

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE
REGULAR SESSION, 2021
THIRTY-SEVENTH DAY

Charleston, West Virginia, Thursday, March 18, 2021

The Senate met at 11:01 a.m.

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

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

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Bill Hamilton, a senator from the eleventh district.

Pending the reading of the Journal of Wednesday, March 17, 2021,

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

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

The Senate then proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 404, Modifying well work permits issued by DEP Office of Oil and Gas.

On motion of Senator Takubo, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

Eng. Senate Bill 404—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22-6A-7a, relating to applications for modifications of well permits under the natural gas horizontal well control act; providing for an application fee of \$2500 to modify an existing permit issued by the Department of Environmental Protection's Office of Oil and Gas; and providing that the secretary may allow and deny said modification applications and may create forms.

On motion of Senator Takubo, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Senate Bill 404, as amended by the House of Delegates, was then put upon its passage.

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

The nays were: None.

Absent: Romano 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. 404) passed with its House of Delegates amended title.

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

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for House Bill 2006, Relating to the West Virginia Contractor Licensing Act.

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 2400—A Bill to amend and reenact §64-8-1 of the Code of West Virginia, 1931, as amended, all relating generally to authorizing certain agencies of the Department of Transportation to promulgate legislative rules; authorizing the rules as filed and as modified by the Legislative Rule-Making Review Committee; authorizing the Division of Highways to promulgate a legislative rule relating to traffic and safety rules; relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to examination and issuance of driver's license; relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to denial, suspension, revocation, disqualification, restriction, non-renewal, cancellation, administrative appeals and reinstatement of driving privileges; relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to compulsory motor vehicle liability insurance, and relating to authorizing the Division of Motor Vehicles to promulgate a legislative rule relating to special purpose vehicles.

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 2794—A Bill to amend and reenact §11-13J-12 of the Code of West Virginia, 1931, as amended, all relating to extending the duration of the Neighborhood Investment Program until July 1, 2026.

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 2817—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new chapter, designated §60B-1-1, §60B-1-2, §60B-1-3, §60B-1-4, §60B-1-5, §60B-1-6, §60B-1-7, and §60B-1-8, all relating to creating the Donated Drug Repository Program; establishing the West Virginia Board of Pharmacy has the authority to administer the program; setting forth eligible drugs and eligible recipients; establishing how the drugs are to be received, handled, stored, dispensed, distributed, and disposed of; permitting a handling fee; defining terms; and requiring rule-making.

Referred to the Committee on Health and Human Resources; 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 3078—A Bill to amend and reenact §62-12-13 of the Code of West Virginia, 1931, as amended, relating to the powers and duties of the parole board, the procedure for granting parole and the conditions of reason on parole.

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. House Bill 3081—A Bill to amend and reenact §31D-7-708 of the Code of West Virginia, 1931, as amended; and to amend and reenact §31E-7-708 of said code, all relating to remote communications for shareholder meetings; amending the West Virginia Business Corporation Act and the West Virginia Nonprofit Corporation Act; authorizing corporations to conduct shareholder meetings by remote communication; requiring shareholder meetings by remote communications be subject to guidelines and procedures; providing the board of directors the authority to set a shareholder meeting by remote communication; authorizing nonprofit corporations to conduct member meetings by remote communication; requiring member meetings by remote communications be subject to guidelines and procedures; and providing the board of directors the authority to set a member meeting by remote communication and making the amendments effective upon passage.

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 3128—A Bill to amend §24-6-6b of the Code of West Virginia, 1931, as amended, relating to basing the carrier fee on 911 fee revenue only; clarifying that payments to counties are based on net 911 fee revenues received by the Commission; and requiring the public safety fee to be shown as two separate line items on a customer's bill.

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. House Bill 3133—A Bill to amend and reenact §24A-5-2 of the Code of West Virginia, 1931, as amended, and to amend and reenact §24A-2-5 of said Code; all relating to restoring language to the code setting forth the process to change rates for motor carriers that was inadvertently deleted and replaced; and to correct an erroneous exclusion to include the appropriate language relating to transfer of certificate.

Referred to the Committee on Government Organization.

The Senate proceeded to the fourth order of business.

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

Your Committee on Finance has had under consideration

Senate Bill 395, Expanding PEIA Finance Board membership.

