

**MINUTES OF THE  
HEALTH AND HUMAN SERVICES STANDING COMMITTEE  
ROOM 223, STATE CAPITOL BUILDING**

January 23, 2004

MEMBERS PRESENT:           Rep. Mike Thompson, Chair  
                                  Rep. Steven R. Mascaro, Vice-Chair  
                                  Rep. Calvin G. Bird  
                                  Rep. Judy Ann Buffmire  
                                  Rep. D. Gregg Buxton  
                                  Rep. Marda Dillree  
                                  Rep. Patricia W. Jones  
                                  Rep. Bradley G. Last  
                                  Rep. David Litvack  
                                  Rep. Rebecca Lockhart

STAFF PRESENT:             Mark Andrews, Policy Analyst  
                                  Sylvia Newton, House Secretary

Note:    List of visitors and copy of handouts are filed with committee minutes.

Rep. Thompson called the meeting to order at 8:08 a.m.

MOTION:   Rep. Jones moved to approve the minutes of the January 21, 2004 meeting. The motion passed unanimously with Rep. Dillree, Rep. Last, and Rep. Lockhart absent for the vote.

**1st Sub. H.B. 54       Videotape of Minors (*Rep. W. Harper*)**

Rep. Harper introduced 1st Sub. H.B. 54 and explained it to the committee.

Spoke to the bill:           Adam Trupp, Division of Child and Family Services  
                                  Rod Layton, Weber County Sheriff's Office  
                                  Suzanne Mitchell, Salt Lake County Children's Justice Center

Spoke in favor of the bill:   Russell Sias, citizen  
                                  Gayle Ruzicka, Eagle Forum  
                                  Jackie de Gaston, attorney

Spoke in opposition to the bill:   Ken Wallentine, Weber County Sheriff's Office

MOTION:   Rep. Mascaro moved to pass the bill out favorably. The motion passed with Rep. Buffmire, Rep. Jones, and Rep. Litvack voting in opposition to the bill.

**H.B. 183 Conditions for Release after Notice Regarding Arrest for Domestic Violence**  
*(Rep. P. Wallace)*

Rep. Wallace introduced H.B. 183 and explained it to the committee.

MOTION: Rep. Lockhart moved to pass the bill out favorably. The motion passed unanimously with Rep. Dillree absent for the vote.

**H.B. 29 Utah Telehealth Commission Amendments** *(Rep. B. Dee)*

Rep. Buxton introduced H.B. 29 for Rep. Dee and explained it to the committee.

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

1. Page 1, Line 10: Delete "Healthcare" and insert "Health Service"
2. Page 1, Line 14: Delete "Healthcare" and insert "Health Service"
3. Page 2, Line 29: Delete "**HEALTHCARE**" and insert "**HEALTH SERVICE**"
4. Page 2, Line 31: Delete "Healthcare" and insert "Health Service"
5. Page 2, Line 35: Delete "Healthcare" and insert "Health Service"
6. Page 2, Line 40: Delete "**Healthcare**" and insert "**Health Service**"
7. Page 2, Line 41: Delete "Healthcare" and insert "Health Service"
8. Page 4, Line 91: Delete "Healthcare" and insert "Health Service"

MOTION: Rep. Lockhart moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Dillree absent for the vote.

**H.B. 197 Limit on Child Welfare Recommendations and Rulings** *(Rep. M. Thompson)*

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

*1. Page 1, Line 27 through Page 2, Line 34:*

- 27 (1) Except as provided in Subsection (2), no agency may recommend or rule on the  
28 custody, placement, including foster placement, or other disposition alternative for a minor, or  
29 the termination of parental rights, based on the fact that a parent or guardian of the minor  
30 lawfully does one or more of the following:

- 31           (a) legally possesses or uses a firearm or other weapon;  
32           (b) espouses particular religious beliefs. ~~[[or engages in particular religious practices]]~~ ; or  
33           (c) schools the minor or other minors outside the public education system or is  
34           otherwise sympathetic to schooling a minor outside the public education system.

2. *Page 2, Lines 40 through 47:*

- 40           (1) Except as provided in Subsection (2), no court may rule on the custody, placement,  
41           including foster placement, or other disposition alternative for a minor, or the termination of  
42           parental rights, based on the fact that a parent or guardian of the minor lawfully does one or  
43           more of the following:  
44           (a) legally possesses or uses a firearm or other weapon;  
45           (b) espouses particular religious beliefs. ~~[[or engages in particular religious practices]]~~ ; or  
46           (c) schools the minor or other minors outside the public education system or is  
47           otherwise sympathetic to schooling a minor outside the public education system.

The motion to amend the bill passed unanimously with Rep. Dillree absent for the vote.

Rep. Thompson relinquished the chair to Rep. Mascaro.

Rep. Thompson introduced H.B. 197 and explained it to the committee.

Spoke in favor of the bill:     Jackie de Gaston, attorney

Spoke to the bill:           Richard Anderson, Division of Child and Family Services.

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

**H.B. 198    Child Welfare Court Reports (Rep. M. Thompson)**

H.B. 198 was not considered in this meeting.

MOTION:   Rep. Lockhart moved to adjourn the meeting.

The meeting was adjourned at 9:59 a.m.

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Rep. Mike Thompson  
Committee Chair