

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room 20, West Office Building
February 1, 2012**

MEMBERS PRESENT: Rep. Kay McIff, Chair
Rep. LaVar Christensen, Vice Chair
Rep. Derek Brown
Rep. Fred Cox
Rep. Eric Hutchings
Rep. Ken Ivory
Rep. Brian King
Rep. Paul Ray
Rep. V. Lowry Snow
Rep. Mark A. Wheatley
Rep. Brad Wilson

MEMBERS ABSENT: Rep. Brian Doughty
Rep. Chris Herrod

STAFF PRESENT: Mr. Jerry D. Howe, Policy Analyst
Ms. Linda Black, Committee Secretary

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

Chair McIff called the meeting to order at 4:10 p.m.

H.B. 52 **Victims' Rights** (*Rep. R. C. Webb*) (handout)

Rep. Webb presented the bill to the committee.

MOTION: Rep. McIff moved to replace H.B. 52 with 1st Substitute H.B. 52. The motion passed unanimously, with Rep. Doughty, Rep. Herrod, Rep. Hutchings, Rep. Ivory, Rep. King, and Rep. Wilson absent for the vote.

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

1. *Page 1, Line 1:*

1 {~~VICTIMS' RIGHTS~~} NOTORIOUS CRIMINAL ACTIVITY
AMENDMENTS

The motion passed unanimously, with Rep. Doughty, Rep. Herrod, Rep. Hutchings, Rep. Ivory, Rep. King, and Rep. Wilson absent for the vote.

MOTION: Rep. Hutchings moved amend the bill as follows:

1. *Page 2, Line 49:*

49 (3) "Memorabilia" means any tangible property of a ~~{person}~~ defendant or a representative or assignee of a defendant [convicted of a first degree

2. *Page 3, Line 71:*

71 (1) Any ~~{person}~~ defendant or a representative or assignee of a defendant who receives a profit from the sale or transfer of memorabilia shall

The motion passed unanimously, with Rep. Doughty, Rep. Herrod, Rep. Ivory, and Rep. King absent for the vote.

Spoke in favor of the bill: Mr. Scott Reed, Office of the Attorney General

MOTION: Rep. Snow moved to pass 1st Substitute H.B. 52, as amended, with a favorable recommendation. The motion passed unanimously, with Rep. Doughty, Rep. Herrod, Rep. Ivory, and Rep. King absent for the vote.

H.B. 57 **Age Difference in Sexual Offenses** (*Rep. R. Greenwood*)

Rep. Greenwood presented the bill to the committee.

Spoke in favor of the bill: Mr. Rod Layton, spoke for himself
Ms. Liz Zentner, Utah PTA, President Elect

MOTION: Rep. Wilson moved to pass the bill out favorably. The motion passed unanimously, with Rep. Doughty, Rep. Herrod, and Rep. Ivory absent for the vote.

H.B. 301 **National Guard - Nonjudicial Punishment** (*Rep. V. Peterson*)

Rep. Peterson presented the bill to the committee.

MOTION: Rep. Wilson moved to replace H.B. 301 with 1st Substitute H.B. 301. The motion passed unanimously, with Rep. Brown, Rep. Doughty, Rep. Herrod, and Rep. Ivory absent for the vote.

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

1. Page 5, Line 127:

127 (a) ~~{fine or}~~ forfeiture of more than seven day's pay;

Spoke in favor of the bill: Lt. Col Kevin Cutler, Utah Air National Guard

MOTION: Rep. Hutchings moved to pass 1st Substitute H.B, 301, as amended, with a favorable recommendation. The motion passed unanimously, with Rep. Brown, Rep. Doughty, and Rep. Herrod absent for the vote.

MOTION: Rep. Christensen moved to adjourn the meeting. The motion passed unanimously, with Rep. Brown, Rep. Doughty, and Rep. Herrod absent for the vote.

Chair McIff adjourned the meeting at 5:25 p.m.

Rep. Kay McIff, Chair