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

Com. Sub. for Senate Bill 395 (originating in the Committee on Finance)—A Bill to amend and reenact §5-16-4 of the Code of West Virginia, 1931, as amended, relating to expanding the membership of the Public Employees Insurance Agency Finance Board; providing for qualifications of newly appointed members; defining terms; and making technical corrections.

With the recommendation that the committee substitute do pass.

Respectfully submitted,

Eric J. Tarr,
Chair.

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

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 398, Limiting eligibility of certain employers to participate in PEIA plans.

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

Respectfully submitted,

Eric J. Tarr,
Chair.

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

Your Committee on Military has had under consideration

Senate Bill 478, Permitting use of established federal marketplace programs to purchase supplies.

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

Com. Sub. for Senate Bill 478 (originating in the Committee on Military)—A Bill to amend and reenact §15-1J-4 of the Code of West Virginia, 1931, as amended, relating to permitting the use of established federal or state contracts.

And,

Senate Bill 479, Relating to WV veterans service decoration and WV Service Cross.

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

Com. Sub. for Senate Bill 479 (originating in the Committee on Military)—A Bill to repeal §15-1G-10 of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §9A-1-16, relating to the West Virginia veterans service decoration and West Virginia Service Cross.

With the recommendation that the two committee substitutes do pass.

Respectfully submitted,

Ryan W. Weld,
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

Senate Bill 554, Creating WV Motorsports Entertainment Complex Investment Act.

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

Com. Sub. for Senate Bill 554 (originating in the Committee on Economic Development)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §11-29-1, §11-29-2, §11-29-3, §11-29-4, and §11-29-5, all relating to creating the West Virginia Motorsports Entertainment Complex Investment Act; providing legislative findings; providing definitions; creating a tax exemption; and providing for an effective date.

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

Respectfully submitted,

Chandler Swope,
Chair.

The bill (Com. Sub. for S. B. 554), under the original double committee reference, was then referred to the Committee on Finance.

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

Your Committee on Military has had under consideration

Senate Bill 586, Providing WV veterans 50 percent off fees and charges at state parks.

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

Com. Sub. for Senate Bill 586 (originating in the Committee on Military)—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §20-5-23, relating to the development of an incentive plan for West Virginia veterans which includes reductions and discounts in fees and charges at state parks.

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

Respectfully submitted,

Ryan W. Weld,
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 Military.

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

Your Committee on Military has had under consideration

Senate Concurrent Resolution 20, Supporting and celebrating centennial anniversary of Jones Act.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Ryan W. Weld,
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. House Bill 2905, Relating to repealing the prohibition against the use of certain words.

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.

The Senate proceeded to the sixth order of business.

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

By Senators Boley, Clements, Grady, Maroney, Maynard, Phillips, Roberts, Rucker, Smith, Stover, Sypolt, Takubo, and Weld:

Senate Bill 659—A Bill to amend and reenact §33-15A-6 of the Code of West Virginia, 1931, as amended, relating to prohibiting long-term care insurance providers from increasing premiums to existing customers beyond the current rate at which long-term care insurance rates are set.

Referred to the Committee on Banking and Insurance.

By Senator Weld:

Senate Bill 660—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §15-10-7, relating to providing for cooperation between law-enforcement agencies and military authorities.

Referred to the Committee on the Judiciary.

By Senator Maynard:

Senate Bill 661—A Bill to repeal §11-9-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §11-15-3, §11-15-4, §11-15-4a, §11-15-4b, and §11-15-13 of said code; and to amend and reenact §11-15A-5, §11-15A-6, and §11-15A-8 of said code, all relating to permitting retailers to assume or absorb any sales or use tax assessed on tangible personal property.

Referred to the Committee on Finance.

By Senator Nelson:

Senate Bill 662—A Bill to amend and reenact §11-21-12 of the Code of West Virginia, 1931, as amended, relating to exemptions from personal income tax; providing for an exemption for members of certain uniformed services; exempting Social Security benefits from personal income tax; clarifying that tier one railroad retirement benefits are not subject to personal income tax; specifying an effective date; and removing obsolete language.

Referred to the Committee on Finance.

By Senator Swope:

Senate Bill 663—A Bill to amend and reenact §50-3-2 of the Code of West Virginia, 1931, as amended, relating to providing for a fee for the processing of criminal bonds.

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

By Senator Maynard:

Senate Bill 664—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §36-1-25, relating to the establishment of a public easement by prescription on private property; providing that the failure of noticed owners to limit or condition use of the road or path for a continuous period of 20 years may create a public easement; providing for circuit court petition and designation of public easements; providing conditions for granting easement by a court; defining terms, and providing for effective date.

