The George Washington High School Patriots girls' swim team displayed their strong will and determination during the time of a health pandemic and is an outstanding example of what can be accomplished with dedication, commitment, and teamwork; and

Whereas, The George Washington High School Patriots girls' 2022 swim team will be remembered as one of the best teams ever assembled in West Virginia high school swimming history; therefore, be it

Resolved by the Senate:

That the Senate hereby congratulates the George Washington High School Patriots girls' swim team for winning the 2022 State Championship; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the George Washington High School Patriots girls' swim team.

Which, under the rules, lies over one day.

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

Senate Resolution 49—Memorializing the life of the Honorable Naomi "Sue" Cline, wife, mother, realtor, former member of the West Virginia Senate, and dedicated public servant.

Whereas, The Honorable Naomi "Sue" Cline was born in Welch, West Virginia, on May 28, 1946, the daughter of the late Ralph Cook and Ora Short Cook; and

Whereas, The Honorable Naomi "Sue" Cline was a lifelong resident of Wyoming County and made her home in Brenton, West Virginia; and

Whereas, The Honorable Naomi "Sue" Cline was a realtor for more than 20 years and was a member of the West Virginia State Realtors Association; and

Whereas, The Honorable Naomi "Sue" Cline was a member of the West Virginia Senate, where she represented the citizens of the 9th Senatorial District from 2016 to 2020; and

Whereas, During her tenure as a member of the West Virginia Senate, the Honorable Naomi "Sue" Cline served as Chair of the Committee on Interstate Cooperation and a member of the Committees on Agriculture, Economic Development, Education, Energy, Industry and Mining, the Judiciary, Military, and Natural Resources; and

Whereas, The Honorable Naomi "Sue" Cline was a devout Christian and a faithful member of Brenton Baptist Church; and

Whereas, Sadly, The Honorable Naomi "Sue" Cline passed away at the age of 75 on December 29, 2021, bringing an end to a life devoted to faith, family, and public service, and leaving behind a host of family and friends, all of whom will miss her dearly; and

Whereas, It is fitting that we pay tribute to the life and legacy of the Honorable Naomi "Sue" Cline, a proud native daughter of southern West Virginia and a fierce fighter and advocate for the people of Wyoming and Raleigh Counties; therefore, be it

Resolved by the Senate:

That the Senate hereby memorializes the life of the Honorable Naomi "Sue" Cline, wife, mother, realtor, former member of the West Virginia Senate, and dedicated public servant; and, be it

Further Resolved, That the Senate extends its sincere condolences to the family of the Honorable Naomi "Sue" Cline on her passing; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the family of the Honorable Naomi "Sue" Cline.

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.

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

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

Senate Resolution 47, Memorializing life of Honorable Joseph Michael Minard.

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

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

The question being on the adoption of the resolution, and on this question, Senator Romano demanded the yeas and nays.

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

The nays were: None.

Absent: Stover—1.

So, a majority of those present and voting having voted in the affirmative, the President declared the resolution (S. R. 47) adopted.

Thereafter, at the request of Senator Takubo, and by unanimous consent, the remarks by Senators Romano, Stollings, Caputo, and Plymale regarding the adoption of Senate Resolution 47 were ordered printed in the Appendix to the Journal.

At the request of Senator Takubo, unanimous consent being granted, at 12:06 p.m., the Senate recessed to present Senate Resolution 47.

The Senate reconvened at 12:09 p.m. and resumed business under the seventh order.

House Concurrent Resolution 23, Requesting the Division of Highways to place at least 10 additional signs along highways entering West Virginia honoring fallen veterans and Gold Star Families.

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

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

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 250, Budget Bill.

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

The Senate proceeded to the tenth order of business.

Senate Bill 715, Decreasing and increasing existing items of appropriations from State Fund, General Revenue.

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

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

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

The nays were: None.

Absent: Stover—1.

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

Engrossed Senate Bill 715 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Stover—1.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 715) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Stover—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 715) takes effect from passage.

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

Senate Bill 716, Supplemental appropriation to DOE, WV BOE, Strategic Staff Development.

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

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Beach and Stover—2.

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

Engrossed Senate Bill 716 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 716) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 716) takes effect from passage.

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

Senate Bill 717, Supplemental appropriation to Miscellaneous Boards and Commissions, Board of Medicine, Medical Licensing Board.

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

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Beach and Stover—2.

