

**MINUTES OF THE
HOUSE LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING
COMMITTEE
ROOM 225, STATE CAPITOL BUILDING
Friday, February 6, 1998**

MEMBERS PRESENT: Rep. Robert H. M. Killpack, Chair
 Rep. Jack A. Seitz, Vice Chair
 Rep. Perry L. Buckner
 Rep. Blake D. Chard
 Rep. Gary Cox
 Rep. David L. Gladwell
 Rep. Neal B. Hendrickson
 Rep. David L. Hogue
 Rep. Susan Koehn
 Rep. John E. Swallow

MEMBERS ABSENT: Rep. Carl R. Saunders

STAFF PRESENT: Chyleen Arbon, Research Analyst
 Sylvia Newton, Secretary

OTHERS PRESENT: (List of visitors on file)

Vice Chair Seitz called the meeting to order at 8:08 a.m.

MOTION: Rep. Buckner moved to approve the minutes of the Wednesday, February 4, 1998 meeting. The motion passed unanimously with Rep. Chard, Rep. Hendrickson, Rep. Hogue, and Rep. Saunders absent for the vote.

H.B. 133 Effective Law Enforcement - Rep. John Swallow

Explained the bill: Rep. Swallow

Spoke for the bill: Dave Walsh, Commission on Criminal and Juvenile Justice

MOTION: Rep. Gladwell moved to amend the bill as follows:

1. Page 1, Line 10: After "CRIME" delete ";"
2. Page 1, Line 11: Delete all of Line 11 except "."
3. Page 2, Line 10: After "composed of" reinstate "19" and delete "22"

4. Page 2, Line 31: After "remaining" reinstate "five" and delete "eight"
5. Page 3, Line 6: After "education;" reinstate "and"
6. Page 3, Line 7: After "representative" reinstate "." and delete "¸"
7. Page 3, Lines 8-12: Delete all of Lines 8-12
8. Page 4, Line 4: After "all" delete "state and local"
9. Page 4, Line 15: After "63-25a-104.5" delete "and make copies"
10. Page 4, Line 16: Delete all of Line 16 except "¸"
11. Page 5, Line 15: After "before" delete "September" and insert "October"
12. Page 5, Line 21: After "years;" insert "and"
13. Page 5, Line 22: After "Utah" insert "and other states"
14. Page 5, Line 23: Delete all of Line 23
15. Page 5, Line 27: After "agencies" delete "and political subdivisions"
16. Page 5, Line 28: Delete "efficient" and insert "effective"
17. Page 5, Line 30: After "state;" insert "and"
18. Page 5, Line 31: After "agencies" delete "and political subdivisions"
19. Page 6, Line 1: After "victimization" delete "; and" and insert "¸"
20. Page 6, Line 2: Delete all of Line 2
21. Page 6, Line 8: Delete "25" and insert "26"
22. Page 6, Line 31: Delete "three" and insert "four"
23. Page 7, Line 3: After "violence;" delete "and"
24. Page 7, Line 4: After "who" delete "is a recovered alcoholic or a recovered drug abuser." and insert "has been personally affected by alcohol or other drug abuse; and
(iv) one citizen representative."

25. Page 7, Line 19: Delete "study" and insert "consolidate and review studies concerning"
26. Page 7, Line 22: After "measured by" delete "violent crime" and insert "available indicators of drug use, crime, and violence"
27. Page 7, Line 24: After "meet" delete "at least"
28. Page 7, Line 27: After "[annually.]," insert "and" and delete ", and all political subdivisions of the state"
29. Page 7, Line 27: After Line 27 insert:
"Section 8. Coordination clause.
If this bill and S.B. 187, Utah Council on Victims, both pass in the 1998 General Session, it is the intent of the Legislature that:
(1) Subsection 63-25a-102(1)(o) be inserted and read: "the chair of the Utah Council on Victims.";
(2) The number of members on the commission in Subsection 63-25a-102(1) be adjusted to add the chair of the Utah Council on Victims; and
(3) Subsection 63-25a-102(1) be adjusted for technical changes as needed."

The motion passed unanimously with Rep. Saunders absent for the vote.

MOTION: Rep. Cox moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Saunders absent for the vote.

H.B. 321 Stalking Amendments - Rep. J. Brent Haymond

Explained the bill: Rep. Haymond
 Kris Knowlton, Attorney General's Office

Spoke for the bill: Reed Richards, Utah Council on Victims

MOTION: Rep. Hendrickson moved to amend the bill as follows:

1. Page 3, Line 14: After "verdict" insert ", finding or plea of guilty, guilty and mentally ill, plea of no contest, or acceptance of a plea in abeyance"
2. Page 3, Line 16: After "verdict" insert ", finding or plea of guilty, guilty and mentally ill, plea of no contest, or acceptance of a plea in abeyance"
3. Page 3, Line 18: After "permanent" insert "criminal"

4. Page 8, Line 26: After "sheriff" delete "." and insert "or" and after "constable" delete "." and insert ". In addition, a" and after "peace officer" delete "." and after "enforcement officer" insert "may serve a temporary stalking injunction, notices of renewal, and notices of modification.
All service shall be done"

The motion passed unanimously with Rep. Saunders and Rep. Swallow absent for the vote.

MOTION: Rep. Gladwell moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Killpack and Rep. Saunders absent for the vote.

H.B. 129 Fort Douglas Military Museum - Rep. Wayne Harper

Explained the bill: Rep. Harper
Lt. Col. Peter Wilson, Utah National Guard, State Facilities Officer

MOTION: Rep. Swallow moved to pass the bill out favorably. The motion passed unanimously with Rep. Cox, Rep. Hendrickson, Rep. Killpack, and Rep. Saunders absent for the vote.

MOTION: Rep. Buckner moved to adjourn the meeting. The motion passed unanimously with Rep. Cox, Rep. Hendrickson, Rep. Killpack, and Rep. Saunders absent for the vote.

Vice Chair Seitz adjourned the meeting at 9:20 a.m.

Rep. Robert H. M. Killpack, Chair