Referred to the Committee on the Judiciary.

By Senator Hamilton:

Senate Bill 665—A Bill to amend and reenact §17C-15-44 of the Code of West Virginia, 1931, as amended, relating to allowing individuals to ride without helmets on motorcycles while participating in parades or ceremonial displays.

Referred to the Committee on Transportation and Infrastructure.

By Senator Azinger:

Senate Bill 666—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §18-34-1, §18-34-2, §18-34-3, §18-34-4, and §18-34-5, all relating to the creation of the Student Journalist Press Freedom Restoration Act; providing for legislative findings; requiring that the West Virginia Department of Education and the West Virginia Higher Education Policy Commission allow for the free expression of student journalists on campuses of middle schools, high schools, and colleges and universities; providing a framework and parameters for free expression; and allowing for civil actions in the event that this article is violated.

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

By Senator Nelson:

Senate Bill 667—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §31-15D-1, §31-15D-2, §31-15D-3, §31-15D-4, §31-15D-5, §31-15D-6, and §31-15D-7; and to amend said code by adding thereto a new section, designated §33-3-14e, all relating to establishing a West Virginia business growth in low-income communities tax credit; providing title; defining terms; establishing amount of credit allowed; transferability; certification of qualified equity investment; recapture of tax credits; notice of noncompliance; letter rulings; new capital requirement; and reporting.

Referred to the Committee on Finance.

Senators Romano and Martin offered the following resolution:

Senate Concurrent Resolution 29—Requesting the Division of Highways name bridge number 17-098/00-004.06 (17A348), locally known as V.A. Hospital Bridge, carrying WV 98 over Fitness Trail in Harrison County, the “U.S.M.C. CPL Harry Edward Dean Jr., Memorial Bridge”.

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

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

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

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

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

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

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

Resolved by the Legislature of West Virginia:

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

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the "U.S.M.C. CPL Harry Edward Dean Jr., Memorial Bridge"; and, be it

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

Which, under the rules, lies over one day.

Senators Nelson, Grady, and Takubo offered the following resolution:

Senate Concurrent Resolution 30—Requesting the Division of Highways name bridge number 11492, marker 19.01, locally known as Twin Bridges on U.S. Rt. 35 in Buffalo, Putnam County, the “William Gregory ‘Greg’ White, P.E., Memorial Bridge”.

Whereas, William Gregory “Greg” White, P.E., was born February 21, 1959, in Charleston, the son of Maralu White Craven and William Clifford White; and

Whereas, William Gregory “Greg” White, P.E., was a 1977 graduate of Parkersburg South High School and continued his education at West Virginia Tech, where he received a bachelor’s degree in civil engineering; and

Whereas, William Gregory “Greg” White, P.E., loved his work as a licensed professional civil engineer and owned his own business, White Brothers Consulting, a partnership he shared with his brother Tim; and

Whereas, Some of the projects William Gregory “Greg” White, P.E., was involved in as a structural engineer for the design and detail of various bridges include, but are not limited to: The Wolfe Valley Girder Bridge in Mason County; the East Fork Beam Span Bridge in Mingo County; the Buzzard Creek Bridge in Putnam County; the Capehart Bridge in Mason County; the Central Station Bridge in Doddridge County; the Monongahela River Bridge and Approaches in Marion County; the I-40 Widening Project in North Little Rock, Arkansas; the Sam Houston Tollway Widening in Houston, Texas; the Witcher Creek Bridge in Kanawha County; the Virginia Hybrid Energy Center in Virginia City, Virginia; two of the West Virginia Turnpike bridges over U.S. Rt. 60 in Kanawha County; the Upper Sleith Fork Bridge in Braxton County; the South Branch Potomac Bridge in Hardy County; and the Gypsy Bridge in Harrison County; and

Whereas, William Gregory “Greg” White, P.E., was an avid supporter of local youth soccer leagues and the Ripley High School marching band; and

Whereas, William Gregory “Greg” White, P.E., was also an ordained deacon at Witcher Baptist Church in Belle, West Virginia, and a member of the West Ripley Baptist Church; and

Whereas, Sadly, William Gregory “Greg” White, P.E., passed away on Sunday, December 16, 2018; and

Whereas, The bridge being named in honor of William Gregory “Greg” White, P.E., was the last one that he designed and stamped with his license before he passed away; and

Whereas, It is fitting that an enduring memorial be established to commemorate William Gregory “Greg” White, P.E., and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 11492, marker 19.01, locally known as Twin Bridges on U.S. Rt. 35 in Buffalo, Putnam County, the “William Gregory ‘Greg’ White, P.E., Memorial Bridge;” and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the “William Gregory “Greg” White, P.E, Memorial Bridge”; and, be it

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

Which, under the rules, lies over one day.

