

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room WO25, West Office Building, State Capitol Complex
January 23, 2007

Members Present: Rep. DeMar "Bud" Bowman, Chair
Rep. Curt Oda, Vice Chair
Rep. David Litvack
Rep. Becky Lockhart
Rep. Michael Morley
Rep. Paul Ray
Rep. Jennifer Seelig
Rep. Ken Sumsion
Rep. Larry Wiley
Rep. Carl Wimmer

Members Absent: Rep. Brad Dee

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. Oda called the meeting to order at 2:00 p.m.

MOTION: Rep. Wiley moved to approve the minutes of January 19, 2007. The motion passed unanimously with Rep. Lockhart and Rep. Ray absent for the vote.

H.B. 228 Penalty for Homicide of a Child (Rep. C. Wimmer)

Rep. Wimmer introduced the bill.

Spoke in favor of the bill: Ms. Heidi Jones, Stop the Abuse
Mrs. LaRee Miller, Utah Citizens' Alliance
Mr. Paul Merrill, Sutherland Institute

MOTION: Rep. Lockhart moved to pass the bill out favorably. The motion passed unanimously with Rep. Sumsion absent for the vote.

H.B. 231 Controlled Substances Penalty Amendments (Rep. W. Harper)

MOTION: Rep. Ray moved to amend the bill as follows:

1. Page 1, Lines 19 through 20:

19 address areas within 500 feet of the locations; and
20 {→ ~~removes shopping malls and public parking lots from the list, and~~}

2. Page 6, Lines 166 through 167:

166 {+} (vii) in a shopping mall, sports facility, stadium, arena, theater, movie
 house,
167 playhouse, or parking lot or structure adjacent thereto; {+}

3. Page 6, Lines 169 through 170:

169 ~~{(vii)}~~ {(viii)} in or on the grounds of a library;
170 {+} (ix) {+} ~~{(viii)}~~ within [1,000] any area that is within 500 feet of
 any structure, facility, or

4. Page 6, Line 172:

172 {+} (x) {+} ~~{(ix)}~~ in the [immediate] presence of a person younger
 than 18 years of age,

5. Page 6, Line 174:

174 {+} (xi) {+} ~~{(x)}~~ for the purpose of facilitating, arranging, or causing
 the transport, delivery, or

The motion passed with Rep. Wiley voting in opposition. Rep. Lockhart and Rep. Sumsion were absent for the vote.

Spoke in favor of the bill: Mr. Frank Budd, Utah Chiefs of Police

Spoke against the bill: Mr. Steve Erickson, Citizens' Education Project

MOTION: Rep. Ray moved to pass the bill out favorably as amended. The motion passed with Rep. Morley voting in opposition.

H.B. 252 Utah Suicide Prevention Act (Rep. W. Harper)

MOTION: Rep. Ray moved to amend the bill as follows:

1. Page 5, Lines 125 through 126:

125 (c) the {relationship between suicide and the use or abuse} incidence of
 the presence of psychotropic drugs,

126 prescription drugs, illicit drugs, and other drugs in the bodies of deceased persons
suspected of committing suicide .

2. Page 6, Lines 161 through 162:

161 (vii) the {~~relationship between suicide and the use or abuse~~} incidence of
the presence of psychotropic drugs,

162 prescription drugs, illicit drugs, and other drugs in the bodies of deceased persons
suspected of committing suicide ; and

The motion passed unanimously with Rep. Lockhart and Rep. Sumsion absent for the vote.

Rep. Harper presented the bill.

Spoke to the bill: Dr. Lewis Bench, M.D.
Spoke for the bill: Ms. Gayle Ruzicka, Utah Eagle Forum
Spoke against the bill: Ms. Sherri Wittwer, NAMI of Utah (handout)
Ms. Patrice Schell, Voices for Utah Children (handout)

MOTION: Rep. Wimmer moved to pass the bill out favorably as amended. The motion passed with Rep. Litvack, Rep. Seelig and Rep. Wiley voting in opposition. Rep. Lockhart was absent for the vote.

S.J.R. 7 Joint Resolution Supporting Department of Corrections Contracting for Bed Spaces in Davis County Jail (*Sen. M. Waddoups*)

Sen. Waddoups introduced the bill with the assistance of Mr. Tom Patterson, Executive Director, Department of Corrections.

Spoke in favor of the bill: Capt. Robert M. Yeaman, Davis County Sheriff

MOTION: Rep. Ray moved to pass the joint resolution out favorably. The motion passed unanimously with Rep. Lockhart absent for the vote.

MOTION: Rep. Wimmer moved to adjourn. The motion passed unanimously with Rep. Lockhart absent for the vote. Rep. Oda adjourned the meeting at 3:20 p.m.

Rep. DeMar "Bud" Bowman, Chair