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

Engrossed Senate Bill 717 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 717) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 717) takes effect from passage.

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

Senate Bill 718, Supplemental appropriation to Department of Administration, Travel Management, Aviation Fund.

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

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Beach and Stover—2.

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

Engrossed Senate Bill 718 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 718) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 718) takes effect from passage.

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

Senate Bill 719, Supplemental appropriation to DHS, Fire Commission, Fire Marshal Fees.

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

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Beach and Stover—2.

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

Engrossed Senate Bill 719 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 719) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 719) takes effect from passage.

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

Senate Bill 720, Supplementing and amending appropriations to Executive, Governor's Office, Civil Contingent Fund.

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

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Beach and Stover—2.

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

Engrossed Senate Bill 720 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 720) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 720) takes effect from passage.

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

Senate Bill 722, Expiring funds to DEP, Division of Environmental Protection, Reclamation of Abandoned and Dilapidated Property Program Fund.

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

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Beach and Stover—2.

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

Engrossed Senate Bill 722 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 722) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 722) takes effect from passage.

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

Senate Bill 723, Making supplementary appropriation to Department of Agriculture, WV Spay Neuter Assistance Fund.

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

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Beach and Stover—2.

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

Engrossed Senate Bill 723 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 723) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 723) takes effect from passage.

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

Senate Bill 724, Making supplementary appropriation to DHS, Division of Corrections and Rehabilitation, Regional Jail and Correctional Facility Authority.

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

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Beach and Stover—2.

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

Engrossed Senate Bill 724 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 724) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 724) takes effect from passage.

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

Senate Bill 725, Supplementing and amending appropriations to DHS, WV State Police.

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

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

On suspending the constitutional rule, the yeas were: Azinger, Baldwin, Boley, Brown, Caputo, Clements, Geffert, Grady, Hamilton, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woelfel, Woodrum, and Blair (Mr. President)—32.

The nays were: None.

Absent: Beach and Stover—2.

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

Engrossed Senate Bill 725 was then read a third time and put upon its passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 725) passed with its title.

Senator Takubo moved that the bill take effect from passage.

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

The nays were: None.

Absent: Beach and Stover—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 725) takes effect from passage.

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

Eng. House Bill 2817, Donated Drug Repository Program.

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

Eng. Com. Sub. for House Bill 4065, Allowing the Division of Natural Resources to teach hunter's safety courses in school.

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

Eng. Com. Sub. for House Bill 4282, Relating to establishing next generation 911 services in this state.

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

Eng. House Bill 4286, Relating to exempting persons employed as attorneys from the civil service system.

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

Eng. House Bill 4291, Relating to authorizing legislative rules regarding higher education.

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

Eng. Com. Sub. for House Bill 4324, To update collaborative pharmacy practice agreements.

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

Eng. Com. Sub. for House Bill 4345, Relating to motor vehicle registration cards by establishing electronic or mobile registration cards.

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

Eng. Com. Sub. for House Bill 4380, Relating to transportation of athletic teams.

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

Eng. Com. Sub. for House Bill 4426, Repeal article 33-25G-1 *et seq.* creating provider sponsored networks.

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

Eng. Com. Sub. for House Bill 4489, Require counties to post open positions on statewide job bank.

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

Eng. House Bill 4517, Relating to the repealing requirements to display video ratings.

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

Eng. House Bill 4535, Repeal section relating to school attendance and satisfactory academic progress as conditions of licensing for privilege of operation of motor vehicle.

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

Eng. Com. Sub. for House Bill 4631, Establishing a bone marrow and peripheral blood stem donation awareness program.

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

Eng. House Bill 4649, Transferring the operations of the West Virginia Children's Health Insurance Program to the Bureau for Medical Services.

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

Pending announcement of meetings of standing committees of the Senate, including the Committee on Rules,

On motion of Senator Takubo, at 12:42 p.m., the Senate recessed until 5 p.m. today.

The Senate reconvened at 5:05 p.m. and, at the request of Senator Takubo, unanimous consent being granted, returned to the fourth order of business.

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

Your Joint Committee on Enrolled Bills has examined, found truly enrolled, and on the 3rd day of March, 2022, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

(H. B. 4048), WV Keep, Bear and Drive with Arms Act.

(H. B. 4299), To prohibit the intentional interference with election processes and creating associated criminal penalties.

