



West Virginia Senate

Committee on the Judiciary

Minutes for January 17, 2024, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on January 17, 2024, 3:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Barrett, Caputo, Deeds, Hamilton, Hunt, Martin, Maynard, Rucker, Stover, Stuart, Taylor, Woelfel

Members absent: Senators Swope, 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. 399 - Creating crime of assault on a police dog.

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

With leave of the committee, Scott Dempsey, Interim Chief of Police, City of Charleston, 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, John Ratliff, Deputy Sheriff/Lieutenant/K9 Handler/Supervisor, Kanawha County Sheriff's Office, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Senator Stuart moved to amend the committee substitute on page 1, line 21, by striking the word "or" and replacing with the word "and", and, on line 22 by striking the words "or both fined and imprisoned". The same was put and the amendment was rejected.

The question being on agreeing to the committee substitute, the same was put, and the committee substitute was agreed to.

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

S. B. 267 - Adding grievance and appellate procedures for individuals participating in DMV safety and treatment program.

Gordon Mowen, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Debbie Ferguson, Director, Driver Services, Division of Motor Vehicles, West Virginia Department of Transportation, 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, Mark Drennan, Former CEO, West Virginia Behavioral Health Provider Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

The question being on agreeing to the committee substitute, the same was put, and the committee substitute was agreed to.

On motion of Senator Barrett, the committee reported the committee substitute to the full Senate with the recommendation that it do pass, but first be referred to the Committee on Finance.

S. B. 335 - Modifying witness fee and mileage rate paid by state to match federal court system.

J. A. Curia, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

The question being on agreeing to the committee substitute, the same was put, and the committee substitute was agreed to.

On motion of Senator Barrett, the committee reported the committee substitute to the full Senate with the recommendation that it do pass, but first be referred to the Committee on Finance.

On Motion of Senator Barrett the committee adjourned.



Charles S. Trump

Chair



Beverly Douglas

Clerk/Analyst

The Senate of West Virginia



Testimony taken this 17th day of January, 2024, 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."

Scott Dempsey

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



Testimony taken this 17^m day of January, 2024, 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."

LT. JOHN RASLIFF

Print Witness Name

LT. [Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Signature]

Sign Member Name

The Senate of West Virginia



Testimony taken this 17th day of January, 2024, 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."

Debbie Ferguson

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



Testimony taken this 17th day of January, 2024, 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."

Mark Drennan

Print Witness Name

M.A.K.

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name