

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING**
20 House Building, Utah State Capitol Complex
March 4, 2014

Members Present: Rep. Kay L. McIff, Chair
Rep. Lee B. Perry, Vice Chair
Rep. Patrice Arent
Rep. LaVar Christensen
Rep. Brian M. Greene
Rep. Craig Hall
Rep. Eric K Hutchings
Rep. Brian S. King
Rep. V. Lowry Snow

Staff Present: Ms. Chelsea Lloyd, 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 8:14 a.m.

MOTION: Rep. Perry moved to approve the minutes of the February 25, 2014, meeting. The motion passed unanimously with Rep. Arent, Rep. Greene, Rep. Hutchings, and Rep. Snow absent for the vote.

MOTION: Rep. Perry moved to approve the minutes of the February 26, 2014, meeting. The motion passed unanimously with Rep. Arent, Rep. Greene, Rep. Hutchings, and Rep. Snow absent for the vote.

H.B. 375 Parent-time after Relocation of a Parent (Rep. G. Froerer)

Rep. Froerer explained the bill to the committee.

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

1. Page 3, Lines 69 through 70:

- 69 (7) The court may also set a parent time schedule for children under the age of five. The schedule shall take into consideration the following:
- (a) the age of the child;
 - (b) the developmental needs of the child;
 - (c) the distance between the parents' homes;
 - (d) the travel arrangements and cost;
 - (e) the level of attachment between the child and the non-custodial parent; and

(f) any other factors relevant to the best interest of the child.

(8) The noncustodial parent's monthly weekend entitlement is subject to the following
70 restrictions.

Renumber the remaining subsections accordingly

The motion passed unanimously with Rep. Arent, Rep. Greene, Rep. Hutchings, and Rep. Snow absent for the vote.

Spoke for the bill: Mr. Tyler Felt, representing himself
Mr. Stewart Ralphs, Legal Aid Society of Salt Lake

MOTION: Rep. Perry moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Arent, Rep. Greene, and Rep. Hall absent for the vote.

MOTION: Rep. Perry moved to place H.B. 375 on the Consent Calendar. The motion passed unanimously with Rep. Arent, Rep. Greene and Rep. Hall absent for the vote.

H.B. 366 Expungement Amendments (Rep. E. Hutchings)

Rep. Hutchings explained the bill to the committee.

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

1. *Page 2, Lines 46 through 49:*

46 (2) "Agency" means a state, county, or local government entity that generates or
47 maintains records relating to {+} an {+} ~~{-administrative or civil findings
related to a criminal }~~
48 investigation, arrest, detention, {-or} conviction , or an administrative or civil
adjudication or finding related to a conviction for an offense for which expungement
may be
49 ordered.

The motion passed unanimously with Rep. Arent, Rep. Greene, and Rep. Hall absent for the vote.

MOTION: Rep. Perry moved to further amend the bill as follows:

1. *Page 6, Lines 167 through 168:*

- 167 [~~(d)~~] (iv) the Division of Occupational and Professional Licensing; ~~{and}~~
168 [~~(e)~~] (v) the State Office of Education ~~{.~~} ; and
 (vi) the Utah Department of Insurance.

The motion passed unanimously with Rep. Greene, Rep. Hall, Rep. King, and Rep. Snow absent for the vote.

Spoke to the bill: Ms. Francine Giani, Director, Utah Department of Commerce
 Mr. Mark Steinegal, Director, Department of Public Licensing
 Mr. Keith Woodwell, Utah Division of Securities
 Ms. Sonia Sweeny, Department of Human Services
 Mr. Jonathan Stewart, Director, Division of Real Estate
 Mr. Todd Kiser, Commissioner, Utah Insurance Department

Spoke for the bill: Mr. Clark Harms, Board of Pardons and Parole

MOTION: Rep. King moved hold the bill. The motion passed unanimously with Rep. Greene, Rep. Hall and Rep. Snow absent for the vote.

1st Sub. H.B. 348 Child Support Amendments (Rep. K. Stratton)

Rep. Stratton explained the bill to the committee.

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

1. Page 3, Lines 73 through 83:

73 (d) Income may not be imputed if any of the following conditions exist and the
74 condition is not of a temporary nature:

 * * * *Some lines not shown* * * *

82 (v) a parent has primarily been a stay-at-home parent for the purpose of providing
83 primary care for a child during the course of the marriage and in the discretion of the
 court, an unjust result will not occur , and one of the following exist:

The motion passed unanimously with Rep. Greene, Rep. Hall, Rep. Hutchings, and Rep. Snow absent for the vote.

Spoke for the bill: Mr. Stan Rasmussen, Sutherland Institute
 Ms. Dani Hartvigsen, representing herself
 Ms. Rebecca Halliday, representing herself

Spoke against the bill: Mr. Stewart Ralphs, Legal Aid Society of Salt Lake
 Ms. Michelle Jones, representing herself
 Mr. Dan Deuel, National Parents Organization of Utah
 Dr. Cynthia Shelton, representing herself

MOTION: Rep. Greene moved to further amend the bill.

SUBSTITUTE MOTION: Rep. Arent moved to move to the next item on the agenda. The motion passed with Rep. Arent, Rep. Hall, Rep. King, and Rep. Perry voting in favor. Rep. Christensen and Rep. Greene voted in opposition. Rep. Hutchings, Rep. Snow and Rep. McIff were absent for the vote.

1st Sub. S.B. 173 Child Protection Amendments (Sen. T. Weiler)

Sen. Weiler explained the bill to the committee.

MOTION: Rep. Hall moved to pass 1st Substitute S.B. 173 out favorably. The motion passed unanimously with Rep. Arent, Rep. Hutchings, and Rep. Snow absent for the vote.

MOTION: Rep. King moved to adjourn the meeting. The motion passed unanimously with Rep. Arent, Rep. Hutchings, and Rep. Snow absent for the vote.

Chair McIff adjourned the meeting at 10:00 a.m.

Kay L. McIff, Chair