

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room WO25, West Office Building, State Capitol Complex

February 3, 2006

Members Present: Rep. DeMar "Bud" Bowman, Chair
Rep. Michael T. Morley, Vice Chair
Rep. Duane Bourdeaux
Rep. LaVar F. Christensen
Rep. Wayne A. Harper
Rep. Patricia W. Jones
Rep. Todd E. Kiser
Rep. David Litvack
Rep. Curtis Oda
Rep. Paul Ray
Rep. Stephen H. Urquhart

Staff Present: Mr. Stewart Smith, Policy Analyst
Ms. Linda Black, Committee Secretary

note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Bowman called the meeting to order at 8:05 a.m.

MOTION: Rep. Oda moved to approve the minutes of January 31, 2006. The motion passed unanimously, with Rep. Christensen, Rep. Jones, Rep. Litvack, Rep. Urquhart, and Rep. Morley absent for the vote.

H.B. 330 **Allowance of State Memorials on State Property** (*Rep. W. Harper*)

MOTION: Rep. Harper explained the bill, and moved to replace it with 1st Substitute HB 330.

The motion passed unanimously, with Rep. Christensen, Rep. Jones, Rep. Litvack, and Rep. Urquhart absent for the vote.

MOTION: Rep. Ray moved to pass the bill out favorably as substituted. The motion passed unanimously, with Rep. Christensen, Rep. Jones, Rep. Litvack and Rep. Urquhart absent for the vote.

H.B. 306 **Private Probation Provider Amendment** (*Rep. L. Fowlke*)

Rep. Fowlke introduced the bill, with the assistance of Mr. Clyde Ormond. Department of Professional Licensing.

MOTION; Rep. Kiser moved to amend the bill as follows:

1. *Page 2, Lines 42 through 43:*

- 42 (a) failure to disclose any financial or personal interest or prior relationship with parties
43 that ~~{might affect}~~ affects the private probation provider's impartiality or otherwise constitute a conflict

2. *Page 2, Lines 45 through 46:*

- 45 (b) providing contract probation services when any financial or personal interest or
46 prior relationship with parties ~~{might affect}~~ affects the private probation provider's impartiality or

The motion passed unanimously, with Rep. Christensen, Rep. Jones, Rep. Litvack, and Rep. Urquhart absent for the vote.

MOTION: Rep. Bourdeaux moved to pass the bill out favorably as amended. The motion passed unanimously, with Rep. Christensen, Rep. Jones, Rep. Litvack, and Rep. Urquhart absent for the vote.

MOTION: Rep. Ray moved to place HB 306 on the Consent Calendar. The motion passed unanimously, with Rep. Christensen, Rep. Jones, Rep. Litvack and Rep. Urquhart absent for the vote.

H.B. 111 Child Restraint Device Amendments (*Rep. T. Cosgrove*)

Rep. Cosgrove introduced the bill with the assistance of Rep. Carol Spackman Moss.

Rep. Ray moved to amend HB 111 as follows:

1. *Page 1, Line 18:*

- 18 person eight ~~{s}~~ year s of age or 57 inches tall or taller up to 16 years of age by using an

The motion passed unanimously, with Rep. Christensen, Rep. Kiser, and Rep. Urquhart absent for the vote.

Spoke in favor of the bill: Ms. Janet Brooks, Child Advocacy Director, PCMC
Mr. Chris Purcell, State Farm Insurance
Mr. Bill Barnes, PCMC
Mr. Bruce Borrowman, Safety Commissioner, PTA

Spoke in opposition of
the bill: Ms. Gayle Ruzicka, Utah Eagle Forum

MOTION: Rep. Jones moved to pass the bill out favorably as amended. The motion passed, with Rep. Christensen, Rep. Harper, and Rep. Morley voting in opposition. Rep. Litvack was absent for the vote.

H.B. 158 Sex Offender Amendments (*Rep. B. Dee*)

Rep. Dee introduced the bill.

MOTION: Rep. Urquhart moved to replace HB 158 with 1st Substitute HB 158.

The motion passed unanimously, with Rep. Christensen, Rep. Ray, and Rep. Urquhart absent for the vote.

Spoke in favor of the bill: Mr. Tom Patterson, Director, Sentencing Commission
Mr. Steve White, Utah County Commissioner

MOTION: Rep. Harper moved to pass the bill out favorably as substituted. The motion passed unanimously, with Rep. Christensen, Rep. Ray, and Rep. Urquhart absent for the vote.

1st Sub. S.B. 50 Jail Funding Amendments (*Sen. D. Thomas*)

Sen. D. Thomas explained the bill with the assistance of Mr. Reed Richards, Weber County Attorney, representing Utah Sheriffs' Association.

Spoke in favor of the bill: Mr. Steve White, Utah County Commissioner
Mr. Brent Gardner, Utah Counties' Association

MOTION: Rep. Oda moved to pass the bill out favorably. The motion passed unanimously, with Rep. Christensen, Rep. Harper, Rep. Ray, and Rep. Morley absent for the vote.

MOTION: Rep Urquhart moved to place 1st Substitute SB50 on the Consent Calendar. The

motion passed unanimously, with Rep. Christensen, Rep. Harper, Rep. Ray, and Rep. Morley absent for the vote.

MOTION: Rep. Bourdeaux moved to adjourn. The motion passed unanimously. Rep. Bowman adjourned the meeting at 9:50 a.m.

Rep. DeMar "Bud" Bowman, Chair