

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING**
20 House Building, Utah State Capitol Complex
February 5, 2016

Members Present: Rep. LaVar Christensen, Chair
Rep. Merrill Nelson, Vice Chair
Rep. Fred C. Cox
Rep. Bruce Cutler
Rep. Brian M. Greene
Rep. Craig Hall
Rep. Brian S. King
Rep. Curtis Oda
Rep. V. Lowry Snow
Rep. Kevin J. Stratton
Rep. Mark A. Wheatley

Staff Present: Mr. Gregg Girvan, Policy Analyst
Ms. Glenda VanWagenen, Committee Secretary

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

Chair Christensen called the meeting to order at 2:10 p.m.

H.B. 74 Uniform Power of Attorney Act (V. L. Snow)

Rep. Snow explained the bill to the committee with the assistance of Craig Hughes, Utah State Bar.

Spoke for the bill: Alan Ormsby, AARP of Utah

MOTION: Rep. Snow moved to replace H.B. 74 with 1st Sub. H.B. 74. The motion passed unanimously.

MOTION: Rep. Stratton moved to pass 1st Sub. H.B. 74 out favorably. The motion passed unanimously.

H.B. 160 Justice Court Judge Qualifications Amendments (C. Hall)

Rep. Hall explained the bill to the committee with the assistance of Maybell Romero.

Spoke for the bill: Roger Tew, Utah League of Cities and Towns
Rick Schwermer, Administrative Office of the Courts

MOTION: Rep. Hall moved to replace H.B.160 with 1st Sub. H.B. 160. The motion passed unanimously with Rep. Wheatley absent for the vote.

MOTION: Rep. Christensen moved to amend 1st Sub. H.B. 160 as follows:

1. *Page 2, Lines 32 through 35:*

32 (2) {~~Justice~~} Effective May 10, 2016, justice court judges are not required
to be admitted to practice law in the state as a
33 qualification to hold office but in first, second, and third class counties judges shall
have [at the minimum a diploma of graduation from high
34 school or its equivalent] a degree from a law school that makes one eligible to apply for
35 admission to a bar in any state.

2. *Page 2, Line 54:*

54 current term, but may not stand for retention at the end of the term.
(8) Justice court judges in fourth, fifth, and sixth class counties shall continue to
be governed by the statutory requirements in effect prior to May 10, 2016.

The motion passed unanimously with Rep. Wheatley absent for the vote.

MOTION: Rep. Nelson moved to amend 1st Sub. H.B. 160 as follows:

1. *Page 2, Lines 52 through 54:*

52 (7) A justice court judge sitting on the bench on January 30, 2017, who does not meet
53 the qualification in Subsection (2) may continue in the judge's position until retirement,
resignation, or removal from the position {~~the end of the~~
54 ~~current term, but may not stand for retention at the end of the term~~} .

The motion passed unanimously with Rep. Wheatley absent for the vote.

MOTION: Rep. Stratton moved to pass 1st Sub. H.B. 160 out favorably. The motion passed unanimously with Rep. Wheatley absent for the vote.

MOTION: Rep. Stratton moved to adjourn the meeting. The motion passed unanimously with Rep. Wheatley absent for the vote.

Chair Christensen adjourned the meeting at 3:57 p.m.