

**MINUTES OF THE SENATE JUDICIARY,
LAW ENFORCEMENT AND CRIMINAL JUSTICE
STANDING COMMITTEE
Thursday, January 30, 2003
Room 414, STATE CAPITOL BUILDING**

Members Present: Sen. Gregory Bell, Chair
Sen. Patrice M. Arent
Sen. D. Chris Buttars
Sen. Mike Dmitrich
Sen. James M. Evans
Sen. Lyle W. Hillyard

Members Excused: Sen. David L. Gladwell
Sen. L. Al Mansell

Staff Present: Jerry D. Howe, Policy Analyst
Saundra Maeser, Committee Secretary

Public Speakers Present: Mark Nash, Director, Prosecution Council
Paul Boyden, Exec. Director, Statewide Association of Prosecuting Attorneys
Scott Duncan, Superintendent, Utah Highway Patrol
Randall Akers, Trooper, Utah Highway Patrol
Sen. Bill Hickman
Ronald Gordon, Director, Utah Sentencing Commission
Jim Olsen, President, Utah Retail Merchants Association
Brian Judy, State Liaison, National Rifle Association
Marla Kennedy, Executive Director, Gun Violence Prevention Center
Nannette Rolfe, Bureau Director, DPS/BCI
Elwood Powell, Chairman, Utah Shooting Sports Council

Visitor list on file.

Chair Bell called the meeting to order at 3:12 p.m.

MOTION: Sen. Hillyard moved to approve the minutes of the January 28, 2003 meeting.

The motion passed unanimously with Sen. Evans absent for the vote.

1. S.B. 48 Forced Entry to Make Arrest (D. Thomas)

Sen. David Thomas introduced the bill and distributed a handout. Mark Nash, Director, Prosecution Council assisted in the presentation.

MOTION: Sen. Hillyard moved to pass S.B. 48 out with a favorable recommendation.

The motion passed unanimously.

2. H.B. 33 Responsibilities of Legislative General Counsel (G. Curtis)

Sen. Hillyard introduced the bill in place of Rep. Greg Curtis.

MOTION: Sen. Hillyard moved to pass H.B. 33 out with a favorable recommendation.

The motion passed unanimously.

3. S.B. 116 DNA - Amendment Regarding Warrants (L. Hillyard)

Sen. Hillyard introduced the bill.

Paul Boyden, Executive Director, Statewide Association of Prosecuting Attorneys spoke in support of the bill.

MOTION: Sen. Arent moved to pass S.B. 116 out with a favorable recommendation.

The motion passed unanimously.

4. S.B. 106 Highway Patrol Use of Unmarked Vehicles (C. Bramble)

Rep. Bud Bowman introduced the bill in place of Sen. Curtis Bramble. Scott Duncan, Superintendent, Utah Highway Patrol assisted in the presentation.

Sen. Bramble arrived and continued the discussion. He distributed a proposed amendment, but no committee member moved adoption.

Randall Akers, Trooper, Utah Highway Patrol, spoke in support of the bill.

Sen. Bill Hickman spoke in opposition to the bill.

MOTION: Sen. Buttars moved to pass S.B. 106 out with a favorable recommendation.

The motion passed unanimously.

5. S.B. 115 Theft Detection Shielding Devices Amendments (J. Hickman)

Sen. Bill Hickman introduced the bill. Ronald Gordon, Director, Utah Sentencing Commission, assisted in the presentation.

Jim Olsen, President, Utah Retail Merchants Association, said the Association takes a neutral position on the bill.

MOTION: Sen. Arent moved to pass S.B. 115 out with a favorable recommendation.

The motion passed unanimously with Sen. Buttars absent for the vote.

6. S.B. 117 Aggravated Robbery Amendments (L. Hillyard)

Sen. Hillyard introduced the bill. Paul Boyden assisted in the presentation.

MOTION: Sen. Arent moved to pass S.B. 117 out with a favorable recommendation.

The motion passed unanimously with Sen. Buttars absent for the vote.

Chair Bell declared a 10 minute saunter. The Committee reconvened at 4:37 p.m.

7. S.B. 103 Concealed Weapon Permit Holder Amendments (C. Bramble)

Sen. Bramble introduced the bill. Brian Judy, State Liaison, National Rifle Association, assisted in the presentation and distributed handouts.

The following spoke in support of the bill:

Marla Kennedy, Executive Director, Gun Violence Prevention Center

Nannette Rolfe, Bureau Director, DPS/BCI

Elwood Powell, Chairman, Utah Shooting Sports Council

MOTION: Sen. J. Evans moved to pass S.B. 103 out with a favorable recommendation.

The motion passed unanimously with Sen. Dmitrich absent for the vote.

MOTION: Sen. J. Evans moved to adjourn the meeting.

The motion passed unanimously with Sen. Dmitrich absent for the vote.

Committee Chair Bell adjourned the meeting at 4:55 p.m.

Minutes recorded by Sandra Maeser, Secretary