

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room WO25, West Office Building, State Capitol Complex
February 22, 2008

Members Present: 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

Members Absent: Rep. Brad Dee
Rep. Carl Wimmer

Members Excused: Rep. DeMar "Bud" Bowman, Chair

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 4:40 p.m.

MOTION: Rep. Morley moved to approve the minutes of February 20, 2008. The motion passed unanimously with Rep. Lockhart and Rep. Wiley absent for the vote.

H.B. 305 County Sheriff Qualification Amendments *(Rep. R. Greenwood)*

Rep. Greenwood presented the bill with the assistance of Mr. Scott Stephenson, Director, Peace Officers Standards and Training (POST).

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

MOTION: Rep. Ray moved to place H.B. 305 on the Consent Calendar. The motion passed unanimously with Rep. Lockhart and Rep. Wiley absent for the vote.

H.B. 395 Deportation of Eligible Undocumented Immigrant Prisoners *(Rep. G. Donnelson)*

MOTION: Rep. Ray moved to replace H.B. 395 with **1st Substitute H.B. 395**. The motion passed unanimously with Rep. Lockhart and Rep. Wiley absent for the vote.

Rep. Donnelson presented the bill with the assistance of Mr. Clark Harms, Vice-Chair, Board of Pardons and Parole.

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

1. *Page 2, Lines 27 through 31:*

27 ~~{64-13-38.5}~~ 77-27-12.5 , Utah Code Annotated 1953

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29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section ~~{64-13-38.5}~~ 77-27-12.5 is enacted to read:

31 ~~{64-13-38.5}~~ 77-27-12.5. Release of prisoner with detainer --
Eligibility -- Revocation of release.

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

MOTION: Rep. Litvack moved to pass the bill favorably. The motion passed with Rep. Lockhart and Rep. Wiley absent for the vote.

H.B. 479 Health Care Patient Identity Protections *(Rep. S. Sandstrom)*

Rep. Sandstrom presented the bill.

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

1. *Page 2, Lines 36 through 40:*

36 (2) A hospital:

37 (a) may not refuse services to an individual on the basis that the individual did not
38 provide identification when requested;

39 (b) may not be penalized for failing to ask for identification; {and}

40 (c) is not subject to a private right of action for failing to ask for identification ; and
(d) must post a notice in the hospital emergency department that informs
patients of their right to treatment for an emergency condition under the federal
Emergency Medical Treatment and Active Labor Act .

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

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

H.B. 192 Property Transaction Amendments (*Rep. R. Lockhart*)

MOTION: Rep. Lockhart moved to replace H.B. 192 with **1st Substitute H.B. 192**. The motion passed unanimously.

Spoke to
the bill:

Mr. Kevin Olsen, Director, Division of Consumer Protection (handout)
Mr. David Stanley, Director, Division of Occupational and Professional

Licensing

Mr. Peter Anjeweirden, Budget Officer, Division of Consumer Protection
Mr. Danny Schoenfeld, Office of the Legislative Fiscal Analyst
Mr. Steve Thomson, Thomson and Burrows Antiques

Spoke in favor

of the bill: Mr. Mike Katsanevas, Crown Jewelers and Pawn, Inc.
Rep. Todd Kiser, District 41, Utah State House of Representatives

MOTION: Rep. Morley moved to pass the bill out favorably. The motion passed unanimously.

MOTION: Rep. Morley moved to adjourn. The motion passed unanimously. Rep. Oda adjourned the meeting at 6:00 p.m.

Rep. DeMar "Bud" Bowman, Chair