



West Virginia Senate

Committee on the Judiciary

Minutes for FEBRUARY 19, 2020, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on February 19, 2020, 3:00 PM in Room 208-W.

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

Members absent: None

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.

Chairman Trump removed **S. B. 472** from the agenda.

S. B. 772 - Clarifying American Law Institute's Restatements of Law.

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

With leave of the committee, Jill Rice, President, West Virginia Insurance Federation, 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 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. 38 - Requiring schools provide elective course on Hebrew Scriptures or Bible.

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

Chairman Trump vacated the chair and Senator Weld presided.

With leave of the committee, Sarah Stewart, Staff Attorney, West Virginia Department of Education, was administered the oath prescribed by Senate Rule 28a by Chairman Weld, addressed the committee, and responded to questions. (See attached oath.)

Chairman Weld vacated the chair and Senator Trump presided.

With leave of the committee, Senator Azinger introduced a video of William Jeynes presentation to the Education Committee.

With leave of the committee, Victor Urecki, Rabbi, B'nai Jacob Synagogue, 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, Ibtisam Barazi, Vice President, Islamic Association of West Virginia, 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, Eli Baumwell, Policy Director, ACLU West Virginia, 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 Baldwin, the committee amended the committee substitute for committee substitute on page 1, Section 9a title, by striking "the Bible" and inserting in lieu thereof "sacred texts or comparative religions" and striking subsections (1), (2), and (3) in their entirety and inserting in lieu thereof at the end of line 1, Subsection (a), "an elective social studies course on sacred texts or comparative world religions".

Senator Hardesty moved to amend the committee substitute for committee substitute to give authority to the State Board of Education to promulgate rules.

With leave of the committee, Mary Catherine Tuckwiller, Staff Attorney, West Virginia Department of Education, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Senator Hardesty withdrew his amendment.

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

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

S. B. 205 - Allowing issuance of limited letters of administration for certain estates.

Laura Goins, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Christopher Winton, Chairman, West Virginia State Bar Probate Committee, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Chairman Trump removed **S. B. 205** from the agenda.

S. B. 213 - Relating to administration of trusts.

Laura Goins, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Christopher Winton addressed the committee 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. 635 - Allowing administration of small estates.

Chris Alder, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Christopher Winton addressed the committee 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. 668 - Enacting Uniform Trust Decanting Act.

Chris Alder, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Christopher Winton addressed the committee 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.

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 19th 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."

Jill Rice

Print Witness Name

Jill Rice

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name

The Senate of West Virginia



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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."

Sarah Stewart

Print Witness Name

Sarah A. Stewart

Sign Witness Name

Oath was administered by:

Ryan W. Weld

Print Member Name

[Signature]

Sign Member Name

The Senate of West Virginia



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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."

VICTOR UBECKI

Print Witness Name

[Handwritten Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Handwritten Signature]

Sign Member Name

The Senate of West Virginia



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"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."

IBTESAM BARAZI

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Signature]

Sign Member Name

The Senate of West Virginia



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God."

Eli Brumbe II

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trapp

Print Member Name

[Signature]

Sign Member Name

The Senate of West Virginia



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"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."

Mary Catherine Tuckwiler

Print Witness Name

of af 21

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 19th day of February, 2020, in
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"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."

Christopher Winton
Print Witness Name

Christopher Winton
Sign Witness Name

Oath was administered by:

Charles S. Trump
Print Member Name

Charles S. Trump
Sign Member Name