

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE
STANDING COMMITTEE**

Monday, February 13, 2017 • 2:00 p.m. • 250 State Capitol

Members Present:

Sen. Todd Weiler, Chair
Sen. Gene Davis
Sen. Luz Escamilla
Sen. Lyle W. Hillyard
Sen. Ralph Okerlund

Members Absent:

President Wayne L. Niederhauser
Sen. Daniel W. Thatcher

Staff Present:

Mr. Gregg A. Girvan, Policy Analyst
Ms. Nancy Skidmore, Committee Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at le.utah.gov.

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

MOTION: Sen. Hillyard moved to approve the minutes of the February 9, 2017 meeting. The motion passed with a vote of 3-0-4.

Yeas:

Sen. G. Davis
Sen. L. Hillyard
Sen. T. Weiler

Nays:

Abs:

Sen. L. Escamilla
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

1. S.B. 203 Real Estate Trustee Amendments (*Davis, G.*)

Sen. Davis explained the bill.

MOTION: Sen. Hillyard moved to pass S.B. 203 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. G. Davis
Sen. L. Hillyard
Sen. T. Weiler

Nays:

Abs:

Sen. L. Escamilla
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

MOTION: Sen. Hillyard moved to place S.B. 203 on the Consent Calendar. The motion passed with a vote of 3-0-4.

Yeas:

Sen. G. Davis
Sen. L. Hillyard
Sen. T. Weiler

Nays:

Abs:

Sen. L. Escamilla
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

Sen. Hillyard assumed the chair.

2. S.B. 193 Judicial Performance Evaluation Commission Modifications (*Weiler, T.*)

MOTION: Sen. Weiler moved to replace S.B. 193 with 1st Substitute S.B. 193. The motion passed with a vote of 3-0-4.

Yeas:

Sen. G. Davis
Sen. L. Hillyard
Sen. T. Weiler

Nays:

Abs:

Sen. L. Escamilla
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

Sen. Weiler explained the bill.

Mr. John Ashton, Chairman, Judicial Performance Evaluation Commission, spoke to the bill.

Ms. Jennifer Yim, Executive Director, Judicial Performance Evaluation Commission, spoke to the bill.

MOTION: Sen. Weiler moved to pass 1st Substitute S.B. 193 out favorably. The motion passed with a vote of 5-0-2.

Yeas:

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. R. Okerlund
Sen. T. Weiler

Nays:

Abs:

Sen. W. Niederhauser
Sen. D. Thatcher

Sen. Weiler resumed the chair.

3. H.B. 150 Custody Amendments Related to Parents with Disabilities (*Arent, P.*)

Rep. Arent presented the bill with the assistance of Daniel Spencer, Supervising Attorney, Open Legal Services and Stewart Ralphs, Director, Legal Aid Society.

Mr. Everette Bacon, President, National Federation of the Blind, spoke in favor of the bill.

Mr. Dan Deuel, Chair, Legislative Affairs, National Parents Organization of Utah, spoke in favor of the bill.

MOTION: Sen. Davis moved to pass H.B. 150 out favorably. The motion passed with a vote of 4-0-3.

Yeas:

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. T. Weiler

Nays:

Abs:

Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

4. H.B. 138 Public Safety Amendments (*Redd, E.*)

Rep. Redd explained the bill.

MOTION: Sen. Hillyard moved to pass H.B. 138 out favorably. The motion passed with a vote of 4-0-3.

Yeas:

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. T. Weiler

Nays:

Abs:

Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

5. H.B. 170 Small Claims Amendments (*Kwan, K.*)

Rep. Kwan explained the bill.

Mr. Russell Hymas, Attorney, Utah Association of Justice, spoke in favor of the bill.

MOTION: Sen. Hillyard moved to pass H.B. 170 out favorably. The motion passed with a vote of 4-0-3.

Yeas:

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. T. Weiler

Nays:

Abs:

Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

**6. 1st Sub. H.B. 146 Partial Filling of a Schedule II Controlled Substance Prescription
(Barlow, S.)**

Rep. Barlow explained the bill.

Mr. Dave Davis, President, Utah Retailers Association, spoke in favor of the bill.

MOTION: Sen. Davis moved to pass 1st Substitute H.B. 146 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. G. Davis
Sen. L. Escamilla
Sen. T. Weiler

Nays:

Abs:

Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

Sen. Davis moved to place 1st Sub H.B 146 on the consent calendar.

Sen. Davis withdrew his motion to place the bill on the consent calendar.

7. H.B. 53 Missing and Exploited Children's Day (Handy, S.)

Rep. Handy explained the bill.

MOTION: Sen. Escamilla moved to pass H.B. 53 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. G. Davis
Sen. L. Escamilla
Sen. T. Weiler

Nays:

Abs:

Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

MOTION: Sen. Davis moved to adjourn. The motion passed with a vote of 3-0-4.

Yeas:

Sen. G. Davis
Sen. L. Escamilla
Sen. T. Weiler

Nays:

Abs:

Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. D. Thatcher

Chair Weiler adjourned the meeting at 3:56 p.m.

Sen. Todd Weiler, Chair