(H. B. 4308), Authorizing disclosure of juvenile information to Crime Victims Compensation Fund for investigation and award of benefits.

(H. B. 4312), Extending the option of electronic absentee ballot transmission to first responders in certain emergency circumstances.

And,

(Com. Sub. for H. B. 4369), Update the telepsychology compact.

Respectfully submitted,

Mark R. Maynard,
Chair, Senate Committee.

Dean Jeffries,
Chair, House Committee.

Senator Clements, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

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

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

Senate Concurrent Resolution 8, US Army SGT Charles L. Toppings Memorial Road.

Senate Concurrent Resolution 12, Raymond Jarrell, Jr., Memorial Road.

Senate Concurrent Resolution 16, William Gregory "Greg" White, P.E., Memorial Bridge.

Senate Concurrent Resolution 18, US Army SSGT Fred E. Duty Memorial Highway.

Senate Concurrent Resolution 20, US Air Force LT COL Robert J. Hill Memorial Road.

Senate Concurrent Resolution 24, USMC CPL Roger Lee Boothe Memorial Road.

Senate Concurrent Resolution 25, Firefighter Marvin Layton Hughes Memorial Bridge.

Senate Concurrent Resolution 30, McClintic Family Bridge.

Senate Concurrent Resolution 31, US Navy HM3 Roy Elmer "Doody" Moon Bridge.

Senate Concurrent Resolution 32, Curtis "Pap" and Millie "Mammie" Asbury Memorial Bridge.

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

Senate Concurrent Resolution 35, Ira "Noon" Copley and Marie Copley Memorial Bridge.

Senate Concurrent Resolution 39, Walker Brothers' Veteran Memorial Bridge.

Senate Concurrent Resolution 40, Frye Brothers' Memorial Bridge.

Senate Concurrent Resolution 41, Henry Preston Hickman Memorial Bridge.

Senate Concurrent Resolution 42, USMC SSGT Herbert "Herbie" D. Barnes Veteran Memorial Bridge.

Senate Concurrent Resolution 43, US Navy S1 Paul McCue Bridge.

Senate Concurrent Resolution 47, Fire Chief Lee Thomas Memorial Bridge.

Senate Concurrent Resolution 50, US Army CPL John William (J.W.) Cruse Jr. Memorial Bridge.

Senate Concurrent Resolution 51, Deputy Kenneth "Kenny" Ward Love, Sheriff Elvin Eugene "Pete" Wedge, and Jailer Ernest Ray "Ernie" Hesson Memorial Bridge.

House Concurrent Resolution 1, Alex Perdue Memorial Bridge.

House Concurrent Resolution 4, John B. Short Memorial Bridge.

House Concurrent Resolution 6, Elmer Galford Memorial Road.

House Concurrent Resolution 7, Daniel Edward Kolhnton "Red" Haney Memorial Bridge.

House Concurrent Resolution 8, U.S. Army Private Elmo Davis Memorial Road.

House Concurrent Resolution 9, U.S. Army SSG James C. Vickers Silver Star Highway.

House Concurrent Resolution 10, Lance CPL Leonard Joe Zelaski Memorial Bridge.

House Concurrent Resolution 13, The Doctor Enrique Aguilar Memorial Bridge.

House Concurrent Resolution 14, Colonel Ronald John "Ron" Chiccehitto Memorial Road.

House Concurrent Resolution 17, Daniel Okey Cunningham Memorial Bridge.

House Concurrent Resolution 25, SP5 Terry Lee McClanahan Memorial Bridge.

House Concurrent Resolution 26, Charleston Police Officer Cassie Johnson - Fallen Heroes Memorial Bridge.

House Concurrent Resolution 35, David Allen Drake, Sr. Memorial Bridge.

House Concurrent Resolution 36, John Calvin "J.C." Baker Memorial Bridge.

House Concurrent Resolution 38, "Dale Shaheen and George H. Hooker Memorial Bridge."

House Concurrent Resolution 48, WVSP Sergeant John S. Syner Memorial Road.

House Concurrent Resolution 49, Charles M. "Charlie" Biggs Memorial Highway.

House Concurrent Resolution 50, John Ellison Road.

House Concurrent Resolution 52, U.S. Army SGT Roy E. Givens Memorial Road.

House Concurrent Resolution 54, Mayor George Karos Bridge.

House Concurrent Resolution 60, Fire Chief Lee Thomas Bridge.

