

MINUTES OF THE SENATE JUDICIARY STANDING COMMITTEE
Thursday, February 12, 1998 - 8:00 a.m.
Room 416, State Capitol Building

Members Present: Sen. Craig L. Taylor, Chair
Sen. Lyle W. Hillyard
Sen. Mike Dmitrich
Sen. Robert C. Steiner
Sen. David L. Buhler

Members Excused: Pres. R. Lane Beattie

Staff Present: Jerry D. Howe, Research Analyst
Bonnie Brinton, Secretary

List of others present on file.

Acting Chair Hillyard called the meeting to order at 8:08 a.m.

1. H.B. 258 Gambling Amendments (G. Chard)

Rep. Chard presented the bill.

MOTION: Sen. Steiner moved to pass H.B. 258 out of committee with a favorable recommendation. The motion passed unanimously with Sens. Taylor and Dmitrich absent for the vote.

2. S.B. 70 Judgment Lien on Real Property (L. Mansell)

Sen. Mansell presented the bill.

MOTION: Sen. Buhler moved to accept the following amendment:

1. Page 1, Line 7: After "STATEMENT" delete "ATTACHED TO" and insert "INCLUDED WITH"
2. Page 1, Line 26: After "1997, " insert "and after May 15, 1998" and after "entered" delete "on or after April 27, 1992,"
3. Page 2, Line 1: Before "recorded" insert "abstracted to the civil division of the District Court and"
4. Page 2, Line 24: After "separate information" delete "sheet" and insert "statement"
5. Page 2, Line 27: After "separate information" delete "sheet" and insert "statement"

The motion passed unanimously with Sens. Taylor and Dmitrich absent for the vote.

MOTION: Sen. Buhler moved to pass S.B. 70 as amended out of committee with a favorable recommendation. The motion passed unanimously with Sens. Taylor and Dmitrich absent for the vote.

3. H.B. 39 Criminal Intent (J. Arrington)

Rep. Arrington presented the bill. Mr. Steve Morrison, Attorney General's Office, clarified the bill.

MOTION: Sen. Steiner moved to pass H.B. 39 out of committee with a favorable recommendation. The motion passed unanimously with Sens. Taylor and Dmitrich absent for the vote.

4. 1st Sub. H.B. 206 Eco-terrorism Prohibition and Penalties (D. Iverson)

Rep. Iverson presented the bill.

MOTION: Sen. Steiner moved to accept the following amendments proposed by Sen. Mayne:

1. Page 1, Line 23: After "offense." insert "However, this section does not apply to action protected by the National Labor Relations Act, 29 U.S.C. Section 151 et seq., or the Federal Railway Labor Act, 45 U.S.C. Section 151 et seq."
2. Page 2, Line 5: After "provided below." insert "However, this section does not apply to action protected by the National Labor Relations Act, 29 U.S.C. Section 151 et seq., or the Federal Railway Labor Act, 45 U.S.C. Section 151 et seq."

Sen. Hillyard relinquished the chair to Sen. Taylor.

SUBSTITUTE MOTION: Sen. Buehler moved to table the amendment. The motion passed with Sen. Steiner voting against the motion and Sens. Hillyard and Dmitrich absent for the vote.

MOTION: Sen Buhler moved to accept the following amendments:

1. Page 1, Line 8: Delete "; AND EXEMPTING ANY CONSPIRACY OR"
2. Page 1, Line 9: Delete entire line.
3. Page 1, Line 10: Delete entire line except "."
4. Page 1, Line 13: Delete Line 13.
5. Page 1, Line 16: Delete Lines 16 through 23.
6. Page 1, Line 24; Delete "2." and insert "1."
7. Page 2, Line 26: Delete "(a)"
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8. Page 2, Line 28: Delete Lines 28 through 31.
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9. Page 3, Line 1: Delete Lines 1 through 4a.
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Ms. Ann O'Connell, Audubon Council of Utah, spoke against the bill.

The motion passed unanimously with Sens. Hillyard and Steiner absent for the vote.

Sen. Dmitrich declared a potential conflict of interest.

MOTION: Sen. Dmitrich moved to pass 1st Sub. H.B. 206 as amended out of committee with a favorable recommendation. The motion passed with Sen. Buhler voting against the bill and Sens. Hillyard and Steiner absent for the vote.

5. **H.B. 215 Enforcement of Court's Restitution Order** (*J. Swallow*)

Rep. Swallow presented the bill.

MOTION: Sen. Buhler moved to pass H.B. 215 out of committee with a favorable recommendation. The motion passed unanimously with Sens. Hillyard and Steiner absent for the vote.

MOTION: Sen. Dmitrich moved to place H.B. 215 on the Consent Calendar. The motion passed unanimously with Sens. Hillyard and Steiner absent for the vote.

6. **H.J.R. 4 Resolution Eliminating Voting Rights of Convicted Felons** (*C. Saunders*)

Rep. Saunders presented the resolution.

Ms. Ann Larsen, Citizens United for Rehabilitation of Errants, spoke against the bill.

Mr. John Fellows, Legislative Research and General Counsel, clarified the bill.

Ms. Julie Breckenridge, Citizens United for Rehabilitation of Errants, spoke against the bill.

Ms. Marianne Johnstone, Prisoner Information Network, spoke against the bill.

Mr. Richard Jones, Parolee and Voting District Vice Chairman, spoke against the bill.

The meeting adjourned at 9:25 a.m.

Minutes reported by Bonnie Brinton.