

**MINUTES OF THE  
JUDICIARY INTERIM COMMITTEE**

Wednesday, April 21, 1999 - 2:00 p.m. - Room 403 State Capitol

**Members Present:**

Rep. A. Lamont Tyler, House Chair  
Sen. Lyle W. Hillyard  
Sen. David H. Steele  
Rep. Patrice M. Arent  
Rep. Chad E. Bennion  
Rep. Afton B. Bradshaw  
Rep. Katherine M. Bryson  
Rep. Gary F. Cox  
Rep. Neal B. Hendrickson  
Rep. LaWanna "Lou" Shurtliff  
Rep. Martin R. Stephens  
Rep. John E. Swallow  
Rep. Glenn L. Way

**Members Absent:**

Rep. Greg J. Curtis  
Rep. J. W. "Bill" Hickman  
Rep. David Ure

**Members Excused:**

Sen. Terry Spencer, Senate Chair  
Sen. Pete Suazo  
Rep. David L. Gladwell

**Staff Present:**

Mr. Jerry D. Howe,  
Research Analyst  
Ms. Esther Chelsea-McCarty,  
Associate General Counsel  
Ms. Glenda S. Whitney,  
Legislative Secretary

**Note:** A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

**1. Call to Order and Committee Business** - Chair Tyler called the meeting to order at 2:10 p.m. He welcomed those present and introduced the Judiciary Interim Committee members and staff.

**MOTION:** Sen. Hillyard moved to approve the minutes of the November 18, 1998 meeting. The motion passed unanimously, with Rep. Swallow and Rep. Way absent for the vote.

Chair Tyler referred to a letter from President Lane Beattie and Speaker Martin R. Stephens. The letter addressed concerns of recent random acts of violence that have been committed at the Triad Center, the LDS Family History Center, and a public high school in Littleton, Colorado. The letter requested the Judiciary Interim Committee, to initiate a comprehensive review of current gun laws and law enforcement practices and to make recommendations to deter these kinds of violent acts.

**MOTION:** Sen. Hillyard moved to direct the chairmen of the Judiciary Committee and chairmen of the Law Enforcement Committee to establish an agenda for the joint meeting. The motion passed unanimously, with Rep. Swallow and Rep. Way absent for the vote.

Chair Tyler explained that 20 items have been identified in the Master Study Resolution for potential study by the committee. He distributed a ballot, "Potential Study Items for the 1999

Judiciary Interim Committee" and asked the committee members to prioritize their top eight items.

**2. Review Master Study Resolution Items** - The sponsors of the 20 items on the agenda explained why the items had been placed on the Master Study Resolution. The committee questioned the sponsors and discussed whether each item should be studied by the committee.

Chair Tyler explained that all entities required to report to the Judiciary Committee should, if practical, provide executive summaries of the reports to the Judiciary Committee, with electronic copies of the full text of the reports available for those who desire them. Chair Tyler also reminded the committee that it will hear a report concerning the cleanup of toxic contamination from illegal drug labs on or before September 30, 1999.

Chair Tyler noted that the item "Asset Forfeiture" sponsored by Rep. Wright will be the subject of a legislative audit this interim and that the Utah Substance Abuse Coordinating Counsel will be studying the issue. Speaker Stephens said this is an important issue that the committee should follow-up on throughout the interim with reports from the auditor and Substance Abuse Coordinating Counsel.

**3. Establish Study Agenda for the 1999 Interim** - Chair Tyler tallied the ballots and identified that the following items will be discussed during the 1999 interim.

- Juvenile Justice Audit
- Judicial Selection, Retention, Discipline, and Removal
- Cohabitant Abuse/Protective Orders
- Drug Conviction and Child Custody
- Uniform Child Custody Jurisdiction and Enforcement Act
- Uniform Principal and Income Act

**4. Adjourn** -

Chair Tyler adjourned the meeting at 3:20 p.m.