House Concurrent Resolution 61, Timothy Wayne Farley Memorial Bridge.

House Concurrent Resolution 62, Raymond Jarrell, Jr., Memorial Road.

House Concurrent Resolution 64, Robin W. Ames Memorial Road.

House Concurrent Resolution 70, Calvin H. Shifflett Memorial Bridge.

House Concurrent Resolution 71, White Angel Falls waterfall.

House Concurrent Resolution 74, Judge Les Fury Memorial Bridge.

House Concurrent Resolution 75, Pastor Glenn F. Lough Memorial Bridge.

House Concurrent Resolution 82, Alleen Ledson Memorial Bridge.

House Concurrent Resolution 83, U.S. Army SGT Charles L. Toppings Memorial Road.

House Concurrent Resolution 84, U. S. Navy, Water Tender 3rd Class, V-6, Lewis Glenn Mills Memorial Boulevard.

House Concurrent Resolution 85, McClintic Family Bridge.

House Concurrent Resolution 87, Joseph Allen Wyatt, Fire Chief of Cowen VFD Memorial Intersection.

And,

House Concurrent Resolution 88, Lewis Joseph D'Antoni Memorial Road.

And reports the same back with the recommendation that they each be adopted.

Respectfully submitted,

Charles H. Clements,
Chair.

At the request of Senator Takubo, unanimous consent being granted, the resolutions (S. C. R. 2, 7, 8, 12, 16, 18, 20, 24, 25, 30, 31, 32, 33, 35, 39, 40, 41, 42, 43, 47, 50, and 51 and H. C. R. 1, 4, 6, 7, 8, 9, 10, 13, 14, 17, 25, 26, 35, 36, 38, 48, 49, 50, 52, 54, 60, 61, 62, 64, 70, 71, 74, 75, 82, 83, 84, 85, 87, and 88) contained in the preceding report from the Committee on Transportation and Infrastructure were then referred to the Committee on Rules.

Senator Clements, from the Committee on Transportation and Infrastructure, submitted the following report, which was received:

Your Committee on Transportation and Infrastructure has had under consideration

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

Senate Concurrent Resolution 10, US Air Force TSGT Franklin A. Bradford Bridge.

Senate Concurrent Resolution 14, US Army SSGT Elson M Kuhn Memorial Bridge.

Senate Concurrent Resolution 19, US Army PVT Thomas D. Beckett, Sr., Memorial Bridge.

Senate Concurrent Resolution 22, US Army PFC Clifford O. Eckard Memorial Bridge.

Senate Concurrent Resolution 26, US Army TEC5 William "Bill" Thurman King Memorial Bridge.

Senate Concurrent Resolution 36, USMC CPL Harry Edward Dean, Jr., Memorial Bridge.

Senate Concurrent Resolution 48, US Army PFC Ronald Lee Berry Memorial Bridge.

House Concurrent Resolution 15, Thomas Brothers Memorial Bridge.

House Concurrent Resolution 16, World War II Veterans Toothman Brothers Memorial Bridge.

House Concurrent Resolution 34, U.S. Navy Seaman 1st Class Byrne Lee Singleton Memorial Bridge.

House Concurrent Resolution 37, U.S. Army Corporal Charles William "Bill" Knight Memorial Bridge.

House Concurrent Resolution 40, USMC Cpl Guy Maywood Edwards Memorial Bridge.

House Concurrent Resolution 45, U.S. Army SP4 Dennis Harvey Roberts Memorial Bridge.

House Concurrent Resolution 46, U.S. Navy Seaman Donald Homer Wheeler Memorial Bridge.

House Concurrent Resolution 47, U.S. Army CPL Billy Earl Duty Memorial Bridge.

House Concurrent Resolution 63, U.S. Army MSGT Donald Lewis Coen Memorial Bridge.

House Concurrent Resolution 65, U.S. Army Major Jesse A. Jennings Memorial Bridge.

House Concurrent Resolution 72, U.S. Army SP5 Dana V. Perkins Memorial Bridge.

House Concurrent Resolution 73, Halstead Brothers WWII Veterans Memorial Bridge.

House Concurrent Resolution 76, U. S. Navy BM1 Farris Burton Memorial Bridge.

And,

House Concurrent Resolution 81, U.S. Army Chief Warrant Officer Milford Arnold Cunningham Memorial Bridge.

And reports the same back with the recommendation that they each be adopted.

