

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room 25, House Office Building, State Capitol Complex
March 3, 2011

Members Present: Rep. Curt Oda, Chair
Rep. Richard Greenwood, Vice Chair
Rep. Patrice Arent
Rep. David Butterfield
Rep. Steve Eliason
Rep. Keith Grover
Rep. Don Ipson
Rep. David Litvack
Rep. Lee Perry
Rep. Jennifer Seelig
Rep. Carl Wimmer

Members excused: Rep. Greg Hughes
Rep. Bill Wright

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. Oda called the meeting to order at 5:20 p.m.

MOTION: Rep. Arent moved to approve the minutes of the March 1, 2011 meeting. The motion passed unanimously, with Rep. Eliason, Rep. Litvack, Rep. Seelig and Rep. Wimmer absent for the vote.

H.B. 466 **Migrant Workers and Related Commission Amendments** (*Rep. S. Sandstrom*)

Rep. Sandstrom explained the bill to the committee with the assistance of Mr. Mark Shurtleff, Utah Attorney General.

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

1. *Page 3, Line 89 through Page 4, Line 90:*

89 (p) four members of the public appointed by the governor in accordance with

90 Subsection (2) , **except that at least one of the four members appointed by the governor shall represent a migrant education program of the Utah State Board of Education, a school district, or charter school** .

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

Spoke to the bill: Mr. J.P.H. Cerdelli, business owner

Spoke in favor of the bill: Mr. Ron Mortensen, citizen
Mr. Robin Riggs, Salt Lake Chamber
Ms. Gayle Ruzicka, Utah Eagle Forum
Mr. Dan Deuel, Weber County 9/12 Project
Mr. Michael Sanchez, citizen

Spoke against the bill: Ms. Gabriella Archuleta, law student, University of Utah
Mr. Alex Segura, citizen
Mr. Daniel Argueta, citizen

MOTION: Rep. Grover moved to pass the bill with a favorable recommendation. The motion passed unanimously, with Rep. Ipson absent for the vote.

H.B. 389 Offender Registry Review (Rep. J. Draxler)

Rep. Draxler explained the bill to the committee with the assistance of Ms. Janice Saunders, citizen.

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

1. Page 15, Lines 440 through 449:

- 440 (32) An offender may petition the court of conviction for the offense requiring
441 registration for an order removing the offender from the Sex Offender and Kidnap
442 Offender
442 Registry if:
443 (a) the offender was convicted of:
444 (i) Section ~~{76-5-40}~~ 76-5-401, unlawful sexual activity with a minor;
445 (ii) Section 76-5-401.2, unlawful sexual conduct with a 16 or 17 year old; or
446 (iii) Section 76-9-702.7, voyeurism;
447 (b) five years have passed since the completion of the offender's sentence;
448 (c) the offender has successfully completed all ~~{court-ordered}~~
treatment **ordered by the sentencing court or the Board of Pardons and Parole** ;
449 (d) the offender has not been convicted of a crime, excluding traffic offenses;

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

Spoke to the bill: Mr. Ron Gordon, Commission on Criminal and Juvenile Justice

Spoke in favor of the bill: Mr. Andrew Talley, Sex Offender Solutions and Education Network (handout)

MOTION: Rep. Wimmer moved to return the bill to Rules for interim study. The motion passed unanimously, with Rep. Ipson absent for the vote.

MOTION: Rep. Perry moved to adjourn the meeting. The motion passed unanimously, with Rep. Ipson absent for the vote.

Rep. Greenwood adjourned the meeting at 7:40 p.m.

Rep. Curtis Oda, Chair