

**MINUTES OF THE  
HOUSE JUDICIARY STANDING COMMITTEE MEETING  
Room 223 - State Capitol Building  
February 13, 2004**

**MEMBERS PRESENT:** Rep. Ben C. Ferry, Chair  
Rep. J. Stuart Adams, Vice Chair  
Rep. Chad E. Bennion  
Rep. Katherine M. Bryson  
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. Greg J. Curtis

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

**NOTE:** A list of visitors and handouts are filed with the committee minutes.

Representative Ferry called the meeting to order at 4:27 P.M.

**S.B. 80 Capital Punishment Amendments - Excluded Days (*Sen. J. Valentine*)**

The sponsor introduced the bill and explained its intent.

**MOTION:** Representative Hutchings moved to pass the bill out favorably. The motion passed unanimously with Representatives Adams, Bryson, Curtis, Lawrence, Philpot and Thompson absent for the vote.

**S.B. 119 Prosecution Jurisdiction Amendment (*Sen. B. Evans*)**

The sponsor introduced the bill to the committee.

**MOTION:** Representative Bennion moved to pass the bill out favorably. The motion passed unanimously with Representatives Adams, Curtis, Lawrence, Philpot, and Thompson absent for the vote.

**S.J.R. 6 Resolution on Impeachment Authority (*Sen. J. Valentine*)**

The sponsor requested that the committee consider the following amendments:

1. Page 1, Line 25: After line 25 insert:

"This resolution provides a coordination clause."

2. Page 3, Line 77: After line 77 insert:

**"Section 7. Coordination clause.**

If this joint resolution and H.J.R. 8, Resolution Authorizing the Legislature to Call Itself Into Session, both pass and are approved by a majority of those voting on the joint resolutions at the next regular general election, it is the intent of the Legislature and the People of the state that the Office of Legislative Research and General Counsel, in preparing the Utah Constitution database for publication, combine and coordinate the amendments made to Article VI, Section 16 in this joint resolution with the amendments made to Article VI, Section 16 in H.J.R. 8, so that the combined and coordinated amendments to Article VI, Section 16 read as follows:

'Article VI, Section 16. [Duration of sessions.]

~~[No] Except in cases of impeachment:~~

~~(1) no annual general session of the Legislature ~~[shall] may~~ exceed 45 calendar days[; except in cases of impeachment. No special session shall exceed 30 calendar days; except in cases of impeachment.];~~

~~(2) no session individually, and no sessions cumulatively, convened by the Legislature under Article VI, Section 34 may exceed 15 calendar days in a calendar year; and~~

~~(3) no session of the Legislature convened by the Governor under Article VII, Section 6 may exceed 30 calendar days.~~

~~[When any session of the Legislature trying cases of impeachment exceeds the number of days it may remain in session as provided in this section, the members shall receive compensation only for expenses and mileage for those days in excess of 30.]"~~

**MOTION:** Representative Bennion moved to amend as indicated by the sponsor. The motion passed unanimously with Representatives Adams, Curtis, Lawrence, Philpot, and Thompson absent for the vote.

**MOTION:** Representative Bryson moved to pass the bill out favorably as amended. The motion passed unanimously with Representatives Adams, Curtis, Lawrence, Philpot, and Thompson absent for the vote.

**H.B. 129 Child Protection Team Meetings (Rep. C. Bennion)**

The sponsor introduced the bill and explained its intent.

Adam Troop, Department of Children and Family Services spoke in favor of the bill.

**MOTION:** Representative McGee moved to pass the bill out favorably. The motion passed unanimously with Representatives Adams, Curtis and Lawrence absent for the vote.

**MOTION:** Representative Bennion moved to place the bill on the Consent Calendar. The motion passed unanimously with Representatives Adams, Curtis, and Lawrence absent for the vote.

**S.B. 141      New Judge - Second District Court (*Sen. G. Bell*)**

The sponsor introduced the bill and explained its intent.

Richard Schwermer, Administrative Office of the Courts, addressed questions from the committee.

**MOTION:** Representative Hendrickson moved to pass the bill out favorably. The motion passed unanimously with Representatives Bennion, Curtis, and Lawrence absent for the vote.

**S.B. 136      Uniform Interstate Family Support Act (*Sen. L. Hillyard*)**

Senator Bell introduced the bill and explained its intent.

Emma Chacon, Division Human Services, addressed questions from the committee.

**MOTION:** Representative Thompson moved to pass the bill out favorably. The motion passed unanimously with Representatives Curtis and Hutchings absent for the vote.

**S.B. 38      Arson Offense Amendments (*Sen. P. Arent*)**

The sponsor introduced the bill and explained its intent, with Jeff Holman, District Attorney assisting.

Paul Boyden, Statewide Association of Prosecutors, addressed questions from the committee.

**MOTION:** Representative Bennion moved to pass the bill out favorably. The motion passed unanimously with Representatives Curtis and Hutchings absent for the vote.

**H.B. 294      Purchase of Firearms Amendments (*Rep. J. Ferrin*)**

The sponsor introduced the bill and explained its intent.

John Spangler, Utah Shooting Sports Council, spoke in favor of the bill.

**MOTION:** Representative Thompson moved to pass the bill out favorably. The motion passed unanimously with Representatives Bennion and Curtis absent for the vote.

**H.B. 295      Issuance of Concealed Firearm Permits Amendments (*Rep. J. Ferrin*)**

The sponsor introduced the bill and explained its intent.

Joyce Carter, Section Supervisor, BCI, addressed questions from the committee.

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

**SUBSTITUTE**

**MOTION:** Representative McGee moved to amend as follows:

1. Page 3, Lines 78 and 79:

Reinstate lines 78 and 79.

The substitute motion failed with Representatives Daniels and McGee voting in favor of the motion, and Representative Curtis absent for the vote.

The original motion to pass H.B. 295 out favorably passed unanimously with Representative Curtis absent for the vote.

**MOTION:** Representative Bennion moved to adjourn. The motion passed unanimously and the meeting adjourned at 5:40 P.M.

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Rep. Ben C. Ferry, Chair