

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE
STANDING COMMITTEE MEETING
FRIDAY, FEBRUARY 12, 2010, 8:00 AM
ROOM 250, STATE CAPITOL**

Members Present: Sen. Mark B. Madsen, Committee Chair
Sen. Jon J. Greiner
Sen. Lyle W. Sen. Hillyard
Sen. Benjamin M. McAdams
Sen. Ross J. Romero
Sen. Michael Waddoups

Staff Present: Jerry Howe, Policy Analyst
Karen Allred, Committee Secretary

Public Speakers Present: Paul Boyden, Executive Director, Association of Prosecutors
Darlene R. Burns, Commissioner, Uintah County
Lana Taylor, Assistant Attorney General
Richard Schwermer, Court Administrator
D'Arcy Dixon, Utah State Tax Commission
Wayne Jones, Executive Director, Independent Auto Dealers
Association

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

Sen. McAdams assumed the Committee Chair and called the meeting to order at 8:20 a.m.

1. S.B. 71 Small Business Access to Justice Act (R. Romero)

Sen. Romero explained the bill.

Sen. Madsen resumed the Committee Chair.

MOTION: Sen. McAdams moved to transmit S.B. 71 with a favorable recommendation.

The motion passed unanimously with Sens. Hillyard and Waddoups absent for the vote.

MOTION: Sen. Romero moved that the bill be placed on the consent calendar.

The motion failed with Sen. Greiner voting in opposition.

2. H.B. 19 Post Conviction Remedies Amendments (K. McIff)

Rep. McIff explained the bill.

MOTION: Sen. Greiner moved to transmit H.B. 19 with a favorable recommendation.

The motion passed unanimously with Sens. Hillyard and Waddoups absent for the vote.

3. S.B. 143 Grand Jury Amendments (D. Liljenquist)

Paul Boyden, Executive Director, Association of Prosecutors, explained the bill and answered questions from the committee.

MOTION: Sen. Romero moved to transmit S.B. 143 with a favorable recommendation.

The motion passed unanimously with Sen. Waddoups absent for the vote.

4. S.J.R. 10 Joint Resolution Supporting the Expansion of Correctional Facilities in Uintah County (K. VanTassell)

Sen. VanTassell explained the resolution.

Darlene R. Burns, Commissioner, Uintah County clarified and spoke in support of the resolution.

MOTION: Sen. Greiner moved to transmit S.J.R. 10 with a favorable recommendation.

The motion passed unanimously with Sen. Waddoups absent for the vote.

5. S.B. 118 Uniform Probate Code Amendments (L. Hillyard)

Sen. Hillyard explained the bill and answered questions from the committee.

MOTION: Sen. Hillyard moved to transmit S.B. 118 with a favorable recommendation.

The motion passed unanimously with Sen. Waddoups absent for the vote.

6. H.B. 10 Court Fees for Inmates (C. Oda)

Sen. Greiner explained the bill.

MOTION: Sen. Greiner moved to transmit H.B. 10 with a favorable recommendation.

The motion passed unanimously with Sen. Waddoups absent for the vote.

7. H.B. 21 Expungement Revisions (Julie Fisher)

Rep. Fisher introduced the bill and a handout was distributed.

Lana Taylor, Assistant Attorney General, clarified the bill and answered questions from the committee.

MOTION: Sen. McAdams moved the following amendment.

1. *Page 35, Line 1071:*

1071 (iv) the statute of limitations has expired on the {~~charges~~} offense .

The motion passed unanimously with Sen. Hillyard absent for the vote.

Rick Schwermer, Court Administrator, spoke to the bill.

MOTION: Sen. McAdams moved to go to the next item on the agenda.

SUBSTITUTE MOTION: Sen. Hillyard moved to transmit H.B. 21 as amended with a favorable recommendation.

The motion passed unanimously with Sen. Waddoups absent for the vote.

8. H.B. 37 Criminal Background Checks on Motor Vehicle Dealers and Salespersons
(R. Lockhart)

Rep. Lockhart explained the bill, assisted by D'Arcy Dixon, Utah State Tax Commission.

Wayne Jones, Executive Director, Independent Auto Dealers spoke in support of the bill.

MOTION: Sen. McAdams moved to transmit H.B. 37 with a favorable recommendation.

The motion passed unanimously with Sens. Hillyard and Waddoups absent for the vote.

MOTION: Sen. Greiner moved to adjourn.

The motion passed unanimously with Sens. Hillyard and Waddoups absent for the vote.

Committee Chair Madsen adjourned the meeting at 10:00 a.m.

Sen. Mark B. Madsen, Committee Chair