



WEST VIRGINIA SENATE  
COMMITTEE ON THE JUDICIARY

MINUTES FOR MARCH 5, 2019, 4:00 P.M.

Pursuant to the call of the Chairman, the Senate Committee on the Judiciary met on March 5, 2019, at 4:00 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.

On motion of Senator Weld, the committee reconsidered its action by which they reported **H. B. 2190** to the full Senate with the recommendation that it do pass.

On motion of Senator Weld, the committee reconsidered its action by which they adopted the title amendment for **H. B. 2190**.

Unanimous consent being granted, Senator Weld withdrew his motion to report **H. B. 2190** to the full Senate with a recommendation for passage.

On motion of Senator Weld, the committee reconsidered its action by which the committee adopted the strike and insert amendment for **H. B. 2190**.

Unanimous consent being granted, Senator Weld withdrew his motion that the committee adopt the strike and insert amendment for **H. B. 2190**.

Chairman Trump moved **H. B. 2934** to the top of the agenda.

**H. B. 2934 - West Virginia Lottery Interactive Wagering Act.**

Sarah Canterbury, Counsel, explained the bill, the purpose of the proposed strike and insert and title amendments, and responded to questions.

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, but first be referred to the Committee on Finance.

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

**H. B. 2486 - Using records of criminal conviction to disqualify a person from receiving a license for a profession or occupation.**

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

Senator Boso requested a ruling under the provisions of Senate Rule 43.

Chairman Trump replied that any impact of the Senator would be a member of a class of persons possibly to be affected by the passage of this bill, and refused to excuse Senator Boso from voting.

With leave of the committee, Juliet Terry, Opportunity Solutions Project, 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.

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

Chairman Trump moved **H. B. 3057** next on the agenda.

**H. B. 3057 - Relating to the Adult Drug Court Participation Fund.**

Tom Smith, Chief Counsel, explained the bill and responded to questions.

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

**H. B. 2503 - Relating to court actions.**

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

With leave of the committee, Cammie Chapman, Associate General Counsel, West Virginia Department of Health and Human Resources, Bureau of Children and Families, 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, Frank Hartman, West Virginia Coalition Against Domestic Violence, 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 recessed.

The committee reconvened.

On motion of Senator Weld, the committee adopted the revised 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.

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

Chairman Trump moved **H. B. 2519** next on the agenda.

**H. B. 2519 - The Campus Self Defense Act.**

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

On motion of Senator Weld, the committee adopted the strike and insert amendment.

Senator Weld moved to report the bill to the full Senate with the recommendation that it do pass. The same was put and the Chair being in doubt, a division of the body was demanded by Chairman Trump

The vote being 7 in favor and 9 opposed, the motion to report was rejected.

**H. B. 2694 - Relating to the state's ability to regulate hemp.**

Debra Graham, Counsel, explained the bill, the purpose of the proposed strike and insert amendment, and responded to questions.

Senator Weld moved to adopt the strike and insert amendment.

Senator Beach moved to amend the strike and insert amendment on page 4, line 50 by inserting a new subsection after subsection (e), designated (f). (Amendment attached)

The motion was put, and the committee adopted the proposed amendment.

The committee adopted the strike and insert, as amended.

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

On motion of Senator Weld, the committee adopted a title amendment if deemed necessary by counsel.

**H. B. 2761 - Modernizing the self-service storage lien law.**

Debra Graham, Counsel, explained the bill, the purpose of the proposed strike and insert amendment, and responded to questions.

With leave of the committee, Jason Pizatella, U. S. Self-Storage Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Senator Weld moved to adopt the strike and insert amendment.

With leave of the committee, Don Smith, Executive Director, West Virginia Press Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Senator Boso moved to amend the strike and insert amendment on page 4, line 21, paragraph 3, after the words "statement" by inserting ", including the occupants name and last known address," and on line 24 after the semi-colon insert the word "and,".

Unanimous consent being granted, Senator Boso reformed his amendment on page 9, line 124 add "including the occupants name and last known address" to the end of the sentence.

Senator Azinger requested a ruling under the provisions of Senate Rule 43.

Chairman Trump replied that an impact of the Senator would be a member of a class of persons possibly to be affected by the passage of this bill, and refused to excuse Senator Azinger from voting.

The question on the amendment offered by Senator Boso was put and rejected.

Senator Romano moved to amend Section 4, on page 4, lines 1-3 and return to previous code language retaining the change "owner" to "operator".

The same was put and the Chair being in doubt, division of the body was demanded by Chairman Trump.

The vote being 6 in favor and 7 opposed, the amendment failed.

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.

**H. B. 2837 - Relating to the licensing of advance deposit wagering.**

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

With leave of the committee, Ron Brady, Steel Workers Union representing the Mardi Gras Casino employees, 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 staff suggested amendment.

Senator Lindsay moved to amend the bill on page 4, section 12e, lines 51-50 by striking out all of subdivision (1) and inserting in lieu thereof a new subdivision (1) which reduces the purse fund and licensee by 1% so each are 44% and directing 2% go to a special fund for the payment into the pension plan for all employees.

With leave of the committee, Phillip A. Reale, Charles Town Horseman's Benevolent & Protective Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

The amendment offered by Senator Lindsay was put and the amendment was adopted.

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

**H. B. 3143 - Relating to requirements for consumer loans in West Virginia.**

Bill Aubel, Counsel, explained the bill, the purpose of the proposed strike and insert and title amendments, and responded to questions.

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

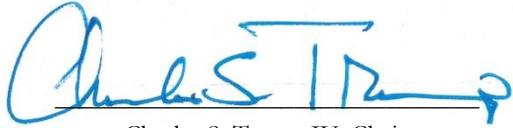
With leave of the committee, Cheryl Westling, District Manager, OneMain Financial, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee adopted the strike and insert amendment.

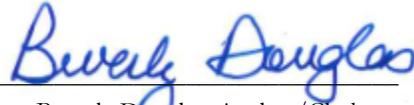
On motion of Senator Weld, the committee reported the bill to the full Senate with the recommendation that it do pass.

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

On motion of Senator Weld, the committee adjourned.



Charles S. Trump IV, Chair



Beverly Douglas, Analyst/Clerk