

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE
STANDING COMMITTEE
FRIDAY, FEBRUARY 10, 2006
Room W130, West Office Building, State Capitol Complex**

Members Present: Sen. Gregory Bell, Vice-Chair
Sen. Patrice Arent
Sen. Allen Christensen
Sen. Mike Dmitrich
Sen. Lyle Hillyard
Sen. Mark 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: Dennis Williams, Utah Private Investigators Hearing and
Licensure Board
Mel Ashton, Private Investigators Association of Utah
Col. Scott Duncan, Utah Highway Patrol
Karen Clare, Eagle Forum
Vickie Petersen, Eagle Forum
Tom Vaughn, Legislative Counsel
Rick Schwermer, Administrative Office of the Courts
Becky Atlee, Eagle Forum
Karrie Galloway, Planned Parenthood Association of Utah

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 8:05 a.m. and welcomed Sen. Christensen to the committee.

MOTION: Sen. Christensen moved to approve the minutes of February 8, 2006. The motion passed unanimously with Sen. Dmitrich absent for the vote.

1. S.B. 185 Drug Offender Reform Act Amendments (S. Killpack)

Sen. Killpack presented the bill.

MOTION: Sen. Arent moved to pass S.B. 185 out of committee with a favorable recommendation. The motion passed unanimously with Sen. Dmitrich absent for the vote.

MOTION; Sen. Arent moved to place S.B. 185 on the Consent Calendar. The motion passed unanimously with Sen. Dmitrich absent for the vote.

2. S.B. 188 Private Investigator Regulation Act Amendments (P. Hellewell)

Sen. Hellewell presented the bill and proposed an amendment. Dennis Williams, Utah Private Investigators Hearing and Licensure Board, assisted in the presentation.

MOTION: Sen. Dmitrich moved to accept the following amendment:

1. *Page 1, Line 19:*

19 Bureau of Criminal {~~Investigations~~} Identification ; and

The motion passed unanimously.

Mel Ashton, Private Investigators Association of Utah, spoke in support of the bill.

MOTION: Sen. Arent moved to pass S.B. 188, as amended, out of committee with a favorable recommendation. The motion passed unanimously.

3. S.B. 142 Information Available to Senate Judicial Confirmation Committee (D.C. Buttars)

Sen. Arent presented the bill for Sen. Buttars who was absent.

MOTION: Sen. Thomas moved to pass S.B. 142 out of committee with a favorable recommendation. The motion passed unanimously.

MOTION: Sen. Hillyard moved to place S.B. 142 on the Consent Calendar. The motion passed unanimously.

4. H.C.R. 4 Resolution Supporting Utah Highway Patrol Use of White Crosses as Roadside Memorials (P. Ray)

Rep. Ray presented the resolution.

MOTION: Sen. Arent moved to accept the following amendment:

1. *Page 1, Lines 14 through 16:*

14 This resolution:

15 ▶ expresses support for the Utah Highway Patrol's placement of white crosses or other appropriate symbols as requested by the family, as
16 memorials to Highway Patrol Officers who have been killed in the line of duty.

The motion passed unanimously.

Col. Scott Duncan, Utah Highway Patrol, spoke in support of the resolution.

MOTION: Sen. Hillyard moved to pass H.C.R. 4, as amended, out of committee with a favorable recommendation. The motion passed unanimously.

5. **H.B. 30 Emancipation of a Minor** (*R. McGee*)

Rep. Fowlke presented the bill for Rep. McGee who was absent.

MOTION: Sen. Dmitrich moved to accept the following amendment:

1. *Page 6, Lines 160 through 161:*

160 (2) This part is not intended to interfere with the integrity of the family or to minimize

161 the rights of parents or children. **As provided in Section 62A-4a-201, a parent possesses a fundamental liberty interest in the care, custody, and management of their children.**

The motion passed unanimously.

Karen Clare and Vickie Petersen, Eagle Forum, spoke in opposition to the bill.

MOTION: Sen. Christensen moved to pass H.B. 30, as amended, out of committee with a favorable recommendation. The motion passed unanimously.

6. **1st Sub. H.B. 85 Abortion by a Minor - Parental Notification and Consent** (*K. Gibson*)

Rep. Gibson presented the bill. Tom Vaughn, Legislative Counsel, and Rick Schwermer, Administrative Office of the Courts, clarified the bill.

Margaret Plane, ACLU, spoke in opposition to the bill.

Bev Cooper, citizen, read a letter from a concerned practitioner Patricia Murphy, explaining opposition to the bill.

Karen Clark and Becky Atlee, Eagle Forum, spoke in support of the bill.

Karrie Galloway, Planned Parenthood Association of Utah, spoke in opposition to the bill.

Sen. Arent proposed amendments to the bill. Tom Vaughn, Legislative Counsel, explained the amendments.

Rep. Gibson spoke in opposition to the amendments.

MOTION: Sen. Arent moved to accept the proposed amendment. The motion failed with Sens. Arent and Dmitrich voting in favor of the motion and Sens. Christensen, Hillyard, Madsen and Thomas voting in opposition to the motion.

MOTION: Sen. Christensen moved to pass 1st Sub. H.B. 85 out of committee with a favorable recommendation. The motion passed unanimously with Vice-Chair Bell and Sen. Hillyard absent for the vote.

MOTION: Sen. Madsen moved to adjourn. The motion passed unanimously.

Sen. Thomas adjourned the meeting at 9:50 a.m.

Minutes recorded by Bonnie Brinton, Committee Secretary

Sen. D. Chris Buttars, Committee Chair