Senators Romano and Martin offered the following resolution:

Senate Concurrent Resolution 31—Requesting the Division of Highways name bridge number 17-034/00-000.01 (17A296), locally known as Laurel Park Truss, carrying CR 34 over West Fork River in Harrison County, the “Frye Brothers Memorial Bridge”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name bridge number 17-034/00-000.01 (17A296), locally known as Laurel Park Truss, carrying CR 34 over West Fork River in Harrison County, the "Frye Brothers Memorial Bridge"; and, be it

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

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

Which, under the rules, lies over one day.

Senators Romano, Martin, and Caputo offered the following resolution:

Senate Concurrent Resolution 32—Requesting the Division of Highways name bridge number 2488 East/West (17A187, 17A189), locally known as the Log Cabin Bridge in Harrison County, the "Cox Brothers Veteran Memorial Bridge".

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

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

Whereas, Glenn Cox was stationed with the U.S. Navy on Ocracoke Island at a "top secret" amphibious training base. There, he operated from the "loop shack" to track Nazi U-Boats. At the end of the war, Glenn Cox had the honor of transcribing the radio code message announcing the end of WW II to his fellow sailors; and

Whereas, Edward Cox fought during the battles for Guadalcanal and the Southern Philippines during WW II. He reenlisted and served in the Korean War, garnering multiple honors including

medals for the Asiatic-Pacific Theater Campaign with two-bronze stars, Philippine Liberation Ribbon with one-bronze star, and the Army of Occupation Medal, Korea; and

Whereas, Paul Loutrell Cox was a U.S. Marine, PFC-6, during WW II, serving in the Central Pacific; and

Whereas, Carlos Walter Cox was a Staff Sergeant in the U.S. Army and served in Northern France and the Rhineland during WW II, earning multiple service ribbons for valor and bravery; and

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

Whereas, A half-brother to the Cox brothers, Kenneth Bickerstaff, served in the U.S. Army, and was stationed in Australia during WW II, helping to fight off the Japanese invasion in the Pacific; and

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

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

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to bridge number 2488 East/West (17A187, 17A189), locally known as the Log Cabin Bridge in Harrison County, the “Cox Brothers Veteran Memorial Bridge”; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the “Cox Brothers Veteran Memorial Bridge”; and, be it

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

Which, under the rules, lies over one day.

Senators Lindsay and Jeffries offered the following resolution:

Senate Concurrent Resolution 33—Requesting the Division of Highways name a portion of WV61, beginning at (38.242842), (-81.561931) and ending at (38.256364), (-81.573414), known as MacCorkle Avenue, in Marmet, Kanawha County, the “U. S. Army SGT Lewis M. ‘Mike’ Totten Memorial Road”.

Whereas, Lewis M. “Mike” Totten was born on August 25, 1949, the son of Charlotte and Roy Totten; and

Whereas, Lewis M. “Mike” Totten, a native of Marmet, was a graduate of East Bank High School and earned a Bachelor of Arts in Social Studies Education from the University of

Charleston, taking courses at night over a 10-year period while working full time at E.I. DuPont in Belle; and

Whereas, Lewis M. “Mike” Totten (then Lewis Leavens) served in the U.S. Army from 1969 to 1971, rising to the rank of E5 Sergeant. SGT Lewis M. “Mike” Totten served in combat in Vietnam from March 1970 to March 1971, as part of the air cavalry, 2nd Battalion, 7th Cavalry Regiment, until wounded in combat, and for which he has reportedly received the Purple Heart. He then served in the corps-level United States Army Republic of Vietnam and was part of the intelligence-counterintelligence Phoenix Program; and

Whereas, After returning home from military service, SGT Lewis M. “Mike” Totten was a bridge inspector for the State of West Virginia; and

Whereas, U.S. Army SGT Lewis M. Totten was also a certified public school teacher, a master electrician, pipefitter, and boilermaker; and