Respectfully submitted,

Charles H. Clements,
Chair.

At the request of Senator Takubo, unanimous consent being granted, the resolutions (S. C. R. 4, 10, 14, 19, 22, 26, 36, and 48 and H. C. R. 15, 16, 34, 37, 40, 45, 46, 47, 63, 65, 72, 73, 76, and 81) contained in the preceding report from the Committee on Transportation and Infrastructure were taken up for immediate consideration and considered simultaneously.

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

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

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

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 3223, Prohibit state, county, and municipal governments from dedicating or naming any public structure for a public official who is holding office at the time.

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

Respectfully submitted,

Mark R. Maynard,
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

Eng. Com. Sub. for House Bill 4003, Relating generally to commercial benefit of substances removed from waters of the state by the treatment of mine drainage.

And has amended same.

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

Respectfully submitted,

Randy E. Smith,
Chair.

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

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 4008, Relating to Higher Education Policy Commission funding formula.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

The bill, under the original double committee reference, was then referred to the Committee on Finance.

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

Your Committee on Education has had under consideration

Eng. House Bill 4019, Relating to deadlines for public charter schools.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

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

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 4295, To transfer the State Office of the National Flood Insurance Program from the Offices of the Insurance Commissioner to the Division of Emergency Management.

With amendments from the Committee on Banking and Insurance pending;

And has also amended same.

And reports the same back with the recommendation that it do pass as last amended by the Committee on Government Organization.

Respectfully submitted,

Mark R. Maynard,
Chair.

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

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 4420, To modify definitions of school bus operators.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

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

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 4499, Relating to making the procurement process more efficient by modifying and updating outdated processes and requirements.

And has amended same.

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

Respectfully submitted,

Mark R. Maynard,
Chair.

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

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 4562, Relating generally to the suspension and dismissal of school personnel by board and the appeals process.

And has amended same.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

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

Your Committee on Education has had under consideration

Eng. House Bill 4604, Relating to abolishing the Workforce Development Initiative Program Advisory Council.

And has amended same.

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

Respectfully submitted,

Patricia Puertas Rucker,
Chair.

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

Your Committee on Government Organization has had under consideration

Eng. House Bill 4647, Relating to the Board of Funeral Service Examiners.

And has amended same.

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

Respectfully submitted,

Mark R. Maynard,
Chair.

Senator 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

Eng. House Bill 4758, Relating to developing and maintaining a database to track reclamation liabilities in the West Virginia Department of Environmental Protection Special Reclamation Program.

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

Respectfully submitted,

Randy E. Smith,
Chair.

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

Your Committee on Government Organization has had under consideration

Eng. House Bill 4769, Eliminate the requirement to send recommended decisions by certified mail.

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

Respectfully submitted,

Mark R. Maynard,
Chair.

The Senate proceeded to the twelfth order of business.

Remarks were made by Senator Karnes.

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

On motion of Senator Takubo, at 5:14 p.m., the Senate adjourned until tomorrow, Friday, March 4, 2022, at 9 a.m.

SENATE CALENDAR

**Friday, March 04, 2022
9:00 AM**

UNFINISHED BUSINESS

- S. R. 48 - Congratulating George Washington High School Patriots girls' swim team for winning 2022 State Championship
- S. R. 49 - Memorializing Honorable Naomi "Sue" Cline, wife, mother, realtor, former member of WV Senate, and dedicated public servant

THIRD READING

Eng. Com. Sub. for S. B. 250 - Budget Bill

SECOND READING

- Eng. H. B. 2817 - Donated Drug Repository Program - (Com. amend. pending)
- Eng. Com. Sub. for H. B. 4065 - Allowing the Division of Natural Resources to teach hunter's safety courses in school - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4282 - Relating to establishing next generation 911 services in this state
- Eng. H. B. 4286 - Relating to exempting persons employed as attorneys from the civil service system
- Eng. H. B. 4291 - Relating to authorizing legislative rules regarding higher education
- Eng. Com. Sub. for H. B. 4324 - To update collaborative pharmacy practice agreements - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4345 - Relating to motor vehicle registration cards by establishing electronic or mobile registration cards
- Eng. Com. Sub. for H. B. 4380 - Relating to transportation of athletic teams - (Com. amends. and title amend. pending)
- Eng. Com. Sub. for H. B. 4426 - Repeal article 33-25G-1 *et seq.* creating provider sponsored networks
- Eng. H. B. 4462 - Relating to Deferred Retirement Option Plan evaluations (original similar to SB532)
- Eng. Com. Sub. for H. B. 4489 - Require counties to post open positions on statewide job bank - (Com. amend. and title amend. pending)
- Eng. H. B. 4517 - Relating to the repealing requirements to display video ratings

