



WEST VIRGINIA SENATE  
COMMITTEE ON THE JUDICIARY

MINUTES FOR FEBRUARY 11, 2019, 3:00 P.M.

Pursuant to the call of the Chairman, the Senate Committee on the Judiciary met on February 11, 2019, at 3:00 p.m. in Room 208-W.

All members being present, with the exception of Senator Takubo, who was absent, the Chairman declared the presence of a quorum. (See attached roll call and agenda).

On motion of Senator Weld, the minutes of the previous meeting were approved.

**S. B. 393 - Protecting right to farm.**

Bill Aubel, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Michael Woody Hanna, farmer, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Dwayne O'Dell, West Virginia Farm Bureau, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Romano, the committee agree amend the committee substitute by adding language to the beginning of Subsections D, E and M stating, "So long as the agricultural operation meets requirements of Subsection C,".

On motion of Senator Weld, the committee agreed to the committee substitute., as amended

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

**S. B. 516 - Relating to attorney fees in subsidized adoptions.**

Debra Graham, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

**S. B. 518 - Restricting sale and trade of dextromethorphan.**

Debra Graham, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

**S. B. 563 - Prohibiting sexual assault victim be subjected to certain physical examinations.**

Sarah Canterbury, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

Senator Beach moved to report **S. B. 391** to the floor without recommendation.

Chairman Trump decided the motion was in order as a combined motion to suspend committee rules and place the bill on the agenda for immediate consideration and to report the bill to the full Senate without recommendation.

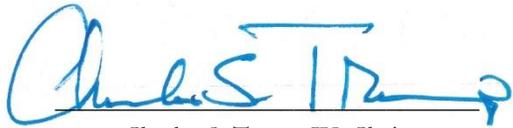
Senator Woelfel demanded a division of the question.

Chairman Trump decided that the motion was divisible into two parts and that first part to be voted upon would be the motion to suspend committee rules and place the bill on the agenda for immediate consideration.

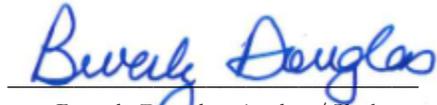
The question being on the motion to suspend committee rules and place the bill on the agenda for immediate consideration, the same was put. With the vote being 5 in favor and 10 opposed, less than two-thirds of the members present and voting having voted in the affirmative, the motion was rejected.

Chairman Trump declared that the rejection of the first part disposed of the second part.

On motion of Senator Weld, the committee adjourned.



Charles S. Trump IV, Chair



Beverly Douglas, Analyst/Clerk