



West Virginia Senate

Committee on Judiciary

Minutes for FEBRUARY 13, 2020, 3:03 PM

Pursuant to the call of the Chair, the Senate Committee on Judiciary met on February 13, 2020, 3:03 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Clements, Cline, Maynard, Pitsenbarger, Rucker, Smith, Baldwin, Beach, Hardesty, Jeffries, Lindsay, Romano, Woelfel

Members absent: Senators Takubo

A silent roll call being taken, the presence of a quorum was established.

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

S. B. 6 - Allowing DOH issue permits for certain tractors with certain trailers not exceeding specified maximum axle weights.

Chris Alder, Counsel, explained the bill, and responded to questions.

With leave of the committee, Gregory Bailey, Deputy State Highway Engineer, Operations, West Virginia Division of Highways, 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 Weld, the committee recommended the bill for passage.

S. B. 204 - Providing for nonpartisan elections of county prosecuting attorneys.

Tom Smith, Chief Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

On motion of Senator Clements, the committee amended the committee substitute to insert the following on page 2, new subsection (e) "In the event no candidate for prosecuting attorney receives a majority of the votes cast in the election held concurrently with the primary election, a runoff election shall be held concurrently with the general election between the two candidates receiving the most votes in the election held concurrently with the primary election."

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.

H. B. 4501 - Relating to the ability to refuse offenders for commitment to a jail.

Tom Smith, Counsel, explained the bill, the purpose of the proposed strike and insert and title amendment, and responded to questions.

With leave of the committee, Will Valentino, General Counsel, Division of Corrections and Rehabilitation, West Virginia Department of Military Affairs and Public Safety, 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 Weld, the committee adopted the strike and insert amendment.

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

On motion of Senator Weld, the committee adopted the title amendment.

On Motion of Senator Weld the committee adjourned.



Charles S. Trump IV
Chairman



Beverly Douglas
Analyst/Clerk

The Senate of West Virginia



Testimony taken this 13th day of February, 2020, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Gregory Bailey

Print Witness Name

Gregory Bailey

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name

The Senate of West Virginia



Testimony taken this 13th day of February, 2020, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Will VALENTINO
Print Witness Name

[Signature]
Sign Witness Name

Oath was administered by:

Charles S. Trapp
Print Member Name

[Signature]
Sign Member Name