

**MINUTES OF THE  
HOUSE JUDICIARY STANDING COMMITTEE MEETING  
Room W010 - State Capitol Complex  
February 7, 2007**

**MEMBERS PRESENT:** Rep. Douglas C. Aagard, Chair  
Rep. Lorie D. Fowlke, Vice Chair  
Rep. Sheryl L. Allen  
Rep. Jim Bird  
Rep. Jackie Biskupski  
Rep. Keith Grover  
Rep. Eric K. Hutchings  
Rep. Christine A. Johnson  
Rep. Rosalind J. McGee  
Rep. Kay L. McIff  
Rep. Mark A. Wheatley  
Rep. Scott L. Wyatt

**MEMBERS ABSENT:** Rep. Kevin S. Garn

**STAFF PRESENT:** Jerry D. Howe, Policy Analyst  
Sylvia Newton, Committee Secretary

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

Representative Aagard called the meeting to order at 8:20 a.m.

**MOTION:** Rep. Fowlke moved to approve the minutes of the February 2, 2007 meeting. The motion passed unanimously with Rep. Allen, Rep. Bird, Rep. Hutchings, Rep. Johnson, and Rep. Wheatley absent for the vote.

**H.B. 128S1 Divorce Orientation (Rep. L. Fowlke)**

**MOTION:** Rep. Fowlke moved to amend 1st Substitute H.B. 128 as follows:

*1. Page 3, Lines 67 through 77:*

67 (5) The divorce orientation course shall be neutral, unbiased, at least one hour  
in duration . and include:

\* \* \* *Some lines not shown* \* \* \*

73 (e) a discussion of the process of divorce; ~~{-and}~~

74 (f) options available for proceeding with a divorce, including:

75 (i) mediation;

76 (ii) collaborative law; and

77 (iii) litigation ; and

(g) a discussion of post-divorce resources .

The motion to amend the bill passed unanimously with Rep. Allen, Rep. Bird, Rep. Hutchings, and Rep. Johnson absent for the vote.

Rep. Fowlke presented the bill as amended to the committee.

MOTION: Rep. Grover moved to pass 1st Substitute H.B. 128 as amended out favorably. The motion passed with Rep. Biskupski, Rep. Wheatley, and Rep. Wyatt voting in opposition to the motion. Rep. Bird, Rep. Hutchings, and Rep. Johnson were absent for the vote.

**S.B. 109 Transfers of Structured Settlements (*Sen. E. Mayne*)**

Sen Mayne explained S.B. 109 to the committee, assisted by Alan Hennebold, Labor Commission.

Spoke in favor of the bill: LaRee Miller, Utah Citizens Alliance  
Tom Bingham, Utah Manufacturers Association  
Dennis Lloyd, Worker's Compensation Fund

MOTION: Rep. Hutchings moved to pass S.B. 109 out favorably. The motion passed unanimously with Rep. Bird and Rep. Wyatt absent for the vote.

**H.B. 179 Expungement Law Amendments (*Rep. L. Fowlke*)**

Rep. Fowlke introduced H.B. 179 and explained it to the committee, assisted by Clark Harms, Board of Pardons and Parole.

Spoke in favor of the bill: Seanna Williams, social worker

MOTION: Rep. Biskupski moved to pass H.B. 179 out favorably. The motion passed unanimously with Rep. Bird and Rep. Wyatt absent for the vote.

**H.B. 343 Foster Placement and Adoption Amendments (*Rep. L. Fowlke*)**

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

*1. Page 6, Lines 158 through 162:*

158 (9) If, following the shelter hearing, ~~{the court decides to place}~~ the child ~~is~~  
~~placed~~ with a person  
159 who is not a parent, relative, or former foster parent of the child, ~~{the court, and the~~  
~~Division of~~  
160 ~~Child and Family Services, shall give}~~ priority ~~shall be given~~ to a foster

- placement with a man and a woman  
161 who are married to each other, unless it is in the best interests of the child to place the  
child  
162 with a single foster parent.

The motion to amend the bill passed unanimously with Rep. Bird, Rep. Grover, and Rep. Wyatt absent for the vote.

Rep. Fowlke explained H.B. 343 as amended to the committee.

Spoke in favor of the bill: Duane Betournay, Deputy Director, Division of Child and Family Services  
Dallis Pierson, Utah Foster Care Foundation  
Bill Duncan, Sutherland Institute (handouts)

MOTION: Rep. Biskupski moved to proceed to the next item on the agenda.

#### SUBSTITUTE

MOTION: Rep. Hutchings moved to pass H.B. 343 out favorably. The substitute motion passed with Rep. Biskupski, Rep. Johnson, Rep. McGee, and Rep. Wheatley voting in opposition to the motion and Rep. Wyatt absent for the vote.

#### **H.B. 180 Parole Amendments (*Rep. C. Oda*)**

Rep. Oda introduced H.B. 180 and explained it to the committee. He provided a handout to committee members. Clark Harms, Board of Pardons and Parole, assisted in the presentation.

MOTION: Rep. Grover moved to pass H.B. 180 out favorably. The motion passed unanimously with Rep. Wyatt absent for the vote.

MOTION: Rep. Allen moved to adjourn the meeting. The motion passed unanimously with Rep. Wyatt absent for the vote.

Rep. Aagard adjourned the meeting at 9:30 a.m.