Whereas, Collaborating with then-Senator Tod Kaufman, SGT Lewis M. “Mike” Totten advocated for the successful Senate resolution that led to the creation of what later became the West Virginia Veterans Memorial at the State Capitol Complex. Both met with and secured the support of Governor Arch Moore, Jr., on the issue of a state Vietnam Veterans memorial, which later became an all-wars memorial. He later helped secure one of the largest corporate donations, from E. I. DuPont, to the state’s Veterans Memorial Commission; and

Whereas, SGT Lewis M. “Mike” Totten participated in E. I. DuPont’s volunteer team for Project Teach, a semester-long effort to cover instruction in public school classrooms while regular teachers received first-generation computer training when the technology first entered the classroom. He designed the instructional program for E. I. DuPont’s volunteer team, training and coaching the company’s contributors; and

Whereas, While at E. I. DuPont, working in coordination with the Belle Works’ Human Resources Department, SGT Lewis M. “Mike” Totten provided counseling to veterans with PTSD. He also trained employees on the first substance abuse and smoking policy program in the global DuPont system; and

Whereas, SGT Lewis M. “Mike” Totten retired from E.I. DuPont in Belle as an electrical-instrument mechanic after 39 years of service, having developed multiple safety devices for the chemical industry and having received multiple safety awards; and

Whereas, At the time of his death, SGT Lewis M. “Mike” Totten was president of the Marmet Hospital Foundation, having served on its board for several decades. His final project with the foundation created the first ADA wheelchair-accessible playground in the West Virginia State Parks system, in Kanawha State Forrest; and

Whereas, SGT Lewis M. “Mike” Totten was also a past president of the Charleston Chapter of the Vietnam Veterans of America, was a member of the American Legion, and also taught map-reading classes for local boy scout troops in the Kanawha Valley; and

Whereas, SGT Lewis M. “Mike” Totten, 71, died November 16, 2020, at the Cleveland Clinic, suffering cardiac arrest after contracting COVID-19, following a long-awaited kidney transplant. His kidney and heart disease were connected to Agent Orange exposure in Vietnam. He is survived by his wife, Mary Martha Totten, and his son, Mark Leslie Totten. Also surviving Mike

are his sister, Debbie; brother, George Totten; sister, Marie Leavens Dawson, as well as many other extended family members; and

Whereas, It is fitting that an enduring memorial be established to commemorate U.S. Army SGT Lewis M. "Mike" Totten and his contributions to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to name a portion of WV61, beginning at (38.242842), (-81.561931) and ending at (38.256364), (-81.573414), known as MacCorkle Avenue, in Marmet, Kanawha County, the "U. S. Army SGT Lewis M. 'Mike' Totten Memorial Road"; and, be it

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

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

Which, under the rules, lies over one day.

Senator Roberts offered the following resolution:

Senate Concurrent Resolution 34—Requesting the Division of Highways name bridge number 55-010/00-031.60 (55A035), locally known as Jesse Bridge, carrying WV 10 over Laurel Fork in Wyoming County, the "U.S. Air Force TSGT Franklin A. Bradford Bridge".

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

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

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

Whereas, TSGT Franklin A. Bradford was stationed at the Ramstein Air Force Base in Germany and flew on international missions. After Shah Mohammad Reza Pahlavi was ousted from Iran on February 11, 1979, at the start of the Iranian Revolution, the Shah was welcomed into the United States for cancer treatments. In protest, Iranian students took over the U.S. Embassy in Tehran, holding Americans hostage for more than 440 days. TSGT Franklin A.

Bradford took part in one of the airlift rescue missions for embassy members during what would become known as the Iranian hostage crisis; and

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

Whereas, TSGT Franklin A. Bradford always made time to volunteer with local schools, the Special Olympics, and the Red Cross wherever he was stationed. While stationed in San Antonio, Pope John Paul II visited the city in September 1987 and conducted an outdoor mass with several thousand attendees, some of whom suffered the effects of the hot Texas sun. He served with the Red Cross during the event, brought water and refreshments to attendees, and helped many who succumbed to the heat to shelter for assistance. The heart of a West Virginian is one of servitude and TSGT Franklin A. Bradford displayed this quality whenever presented with the opportunity; and

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

Whereas, It is fitting that an enduring memorial be established to commemorate U.S. Air force TSGT Franklin A. Bradford for his honorable service to our state and country; therefore, be it

Resolved by the Legislature of West Virginia:

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

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

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

Which, under the rules, lies over one day.

