

**MINUTES OF THE  
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE  
STANDING COMMITTEE  
FRIDAY, FEBRUARY 17, 2006  
Room W130, West Office Building, State Capitol Complex**

Members Present: Sen. D. Chris Buttars, Chair  
Sen. Gregory Bell, Vice-Chair  
Sen. Patrice Arent  
Sen. Allen Christensen  
Sen. Mike Dmitrich  
Sen. Lyle Hillyard  
Sen. Mark Madsen  
Sen. L. Alma Mansell  
Sen. David L. Thomas

Staff Present: Jerry Howe, Policy Analyst  
Norda Shepard, Committee Secretary

Public Speakers Present: Rep. Susan Lawrence  
Rep. Joseph Murray  
Ron Morris, State Fire Marshall  
Rep. Eric Hutchings  
Rep. Scott Wyatt  
Rep. Gregory Hughes  
Jodi Howick, Legal Counsel Salt Lake City Airport  
Dave Buhler, Salt Lake City Council

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

Chair Buttars called the meeting to order at 4:05 p.m.

**1. Approval of Minutes**

**MOTION:** Sen. Christensen moved to approve the minutes of February 15, 2006. The motion passed unanimously with Sens. Bell, Arent, Dmitrich, Hillyard, and Mansell absent for the vote.

Chair Buttars announced that 1st Sub. S.B. 24 would be considered first and since public comment had been taken at the previous meeting, there would be no public comment at this meeting.

**2. 1st Sub. S.B. 24 Weapons Amendments (Sen. M. Madsen)**

Sen. Madsen presented the bill.

**MOTION:** Sen. Christensen moved to pass 1st Sub. 24 out of committee with a favorable recommendation.

The motion passed unanimously with Sens. Bell, Arent, Dmitrich, Hillyard, and Mansell absent for the vote.

Sen. Buttars turned the chair to Sen. Christensen.

**3. H.B. 247 Plea in Abeyance Fee (Rep. M. S. Lawrence)**

Rep. Susan Lawrence presented the bill.

At the time of the presentation a quorum was not present.

**4. H.B. 266 Fire Alarm System Certification Requirements (Rep. J. Murray)**

Rep. Joseph Murray presented the bill. Ron Morris, State Fire Marshall spoke in support of the bill.

**MOTION:** Sen. Thomas moved to pass H.B. 266 out of committee with a favorable recommendation.

The motion passed unanimously with Sen. Buttars absent for the vote.

**MOTION:** Sen. Bell moved to pass H.B. 247 out of committee with a favorable recommendation.

The motion passed unanimously with Sen. Buttars absent for the vote.

**MOTION:** Sen. Bell moved to place H.B. 247 on the Consent Calendar.

The motion passed unanimously with Sen. Buttars absent for the vote.

Vice Chair Bell assumed the chair.

**5. 1st Sub. S.B. 24 Weapons Amendments (Sen. M. Madsen)**

**MOTION:** Sen. Arent, under suspension of the rules, moved to reconsider committee action on 1st Sub. S.B. 24.

The motion passed with Sens. Christensen, Madsen and Thomas voting in opposition.

**MOTION:** Sen. Madsen moved to go on to the next item on the agenda.

**SUBSTITUTE MOTION:** Sen. Mansell moved to consider 1st Sub. 24.

The substitute motion was withdrawn.

**SUBSTITUTE MOTION:** Sen. Hillyard moved to table 1st Sub. S.B. 24.

The motion to table passed with Sens. Christensen and Thomas voting in opposition.

**6. H.B. 220 Child Protection - Gang Association (Rep. E. Hutchings)**

Rep. Eric Hutchings presented the bill and offered amendments.

**MOTION:** Sen. Christensen moved to adopt the following amendment to H.B. 220:

1. *Page 1, Lines 18a through 18e*  
*House Floor Amendments 2-9-2006:*

18a                    { ~~• permits the parent's child to associate with a gang while the gang, or~~  
~~any member~~  
18b   ~~of the gang, is engaged in criminal conduct in the presence of the minor, or associates~~  
~~with a~~  
18c   ~~gang in the presence of the parent's child while the gang, or any member of the gang,~~  
~~is~~  
18d   ~~engaged in criminal conduct in the presence of the child; and~~  
18e   ~~\_\_\_\_\_ • knew or should have known that the conduct described above was~~  
~~occurring; } ←H~~

2. *Page 5, Lines 126a through 126j*  
*corrected - House Floor Amendments 2-9-2006:*

126a                    { ~~(I) (Aa) permits the parent's child to associate with a gang while the gang, or~~  
~~any~~  
126b   ~~member of the gang, is engaged in criminal conduct in the presence of the child; and~~  
126c   ~~\_\_\_\_\_ (Bb) knew or should have known that the parent's child associated with the~~  
~~gang, or~~  
126d   ~~any member of the gang, while the gang, or member of the gang, was engaged in~~

- criminal
- 126e conduct in the presence of the child; or
- 126f ~~—(H) (Aa) associates with a gang in the presence of the parent's child while the gang, or~~
- 126g ~~any member of the gang, is engaged in criminal conduct in the presence of the child; and~~
- 126h ~~—(Bb)knew or should have known that the parent associated with a gang in the presence~~
- 126i ~~of the parent's child while the gang, or any member of the gang, was engaged in criminal~~
- 126j conduct in the presence of the child. } ←Ĥ

The motion passed unanimously with Sens. Buttars, Arent and Dmitrich absent for the vote.

**MOTION:** Sen. Mansell moved to pass 1st Sub. H.B. 220 out of committee as amended with a favorable recommendation.

The motion passed unanimously with Sens. Buttars, Arent and Dmitrich absent for the vote.

**7. H.B. 195 Criminal Procedure Amendment (Rep. S. Wyatt)**

Rep. Scott Wyatt presented the bill.

**MOTION:** Sen. Hillyard moved to pass H.B. 195 out of committee with a favorable recommendation.

The motion passed unanimously with Sens. Buttars and Dmitrich absent for the vote.

**MOTION:** Sen. Arent moved to place H.B. 195 on the Consent Calendar.

The motion passed unanimously with Sens. Buttars and Dmitrich absent for the vote.

**8. H.B. 110 Airport Security Amendments (Rep. G. Hughes)**

Rep. Gregory Hughes presented the bill assisted by Jodi Howick, Legal Counsel for the Salt Lake City Airport. Dave Buhler, Salt Lake City Council, spoke in support.

**MOTION:** Sen. Mansell moved to pass H.B. 110 out of committee with a favorable recommendation.

The motion passed unanimously with Sens. Buttars and Dmitrich absent for the vote.

**MOTION:** Sen. Mansell moved to adjourn.

Committee Vice Chair Bell adjourned the meeting at 5:05 p.m.

Minutes recorded by Norda Shepard, Committee Secretary

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Sen. D. Chris Buttars, Committee Chair