

**MINUTES OF THE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE**

Thursday, February 28, 2002 – 8:00 a.m. – Room 423 State Capitol

Members Present:

Rep. DeMar "Bud" Bowman, Chair
Rep. Matt Throckmorton, Vice Chair
Rep. Douglas C. Aagard
Rep. Trisha S. Beck
Rep. Duane E. Bourdeaux
Rep. Carol Spackman Moss
Rep. Loraine T. Pace
Rep. Brent D. Parker
Rep. Paul Ray
Rep. Jack A. Seitz
Rep. Peggy Wallace
Rep. Bradley A. Winn

Staff Present:

Ms. Chyleen A. Arbon, Research Analyst
Ms. Jennifer Asplund, House Secretary

Note: A list of others present will be filed with committee minutes.

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

MOTION: Rep. Wallace moved to correct and approve the minutes of the January 26, 2002 meeting. The motion passed unanimously, with Rep. Bourdeaux, Rep. Ray, and Rep. Throckmorton absent for the vote.

H.B. 315 Utah Fire Prevention and Safety Act Amendments (C. Beshear)

Explained the bill: Rep. Beshear
Gary Wise, State Fire Marshall

MOTION: Rep. Beck moved to pass the bill out favorably. The motion passed unanimously, with Rep. Bourdeaux, Rep. Ray, and Rep. Throckmorton absent for the vote.

H.B. 316 Fire Prevention and Safety Revisions (C. Beshear)

Explained the bill: Rep. Beshear
Gary Wise, State Fire Marshall

MOTION: Rep. Seitz moved to pass the bill out favorably. The motion passed unanimously, with Rep. Ray and Rep. Throckmorton absent for the vote.

H.B. 333 Veterans - Parks and Recreation Benefit (G. Adair)

Rep. Adair explained the bill.

Spoke for the bill: Daniel Hudson, Chair, Utah Military Veterans Affairs Committee
George Wahlen, Utah Military Veterans Affairs Committee

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

1. Page 1, Line 7: After “**state**” insert “**disabled**”
2. Page 3, Line 63: After “state” insert “disabled”

The motion passed unanimously, with Rep. Ray, Rep. Seitz, and Rep. Throckmorton absent for the vote.

MOTION: Rep. Beck moved to pass the amended bill out favorably. The motion passed unanimously, with Rep. Seitz absent for the vote.

H.B. 319 Jail Reimbursement Amendments (G. Curtis)

Rep. Curtis explained the bill.

Spoke for the bill: Gary Herbert, Utah County Commissioner, President of the State Association of County Commissioners
Brad Slater, Weber County Sheriff, Utah Sheriff’s Association

MOTION: Rep. Wallace moved to pass the bill out favorably. The motion passed unanimously, with Rep. Seitz absent for the vote.

H.B. 336 Use of Force, Including Deadly Force, in Defense of Property (M. Thompson)

Explained the bill: Rep. Thompson
Paul Boyden, Director of Prosecutor’s Association, District Attorney’s Office

Spoke for the bill: Lloyd Sellineit, Natural Products
Dr. Sarah Thompson, Executive Director, Utah Gun Owners Alliance

MOTION: Rep. Throckmorton moved to delete in title and body H.B. 336 and replace it with 1st Substitute H.B. 336. The motion passed unanimously, with Rep. Seitz absent for the vote.

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

1. Page 1, Line 15: After “defense of” insert “persons on”

The motion passed unanimously, with Rep. Seitz absent for the vote.

MOTION: Rep. Throckmorton moved to pass the bill out favorably.

SUBSTITUTE

MOTION: Rep. Ray made a substitute motion to amend the bill as follows:

1. Page 1, Line 20: After “manner” delete “, surreptitiously, or by stealth”
2. Page 2, Line 32: After “manner” delete “, surreptitiously, or by stealth”

The motion passed unanimously, with Rep. Seitz absent for the vote.

MOTION: Rep. Ray moved to pass the bill out favorably. The motion passed, with Rep. Beck, Rep. Bourdeaux, Rep. Moss, Rep. Pace, and Rep. Parker voting in opposition, and Rep. Seitz absent for the vote.

1st Sub. H.B. 194 Peace Officer Arrest Quotas (C. Bennion)

Rep. Bennion explained the bill.

Spoke to the bill: Scott Duncan, Superintendent, Utah Highway Patrol

Spoke against the bill: John Greiner, President, Utah Chief's Association
Gerald Maughan, Midvale City Police Chief

MOTION: Rep. Parker moved to adjourn the meeting. The motion failed, with Rep. Aagard, Rep. Beck, Rep. Moss, and Rep. Parker voting in favor and Rep. Pace, Rep. Seitz, and Rep. Throckmorton absent for the vote.

MOTION: Rep. Ray moved to form a subcommittee on domestic terrorism during summer interim. The motion passed unanimously, with Rep. Pace, Rep. Seitz, and Rep. Throckmorton absent for the vote.

MOTION: Rep. Parker moved to adjourn the meeting. The motion failed, with Rep. Aagard, Rep. Beck, Rep. Moss, and Rep. Parker voting in favor and Rep. Pace, Rep. Seitz, and Rep. Throckmorton absent for the vote.

MOTION: Rep. Ray moved to pass 1st Sub. H.B. 194 out favorably. The motion passed, with Rep. Parker voting in opposition and Rep. Pace, Rep. Seitz, and Rep. Throckmorton absent for the vote.

MOTION: Rep. Moss moved to adjourn the meeting. The motion passed unanimously, with Rep. Pace, Rep. Seitz, and Rep. Throckmorton absent for the vote.

Chair Bowman adjourned the meeting at 9:10 a.m.

Chair, Rep. DeMar "Bud" Bowman