Senator Caputo offered the following resolution:

Senate Resolution 22—Urging the Governor of West Virginia to form a task force with our congressional representatives, labor organizations, and other industry leaders to call upon the President of the United States to invoke the Defense Production Act of 1950, order the Morgantown plant at the Chestnut Ridge facility of the former Mylan Pharmaceuticals to be retrofitted and placed into production relating to the manufacturing, packaging, and shipping of critical, life-saving medical supplies including vaccinations, and empower the Governor of West Virginia to save the lives of our friends, neighbors, and fellow citizens.

Whereas, The Defense Production Act of 1950 grants the President of the United States a broad set of authorities to influence domestic industry in the interest of national defense and can be used across the federal government to shape the domestic industrial base and provide essential materials and goods needed for the national defense; and

Whereas, The State of West Virginia and entire United States currently faces a severe shortage of medical supplies, including life-saving vaccinations which are vital in responding to the ongoing Coronavirus Disease (COVID-19) pandemic; and

Whereas, The failure to massively and expeditiously increase vaccination production endangers the lives of our fellow citizens; and

Whereas, It is critical that the State of West Virginia utilize its citizens, resources, and facilities to their maximum potential to defeat this COVID-19 virus and protect the health, safety, and welfare of our friends and neighbors; and

Whereas, The Morgantown plant at the Chestnut Ridge facility of the former Mylan Pharmaceuticals, a vital facility, is scheduled to shut down on July 31, 2021; and

Whereas, This vital facility could be quickly repurposed to produce life-saving medical supplies including COVID-19 vaccinations while also preserving over 1,500 West Virginian jobs; and

Whereas, West Virginians always answer the call for assistance from our nation, whether that means service in our armed forces, producing the energy needed to power our homes, or stepping up to do our part in responding to the needs of the COVID-19 pandemic; and

Whereas, The employees of the Morgantown plant at the Chestnut Ridge facility of the former Mylan Pharmaceuticals will rise to this new challenge, continue their decades of proven labor, empower the Governor of West Virginia to continue his mission of saving the lives of West Virginians, and be able to, once again, demonstrate to the State of West Virginia, colleagues and fellow workers, and industry leaders their value by their hard work, expertise, and resolve; therefore, be it

Resolved by the Senate:

That the Senate hereby urges the Governor of West Virginia to form a task force with our congressional representatives, labor organizations, and other industry leaders to call upon the President of the United States to invoke the Defense Production Act of 1950, order the Morgantown plant at the Chestnut Ridge facility of the former Mylan Pharmaceuticals to be retrofitted and placed into production relating to the manufacturing, packaging, and shipping of critical, life-saving medical supplies including vaccinations, and empower the Governor of West Virginia to save the lives of our friends, neighbors, and fellow citizens; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the Governor of West Virginia, the Honorable James C. Justice II.

Which, under the rules, lies over one day.

The Senate proceeded to the seventh order of business.

Senate Concurrent Resolution 16, USMC Corporal Roger Lee Boothe Memorial Road.

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 Concurrent Resolution 28, US Army PVT Thomas D. Beckett, Sr., Memorial Bridge.

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

Senate Resolution 21, Recognizing anniversary of SS Sultana tragedy.

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

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

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for Senate Bill 562, Relating to juvenile competency proceedings.

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

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

The nays were: None.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 562) passed with its title.

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

Eng. Com. Sub. for Senate Bill 566, Relating to interpretations of school laws.

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

Pending extended discussion,

The question being “Shall Engrossed Committee Substitute for Senate Bill 566 pass?”

On the passage of the bill, the yeas were: Azinger, Boley, Clements, Grady, Hamilton, Karnes, Maroney, Maynard, Nelson, Phillips, Roberts, Rucker, Smith, Swope, Sypolt, Takubo, Tarr, Trump, Weld, Woodrum, and Blair (Mr. President)—21.

The nays were: Baldwin, Beach, Caputo, Ihlenfeld, Jeffries, Lindsay, Martin, Plymale, Romano, Stollings, Unger, and Woelfel—12.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 566) passed with its title.

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

Eng. Com. Sub. for House Bill 2372, Allow pre-candidacy papers to be filed the day after the general election.

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

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

The nays were: None.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2372) passed.

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

Eng. Com. Sub. for House Bill 2372—A Bill to amend and reenact §3-8-5e of the Code of West Virginia, 1931, as amended, relating to modifying the date to file pre-candidacy registration papers, receive contributions, and make expenditures for persons undertaking to determine the advisability of becoming or preparing to be a candidate for a public office or position.

