

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room 25, House Office Building, State Capitol Complex
February 20, 2009

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

Members absent: Rep. John Dougall
Rep. Ben Ferry
Rep. Becky Lockhart
Rep. Paul Ray

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 2:10 p.m.

MOTION: Rep. Wiley moved to approve the minutes of the February 18, 2009 meeting. The motion passed unanimously, with Rep. Litvack, Rep. Oda, and Rep. Seelig absent for the vote.

H.B. 316 **Time Limitation for Prosecution of Environmental Crimes** (*Rep. C. Wimmer*)

Rep. Wimmer presented the bill to the committee with the assistance of Richard Hamp, Office of the Attorney General.

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

H.B. 290 **Prohibition of Wireless Communication Device Use in a Motor Vehicle** (*Rep. S. Clark*)

MOTION: Rep. Greenwood moved to adopt 1st Substitute H.B. 290. The motion passed unanimously, with Rep. Litvack and Rep. Oda absent for the vote.

Rep. Clark presented the bill to the committee.

Spoke for the bill: Ms. Terryl Warner, Cache County Attorney's Office (handout)
Ms. Hernandez, student, Timpview High School
Mr. Reggie Shaw, citizen, Tremonton, Utah

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

H.B. 325 Opting Out of the Real Id Act (Rep. S. Sandstrom)

Rep. Sandstrom presented the bill to the committee, using a power point presentation.

Rep. Aagard relinquished the chair to Rep. Oda.

Spoke for the bill: Ms. Barbara Sweda, American Civil Liberties Union
Ms. Delayne England, Eagle Forum

MOTION: Rep. Wimmer moved to pass the bill out favorably. The motion passed, with Rep. Litvack voting in opposition. Rep. Aagard was absent for the vote.

H.B. 110 Financial Transaction Card Offenses (Rep. Julie Fisher)

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

MOTION: Rep. Greenwood moved to adopt 1st Substitute H.B. 110. The motion passed unanimously, with Rep. Aagard and Rep. Litvack absent for the vote.

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

MOTION: Rep. Wiley moved to place H.B. 110 on the Consent Calendar. The motion passed unanimously, with Rep. Aagard and Rep. Seelig absent for the vote.

H.B. 248 Regulating the Use of a Wireless Communication Device While Operating a Motor Vehicle (Rep. C. Moss)

Rep. Moss presented the bill to the committee. (handout)

MOTION: Rep. Beck moved to adopt 1st Substitute H.B. 248. The motion passed unanimously, with Rep. Aagard and Rep. Seelig absent for the vote.

Spoke to the bill: Ms. Shannon Halverson, Office of Legislative Research and General Counsel

Spoke for the bill: Dr. William McDonald, Intermountain Pediatric Society
Ms. Rolayne Fairclough, American Automobile Association

MOTION: Due to loss of a quorum, Rep. Litvack moved to adjourn the meeting with a request that H.B. 248 be placed on the agenda of the next meeting. The motion passed with, Rep. Oda and Rep. Wiley voting in opposition. Rep. Aagard, Rep. Greenwood, and Rep. Wimmer were absent for the vote.

S.J.R. 9 Resolution Honoring the Utah Law Enforcement Memorial Foundation
(Sen. J. Greiner)

This bill was not heard.

H.B. 276 Custodial Interference Amendments *(Rep. C. Wimmer)*

This bill was not heard.

Rep. Oda adjourned the meeting at 3:50 p.m.

Rep. Douglas Aagard, Chair