

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE
STANDING COMMITTEE
MONDAY, FEBRUARY 6, 2006
Room W130, West Office Building, State Capitol Complex**

Members Present: Sen. Patrice M. Arent
Sen. Gregory Bell
Sen. Mike Dmitrich
Sen. Lyle Hillyard
Sen. Mark B. Madsen
Sen. David L. Thomas

Members Excused: Sen. D. Chris Buttars, Chair

Members Absent: Sen. L. Alma Mansell

Staff Present: Jerry Howe, Policy Analyst
Bonnie Brinton, Committee Secretary

Public Speakers Present: Ronda Rose, Utah PTA
Creighton Horton, Attorney General's Office
David Mortensen, Utah Defense Lawyers Association
Chris Purcell, State Farm Insurance Company
Steve Sullivan, Utah Trial Lawyers Association
David Hamblin, Oklevueha Native American Church
James Warren "Flaming Eagle" Mooney, Oklevueha Native
American Church
Kris Leonard, Attorney General's Office
Jay Henry, Crime Lab

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

Committee Vice Chair Bell called the meeting to order at 8:15 a.m.

MOTION: Sen. Arent moved to approve the minutes of February 2, 2006. The motion passed unanimously with Sen. Dmitrich absent for the vote.

1. H.B. 56 Sex Offender Registration Amendments (M.S. Lawrence)

Rep. Lawrence presented the bill.

Ronda Rose, Utah PTA, spoke in favor of the bill.

MOTION: Sen. Hillyard moved to pass H.B. 56 out of committee with a favorable recommendation. The motion passed unanimously.

MOTION: Sen. Hillyard moved to place H.B. 56 on the Consent Calendar. After discussion, the motion was withdrawn.

2. H.B. 208 Aggravated Murder Amendments (S. Wyatt)

Rep. Wyatt presented the bill.

Creighton Horton, Attorney General's Office, assisted in the presentation.

MOTION: Sen. Arent moved to pass H.B. 208 out of committee with a favorable recommendation. The motion passed unanimously.

Sen. Hillyard assumed the Chair.

3. S.B. 207 Presumptive Personal Representative (G. Bell)

Sen. Bell presented the bill.

David Mortensen, Utah Defense Lawyers Association, and Chris Purcell, State Farm Insurance Company, assisted in the presentation of the bill.

Steve Sullivan, Utah Trial Lawyers Association, spoke to the bill.

Committee Vice Chair Bell assumed the Chair.

4. H.B. 60 Controlled Substance Amendments (C. Oda)

Rep. Oda presented the bill.

Creighton Horton, Attorney General's Office, assisted in the presentation.

David Hamblin and James Warren "Flaming Eagle" Moody, Oklevueha Native American Church, spoke against the bill.

Kris Leonard, Attorney General's Office, spoke in favor of the bill.

MOTION: Sen. Thomas moved to pass H.B. 60 out of committee with a favorable recommendation. The motion passed unanimously with Sens. Dmitrich and Hillyard absent

for the vote.

5. H.B. 70 Statute of Limitations on Bodily Injury (C. Oda)

Rep. Oda presented the bill.

MOTION: Sen. Arent moved to pass H.B. 70 out of committee with a favorable recommendation. The motion passed unanimously Sens. Dmitrich and Hillyard absent for the vote.

6. H.B. 63 Probate Code Amendments Regarding Homicide (K. Morgan)

Rep. Morgan presented the bill.

Creighton Horton, Attorney General's Office, assisted in the presentation.

MOTION: Sen. Arent moved to pass H.B. 63 out of committee with a favorable recommendation. The motion passed with Sens. Arent, Bell, Dmitrich and Madsen voting in favor of the motion and Sen. Thomas voting in opposition to the motion.

7. 1st Sub. H.B. 85 Abortion by a Minor - Parental Notification and Consent (K. Gibson)

This bill was not considered at the request of the sponsor.

8. H.B. 212 DNA Database Amendments (J.S. Adams)

Rep. Adams presented the bill.

Jay Henry, Crime Lab, spoke in favor of the bill.

MOTION: Sen. Thomas moved to pass H.B. 212 out of committee with a favorable recommendation. The motion passed unanimously with Sen. Hillyard absent for the vote.

9. 1st Sub H.B. 219 Child Protection - Clandestine Laboratory Operation (E. Hutchings)

Rep. Hutchings presented the bill.

MOTION: Sen. Dmitrich moved to pass 1st Sub. H.B. 219 out of committee with a favorable recommendation. The motion passed unanimously with Sen. Hillyard absent for the vote.

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MOTION: Sen. Arent moved to adjourn.

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

Minutes recorded by Bonnie Brinton, Committee Secretary

Sen. D. Chris Buttars, Committee Chair