

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room 25, House Office Building, State Capitol Complex
January 28, 2009

Members Present: Rep. Douglas Aagard, Chair
Rep. Curt Oda, Vice Chair
Rep. Trisha Beck
Rep. John Dougall
Rep. Ben Ferry
Rep. Richard Greenwood
Rep. David Litvak
Rep. Paul Ray
Rep. Jennifer Seelig
Rep. Larry Wiley
Rep. Carl Wimmer

Members Excused: Rep. Becky Lockhart

Staff Present: Mr. Stewart Smith, Policy Analyst
Ms. Linda Error, Committee Secretary

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

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

Members of the committee were introduced.

H.B. 87 Identity Theft Amendment (Rep. Julie Fisher)

Rep. Fisher presented the bill to the committee with the assistance of Mr. Richard Hamp, Assistant Attorney General.

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

H.B. 36 Criminal Offense Elements and Penalties (Rep. C. Wimmer)

Rep. Wimmer presented the bill to the committee with the assistance of Mr. Paul Boyden, Executive Director, Utah Association of Prosecutors.

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

1. *Page 11, Line 314:*

314 (vii) Section {~~76-10-508~~} 76-10-508.1, discharge of a firearm from a vehicle;

The motion to amend passed unanimously, with Rep. Dougall absent for the vote.

MOTION: Rep. Ferry moved to pass the bill out favorably with a recommendation to hold it in committee until the fiscal impact is determined.

SUBSTITUTE

MOTION: Rep. Ray moved to proceed to the next item on the agenda. The motion passed unanimously, with Rep. Dougall absent for the vote.

H.B. 29 Sex Offenders' Contact with Children (Rep. R. Greenwood)

Rep. Greenwood presented the bill to the committee with the assistance of Sheriff Kevin Holman, Sanpete County.

Spoke for the bill: Sheriff Alden Orme, Juab County
Mr. Reid Richards, Weber County Attorney's Office

MOTION: Rep. Wimmer moved to proceed to the next item on the agenda. The motion passed unanimously, with Rep. Litvack absent for the vote.

H.B. 41 Sex Offender Registration Amendments (Rep. K. Sumsion)

Rep. Sumsion presented the bill to the committee with the assistance of Mr. Mike Haddon, Deputy Director, Utah Department of Corrections.

Spoke for the bill: Mr. Bob Church, prosecuting attorney, Orem City
Mr. Jerry Higgins, Police Chief, Saratoga Springs City

MOTION: Rep. Wiley moved to proceed to the next item on the agenda. The motion passed unanimously, with Rep. Litvack and Rep. Greenwood absent for the vote.

H.B. 106 Controlled Substance Database Amendments (Rep. B. Daw)

Rep. Daw presented the bill to the committee with the assistance of Ms. Michelle Mc Omer, Utah Medical Association.

Spoke for the bill: Ms. Debra Hobbins, Utah Nurses Association

Spoke to the bill: Mr. Ray Chapman, Sunset City Councilman
Mr. Tom Vaugh, Office Legislative Research and General Counsel

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

1. Page 6, Lines 178 through 180:

178 (B) provides the employee with a ~~{-unique-}~~ password that is unique to that
employee to access the database in order to
179 permit the division to comply with the requirements of Subsection (6)(b) with respect to
the
180 employee;

The motion to amend passed unanimously, with Rep. Dougall, Rep. Greenwood, Rep. Litvack, and Rep. Wiley absent for the vote.

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

H.B. 37 Violent Offenses Amendments (Rep. J. Seelig)

This bill was not heard in this meeting.

MOTION; Rep. Ray moved to adjourn the meeting. The motion passed unanimously, with Rep. Dougall, Rep. Greenwood, Rep. Litvack, and Rep. Wiley absent for the vote.

Rep. Aagard adjourned the meeting at 9:50 a.m.

Rep. Douglas Aagard, Chair

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