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

Eng. Com. Sub. for House Bill 2682, Relating to the issuance of license suspensions to insurance producers and insurance adjusters who have failed to meet continuing education requirements.

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

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

The nays were: None.

Absent: Stover—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 2682) passed.

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

Eng. Com. Sub. for House Bill 2682—A Bill to amend and reenact §33-12-8 and §33-12-9 of the Code of West Virginia, 1931, as amended, and to amend and reenact §33-12B-13 and §33-12B-14 of said code, all relating to the issuance of license suspensions to insurance producers and insurance adjusters who have failed to meet continuing education requirements; changing the requirement that the Insurance Commissioner send license suspensions to insurance producers by certified mail with a requirement that the suspensions be sent by electronic mail or regular mail; providing that each agent, insurance agency, solicitor, or service representative must report his or her respective electronic mail address to the Insurance Commissioner and providing time periods to report changes of information provided to Insurance Commissioner; changing the requirement that the Insurance Commissioner send license suspensions to insurance adjusters by certified mail with a requirement that the suspensions be sent by electronic mail or regular mail; providing that each insurance adjuster must report his or her respective electronic mail address to the Insurance Commissioner and providing time periods to report changes of information provided to Insurance Commissioner; and requiring the Insurance Commissioner to maintain certain information.

Senator Takubo moved that the bill take effect July 1, 2021.

On this question, the yeas were: Azinger, Baldwin, Beach, Boley, Caputo, Clements, Grady, Hamilton, Ihlenfeld, Jeffries, Karnes, Lindsay, Maroney, Martin, Maynard, Nelson, Phillips, Plymale, Roberts, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Tarr, Trump, Unger, 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. Com. Sub. for H. B. 2682) takes effect July 1, 2021.

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

The Senate proceeded to the ninth order of business.

Com. Sub. for Senate Bill 422, Establishing common law “veil piercing” claims not be used to impose personal liability.

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

Senate Bill 531, Relating to incomplete, duplicative, or redundant claims for refund.

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

Senate Bill 532, Limiting claims for state tax credits and rebates.

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

Com. Sub. for Senate Bill 626, Updating regulation for purchase of automobile catalytic converters.

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

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

Eng. House Bill 2709, Providing that the aggregate liability of a surety on a consumer protection bond under the West Virginia Fintech Regulatory Sandbox Program does not exceed the principal sum of the bond.

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

Eng. House Bill 2764, Allow the Division of Financial Institutions to enter into reciprocity agreements with other jurisdictions that operate similar programs to the West Virginia Fintech Sandbox Program.

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

The Senate proceeded to the tenth order of business.

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

Com. Sub. for Senate Bill 36, Relating to WV Secondary School Activities Commission audits.

Com. Sub. for Senate Bill 509, Removing requirement that determination of medical stability be found prior to admission to mental health facility.

Com. Sub. for Senate Bill 569, Relating to damages for medical monitoring.

Com. Sub. for Senate Bill 636, Requiring certain history and civics courses be taught in schools.

Eng. Com. Sub. for House Bill 2024, Expand use of telemedicine to all medical personnel.

Eng. House Bill 2701, Relating to authorizing the Division of Rehabilitation Services to approve acceptable training programs required for low vision individuals to obtain a Class G drivers license .

Eng. House Bill 2788, Expiring funds to the unappropriated surplus balance from State Excess Lottery Revenue Fund.

Eng. Com. Sub. for House Bill 2789, Supplementing and amending the appropriations to Public Defender Services.

Eng. Com. Sub. for House Bill 2802, Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management.

Eng. Com. Sub. for House Bill 2803, Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Forestry.

And,

Eng. House Bill 2804, Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2021.

(Senator Sypolt in the Chair.)

The Senate proceeded to the thirteenth order of business.

