

**MINUTES OF THE  
HOUSE JUDICIARY STANDING COMMITTEE MEETING  
Room 223 - State Capitol Building**

**January 21, 2003**

**MEMBERS PRESENT:** Rep. Ben C. Ferry, Chair  
Rep. J. Stuart Adams, Vice Chair  
Rep. Chad E. Bennion  
Rep. Scott Daniels  
Rep. Neal B. Hendrickson  
Rep. Eric K. Hutchings  
Rep. M. Susan Lawrence  
Rep. Dana C. Love  
Rep. Rosalind J. McGee  
Rep. J. Morgan Philpot  
Rep. Mike Thompson

**MEMBERS ABSENT:** Rep. Katherine M. Bryson  
Rep. Greg J. Curtis

**STAFF:** Jerry D. Howe, Policy Analyst  
Cherri White, Committee Secretary

**VISITORS:** List of visitors on file

Representative Ferry called the meeting to order at 2:10 p.m. and indicated to the committee and public the protocol for hearing bills before the committee.

**H.B. 62      Emergency Response Costs (*B. Goodfellow*)**

Representative Goodfellow introduced the bill assisted by Cal Farr, Chief's of Police and Sheriff's Association. Paul Boyden, Statewide Association of Prosecutors answered questions from the committee.

Speaking in favor of the bill was Ken McGuire, Police Chief, West Jordan City.

**MOTION:** Representative Hutchings moved to amend:

1. Page 1, line 21: After "incident." delete "as well as the" and insert, "not including the ordinary"

After committee discussion the motion was withdrawn.

**MOTION:** Representative Philpot moved to amend:

1. Page 3, lines 64-66: Delete lines 64-66.

The motion failed 3-7-3, with Representatives Hutchings, Philpot, and Thompson voting in favor of the motion, Representatives Bennion, Daniels, Lawrence, Love, McGee, Adams, and Ferry voting against the motion, and Representative Hendrickson absent for the vote.

**MOTION:** Representative Daniels moved to amend:

1. Page 3, line 64: At the beginning of the line delete: "It is the intent of the Legislature that"

After committee discussion the motion was withdrawn.

**MOTION:** Representative Hutchings moved to amend:

1. Page 3, line 64: Insert: "(iv) not take precedence over victim restitution"

The motion passed unanimously with Representative Hendrickson absent for the vote.

**MOTION:** Representative Bennion moved to pass the bill out favorably as amended. The motion passed 7-3-3, with Representatives Bennion, Daniels, Hutchings, Lawrence, McGee, Adams, and Ferry voting in favor of the motion, Representatives Love, Philpot, and Thompson voting against the motion, and Representative Hendrickson absent for the vote.

### **H.B. 178 Firearms Amendments (*T. McCartney*)**

Representative McCartney introduced the bill.

**MOTION:** Representative Hutchings moved to pass the bill out favorably.

### **SUBSTITUTE**

**MOTION:** Representative Philpot moved to hold the bill and have it placed as the first item of business at the meeting scheduled for Thursday, January 23, 2003, at 3:30 p.m. The motion failed on a tie vote, with Representatives Bennion, Lawrence, Philpot, Thompson, and Adams voting in favor of the motion, Representatives Daniels, Hutchings, Love, McGee, and Ferry voting against the motion, and Representative Hendrickson absent for the vote.

The original motion to pass the bill out favorably passed 10-1-2 with Representative Thompson voting against the motion.

**H.B. 8            Seat Belt Enforcement Provisions (*C. Moss*)**

Introducing the bill for Representative Moss was Representative Daniels. Assisting in the presentation was Paul Boyden, Statewide Association of Prosecutors.

**MOTION:**    Representative Bennion moved to adjourn. The motion passed unanimously. The meeting adjourned at 3:33 p.m.

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Rep. Ben C. Ferry, Chair