



West Virginia Senate

Committee on Judiciary

Minutes for March 18, 2025, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on Judiciary met on March 18, 2025, 3:00 PM in Room 208-W.

Members present: Senators Stuart, Willis, Azinger, Bartlett, Chapman, Charnock, Deeds, Fuller, Hart, Helton, Rose, Rucker, Tarr, Taylor, Weld, Garcia

Members absent: Senator Martin

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

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

S. B. 579 - Relating to Home Rule Reform.

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

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

S. B. 128 - Preventing courts from ordering services at higher rate than Medicaid.

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

On motion of Senator Tarr, the committee requested a fiscal note be requested for the committee substitute.

With leave of the committee, Judge Anita Ashley, Fifth Judicial Circuit, addressed the committee, and responded to questions.

With leave of the committee, Lorie Bragg, Interim Commissioner, West Virginia Bureau for Social Services, West Virginia Department of Human Services, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Chairman Stuart moved **S. B. 128** to the foot of the agenda.

H. B. 2331 - Relating to authorizing certain agencies of the Department of Commerce to promulgate legislative rules.

Debra Graham, Counsel, explained the bill, and responded to questions.

On motion of Senator Willis, the committee amended the bill as attached.

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

On motion of Chairman Stuart, the committee recessed for 10 minutes.

At the expiration of the recess, the committee reconvened.

The committee returned to consideration of **S. B. 128**.

With leave of the committee, Christina Mullins, Deputy Secretary, Mental Health and Substance Use Disorders, West Virginia Department of Human Services, was administered the oath prescribed by Senate Rule 28a by Chairman Stuart, addressed the committee, and responded to questions. (See attached oath.)

Senator Tarr proposed an amendment to allow a judge to order services, but the department shall have the sole ability to determine the available provider.

Senator Stuart laid over **S. B. 128**.

On Motion of Senator Willis the committee adjourned.



Michael B. Stuart
Chair



Beverly Douglas
Clerk/Analyst

The Senate of West Virginia



Testimony taken this 18th day of March, 20 25, in
the Senate Committee on the Judiciary.

"I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God."

Loni Bragg

Print Witness Name

Loni Bragg

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name

On page 2, lines 10 through 15, by striking out all of subsection (d) and inserting in lieu thereof a new subsection (d) to read as follows:

(d) The legislative rule filed in the State Register on August 14, 2024, authorized under the authority of §20-5-2 of this code, modified by the Division of Natural Resources to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 3, 2024, relating to the Division of Natural Resources (public use of campgrounds in West Virginia State Parks and State Forests and Campsites in State Rail Trails under the Division of Natural Resources, 58 CSR 32), is authorized with the following amendment:

On page 1, by striking out all of subsection 2.2. and inserting in lieu thereof a new subsection 2.2. to read as follows:

2.2. A person who is 18 years of age or older must be at each rented campsite and is responsible for the actions and safety of all campsite occupants and shall be held liable for any damages caused by campsite occupants. Except that, at the discretion of the area superintendent, adjacent campsites occupied by youth organization groups may be considered supervised by a single person who is 18 years of age or older.;

And,

On page 2, by striking out all of subsection 2.5. and inserting in lieu thereof a new subsection 2.5. to read as follows:

2.5. No more than two motor vehicles are permitted on a campsite at any time. No more than one camping unit (tent, trailer, motor home, camper van, etc.) is permitted on a campsite; *Provided*, That a family camping group or youth organization group, at the discretion of the area superintendent, may be permitted to have one or two small tents on its campsite in addition to the main camping unit: *Provided, however*, That the additional units may not be ecologically detrimental to the campsite. For purposes of this section, a family camping group is defined as a parent or guardian and his or her dependent children or other minor children accompanying the adult.

The Senate of West Virginia



Testimony taken this 18th day of March, 2025, in
the Senate Committee on the Judiciary.

"I swear to tell the truth, nothing but the truth, under penalty of
false swearing in a legislative proceeding, so help me God."

Christina Mallin

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Michael B. Stuart

Print Member Name

Michael B. Stuart

Sign Member Name