Under the provisions of Rule 15 of the Rules of the Senate, the following senators were added as co-sponsors to the following bills and resolutions on March 17, 2021:

Senate Bill 13: Senator Maynard;

Senate Bill 333: Senator Maynard;

Senate Bill 478: Senator Romano;

Senate Bill 565: Senator Rucker;

Senate Bill 586: Senator Romano;

Senate Bill 598: Senator Romano;

Senate Bill 599: Senator Romano;

Senate Bill 604: Senator Romano;

Senate Bill 609: Senator Grady;

Senate Bill 610: Senator Rucker;

Senate Bill 612: Senator Romano;

Senate Bill 614: Senator Romano;

Senate Bill 642: Senator Karnes;

Senate Bill 649: Senator Romano;

Senate Bill 650: Senator Hamilton;

Senate Bill 651: Senators Roberts and Karnes;

Senate Bill 657: Senators Roberts and Karnes;

Senate Bill 658: Senator Stollings;

Senate Concurrent Resolution 20: Senators Lindsay and Romano;

Senate Concurrent Resolution 28: Senator Phillips;

And,

Senate Resolution 21: Senators Smith and Rucker.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Takubo, at 11:59 a.m., the Senate adjourned until tomorrow, Friday, March 19, 2021, at 10 a.m.

SENATE CALENDAR

**Friday, March 19, 2021
10:00 AM**

UNFINISHED BUSINESS

- S. C. R. 20 - Supporting and celebrating centennial anniversary of Jones Act
- S. C. R. 29 - USMC CPL Harry Edward Dean, Jr., Memorial Bridge
- S. C. R. 30 - William Gregory "Greg" White, PE, Memorial Bridge
- S. C. R. 31 - Frye Brothers Veteran Memorial Bridge
- S. C. R. 32 - Cox Brothers Veteran Memorial Bridge
- S. C. R. 33 - US Army SGT Lewis M. "Mike" Totten Memorial Road
- S. C. R. 34 - US Air Force TSGT Franklin A. Bradford Bridge
- S. R. 22 - Urging Governor to work with congressional members to save jobs and repurpose former Mylan plant in Morgantown

THIRD READING

- Eng. Com. Sub. for S. B. 422 - Establishing common law "veil piercing" claims not be used to impose personal liability
- Eng. S. B. 531 - Relating to incomplete, duplicative, or redundant claims for refund
- Eng. S. B. 532 - Limiting claims for state tax credits and rebates
- Com. Sub. for S. B. 626 - Updating regulation for purchase of automobile catalytic converters - (With right to amend)
- Eng. H. B. 2709 - Providing that the aggregate liability of a surety on a consumer protection bond under the West Virginia Fintech Regulatory Sandbox Program does not exceed the principal sum of the bond
- Eng. H. B. 2764 - Allow the Division of Financial Institutions to enter into reciprocity agreements with other jurisdictions that operate similar programs to the West Virginia Fintech Sandbox Program

SECOND READING

- Com. Sub. for S. B. 36 - Relating to WV Secondary School Activities Commission audits
- Com. Sub. for S. B. 509 - Removing requirement that determination of medical stability be found prior to admission to mental health facility
- Com. Sub. for S. B. 569 - Relating to damages for medical monitoring
- Com. Sub. for S. B. 636 - Requiring certain history and civics courses be taught in schools

- Eng. Com. Sub. for H. B. 2024 - Expand use of telemedicine to all medical personnel - (Com. amend. pending) (original similar to SB273)
- Eng. H. B. 2701 - Relating to authorizing the Division of Rehabilitation Services to approve acceptable training programs required for low vision individuals to obtain a Class G drivers license (original similar to SB433)
- Eng. H. B. 2788 - Expiring funds to the unappropriated surplus balance from State Excess Lottery Revenue Fund
- Eng. Com. Sub. for H. B. 2789 - Supplementing and amending the appropriations to Public Defender Services
- Eng. Com. Sub. for H. B. 2802 - Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Homeland Security, Division of Emergency Management
- Eng. Com. Sub. for H. B. 2803 - Supplementing and amending the appropriations of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Commerce, Division of Forestry
- Eng. H. B. 2804 - Expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2021

FIRST READING

- Com. Sub. for S. B. 395 - Expanding PEIA Finance Board membership
- Com. Sub. for S. B. 398 - Limiting eligibility of certain employers to participate in PEIA plans
- Com. Sub. for S. B. 478 - Permitting use of established federal marketplace programs to purchase supplies
- Com. Sub. for S. B. 479 - Relating to WV veterans service decoration and WV Service Cross
- Com. Sub. for S. B. 586 - Providing WV veterans discounts on fees and charges at state parks (original similar to HB3171)
- Eng. H. B. 2905 - Relating to repealing the prohibition against the use of certain words - (Com. title amend. pending)

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2021

Friday, March 19, 2021

9 a.m.

Judiciary

(Room 208W)