

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT AND CRIMINAL JUSTICE
STANDING COMMITTEE
Wednesday, February 5, 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. David L. Gladwell
Sen. Lyle W. Hillyard

Members Excused: Sen. L. Al Mansell

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

Public Speakers Present: Von Williamson, Division Commander, Cache County Sheriff's Office
Ken Wallentine, President Elect, Utah Peace Officers Association
Mike Wims, Criminal Division, Attorney General's Office
Jack Tanner, Executive Director, Utah Behavioral Network
Vicki Cottrell, Executive Director, NAMI Utah
Kerri Terry, Mentor, NAMI Utah

Visitor list on file.

Committee Chair Bell called the meeting to order at 8:10 a.m.

MOTION: Sen. Buttars moved to approve the minutes of the February 3, 2003 meeting.

The motion passed unanimously with Sen. Dmitrich, Sen. Evans and Sen. Gladwell absent for the vote.

1. H.B. 172 Background Investigations of Peace Officer Candidates (L. Pace)

Rep. Loraine Pace introduced the bill. Lt. Von Williamson, Division Commander, Cache County Sheriff's Office, assisted in the presentation.

Ken Wallentine, President Elect, Utah Peace Officers Association, spoke in support of the bill.

MOTION: Sen. Arent moved to pass H.B. 172 out with a favorable recommendation.

The motion passed unanimously.

Jack Tanner, Executive Director, Utah Behavioral Network, spoke in support of the bill.

MOTION: Sen. Gladwell moved to reconsider the amendment.

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

MOTION: Sen. Gladwell moved to repeal the amendment.

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

MOTION: Sen. Gladwell moved to amend 1st Sub S.B. 27 as follows:

1. Page 7, Line 199 After "care" delete ":" and insert "." and delete "or (c) is incapable of providing the basic necessities of life, such as food, clothing, and shelter, to a degree that physically harms their health or safety."

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

MOTION: Sen. J. Evans moved to amend 1st Sub. S.B. 27 as follows:

1. Page 6, Line 171 After ""Association" delete "." and insert "." and delete "or which renders a person unable to provide the basic necessities of life."

The motion failed, with Sen. Bell, Sen. Arent, Sen. Dmitrich, Sen. Gladwell and Sen. Hillyard voting in opposition and Sen. Buttars absent for the vote.

MOTION: Sen. Hillyard moved to hear public comments until 10:00 a.m., limiting the speakers to three minutes each and alternating speakers supporting the bill with speakers opposing the bill.

The motion passed unanimously.

Vicki Cottrell, Executive Director, NAMI Utah; and Kerri Terry, Mentor, NAMI Utah, spoke in support of the bill.

Ken Wallentine, Utah Peace Officers Association; and Mike Wims, Criminal Division, Attorney General's Office, spoke in opposition to the bill.

Chair Bell stated that 1st Sub. SB 27 will be held over until the Committee Meeting of Friday, February 7, and will be heard at 8:00 a.m.

MOTION: Sen. Arent moved to adjourn.

The motion passed unanimously.

Committee Chair Bell adjourned the meeting at 10:00 a.m.

Minutes recorded by Sandra Maeser, Secretary

Sen. Gregory S. Bell, Committee Chair