Eng. H. B. 4535 - Repeal section relating to school attendance and satisfactory academic progress as conditions of licensing for privilege of operation of motor vehicle - (Com. amends. and title amend. pending)

Eng. Com. Sub. for H. B. 4631 - Establishing a bone marrow and peripheral blood stem donation awareness program

Eng. H. B. 4649 - Transferring the operations of the West Virginia Children's Health Insurance Program to the Bureau for Medical Services - (Com. amends. pending)

FIRST READING

Eng. Com. Sub. for H. B. 2177 - Permitting the issuance of a state issued identification card without a photo on the card under certain conditions - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. B. 3223 - Prohibit state, county, and municipal governments from dedicating or naming any public structure for a public official who is holding office at the time

Eng. Com. Sub. for H. B. 4003 - Relating generally to commercial benefit of substances removed from waters of the state by the treatment of mine drainage - (Com. amend. pending) (original similar to SB458)

Eng. H. B. 4019 - Relating to deadlines for public charter schools

Eng. Com. Sub. for H. B. 4141 - Authorizing the Governor's Committee on Crime, Delinquency and Corrections to promulgate a legislative rule relating to Law Enforcement Training and Certification Standards - (Com. title amend. pending)

Eng. Com. Sub. for H. B. 4242 - Authorizing the Division of Labor to promulgate a legislative rule relating to Child Labor

Eng. Com. Sub. for H. B. 4295 - To transfer the State Office of the National Flood Insurance Program from the Offices of the Insurance Commissioner to the Division of Emergency Management - (Com. amend. and title amend. pending)

Eng. Com. Sub. for H. B. 4406 - To establish the West Virginia Military Hall of Fame - (Com. amend. pending)

Eng. Com. Sub. for H. B. 4418 - Relating to the Small Business Supplier Certification Assistance Program

Eng. Com. Sub. for H. B. 4420 - To modify definitions of school bus operators.

Eng. Com. Sub. for H. B. 4430 - Relating to definitions of base salary and overtime for police and firemen pensions

Eng. H. B. 4438 - Applying current requirements for certain voting systems to be independent and non-networked to all voting systems that seek certification in West Virginia. - (Com. title amend. pending)

Eng. Com. Sub. for H. B. 4479 - Establishing the Coalfield Communities Grant Facilitation Commission - (Com. amend. pending)

- Eng. Com. Sub. for H. B. 4499 - Relating to making the procurement process more efficient by modifying and updating outdated processes and requirements - (Com. title amend. pending)
- Eng. Com. Sub. for H. B. 4562 - Relating generally to the suspension and dismissal of school personnel by board and the appeals process - (Com. title amend. pending)
- Eng. H. B. 4578 - Relating to authorizing the Superintendent of the State Police to administer the Handle with Care program
- Eng. Com. Sub. for H. B. 4583 - Clarifying the definition of incapacity so that incarceration in the penal system or detention outside of the United States may not be inferred as resulting in a lack of capacity to execute a power of attorney - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4596 - Relating generally to additional persons qualifying for the provisions of the Law-Enforcement Officers Safety Act - (Com. amend. and title amend. pending)
- Eng. H. B. 4604 - Relating to abolishing the Workforce Development Initiative Program Advisory Council - (Com. title amend. pending)
- Eng. H. B. 4647 - Relating to the Board of Funeral Service Examiners - (Com. amend. pending)
- Eng. Com. Sub. for H. B. 4675 - Relating to autonomous delivery vehicles
- Eng. H. B. 4758 - Relating to developing and maintaining a database to track reclamation liabilities in the West Virginia Department of Environmental Protection Special Reclamation Program
- Eng. H. B. 4769 - Eliminate the requirement to send recommended decisions by certified mail
- Eng. Com. Sub. for H. B. 4785 - Relating to judicial vacancies - (Com. title amend. pending)
- Eng. Com. Sub. for H. B. 4797 - To create an EV Infrastructure Deployment Plan for West Virginia that describes how our state intends to use its share of NEVI Formula Program funds.