

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE**

Thursday , January 25, 2018 • 2:00 p.m. • 20 House Building

Members Present:

Rep. Michael K. McKell, Chair
Rep. V. Lowry Snow, Vice Chair
Rep. Kim F. Coleman
Rep. Bruce R. Cutler
Rep. Brian M. Greene
Rep. Ken Ivory
Rep. Brian S. King

Rep. Karianne Lisonbee
Rep. Dixon M. Pitcher
Rep. Susan Pulsipher
Rep. Tim Quinn
Rep. Mark A. Wheatley

Staff Present:

Mr. Joseph T. Wade, Policy Analyst
Mr. Steve Benard, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair McKell called the committee to order at 2:00 p.m.

Introduction of committee members

Rep. Greene assumed the chair.

1 . H.B. 131 Spendthrift Provisions (Snow, V. L.)

Rep. V. Lowry Snow explained the bill.

MOTION: Rep. Quinn moved to report a favorable recommendation on H.B. 131. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. K. Lisonbee
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-2

Rep. B. King
Rep. M. McKell

2 . H.B. 95 Uniform Fiduciary Access to Digital Assets Act (Snow, V. L.)

Rep. V. Lowry Snow explained the bill.

MOTION: Rep. Pulsipher moved to report a favorable recommendation on H.B. 95. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene

Nays-0

Absent-2

Rep. B. King
Rep. M. McKell

Rep. K. Ivory
Rep. K. Lisonbee
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

MOTION: Rep. Pitcher moved to place H.B. 95 on the Consent Calendar. The motion passed with a vote of 10 - 0 - 2 .

Yeas-10

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. K. Lisonbee
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-2

Rep. B. King
Rep. M. McKell

3 . H.B. 94 Uniform Real Property Transfer on Death Act (*Snow, V. L.*)

Rep. V. Lowry Snow explained the bill.

Mr. Jerry Houghton, Tooele County Recorder Surveyor, spoke in favor of the bill.

Ms. Lorraine Dakan-Gilbert, spoke in favor of the bill.

MOTION: Rep. Pulsipher moved to report a favorable recommendation on H.B. 94. The motion passed with a vote of 9 - 0 - 3 .

Yeas-9

Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. K. Lisonbee
Rep. D. Pitcher
Rep. S. Pulsipher

Nays-0

Absent-3

Rep. K. Coleman
Rep. B. King
Rep. M. McKell

Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Rep. V. Lowry Snow assumed the Chair.

4 . H.B. 102 Use of Force Amendments (*Greene, B.*)

Rep. Brian M. Greene explained the bill with assistance from Mr. Russell Farr, attorney.

Mr. Reed Richards, County Attorney's Office, Weber County, spoke against the current language of the bill.

MOTION: Rep. Lisonbee moved to amend H.B. 102 with Amendment #1. The motion passed with a vote of 10 - 0 - 2 .

Amendment 1
H.B. 102

1 Page 2, Lines 38 through 41

38 (iii) was the aggressor or was engaged in a combat by agreement, unless the person
39 withdraws from the encounter and effectively communicates to the other person ~~{+}his{+}~~ ~~{-}{the}~~
40 ~~person's~~ intent to ~~[dø-sø]~~ withdraw and, notwithstanding, the other person continues or
41 threatens to continue the use of unlawful force.

Yeas-10

Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-2

Rep. K. Coleman
Rep. M. McKell

MOTION: Rep. Ivory moved to report a favorable recommendation on H.B. 102, as amended. The motion passed with a vote of 8 - 4 - 0 .

Yeas-8

Rep. K. Coleman
Rep. B. Greene

Nays-4

Rep. B. Cutler
Rep. B. King

Absent-0

Rep. K. Ivory
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn

Rep. V. Snow
Rep. M. Wheatley

SUBSTITUTE MOTION: Rep. King moved to hold the bill. The Substitute motion failed with a vote of 5 - 7 - 0 .

Yeas-5

Rep. B. Cutler
Rep. B. King
Rep. D. Pitcher
Rep. V. Snow
Rep. M. Wheatley

Nays-7

Rep. K. Coleman
Rep. B. Greene
Rep. K. Ivory
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn

Absent-0

5 . H.B. 205 Down Syndrome Nondiscrimination Abortion Act (*Lisonbee, K.*)

Rep. Karianne Lisonbee explained the bill with the assistance of Bill Dunkin of Sutherland Institute and Dr. Kathy Altman.

Mr. Justin Merkley, UDSF, spoke in favor of the bill.

Ms. Michelle McOmber, Utah Medical Association, spoke against the bill.

Ms. Rose Carter spoke in favor of the bill.

Dr. Matthew Wilson, Utah American College of Obstetritions and Gynecologists, spoke against the bill.

Ms. Rebecca Winegar spoke (and sang) in favor of the bill.

Ms. Psarah Johnson, Utah Disability Advisory Council, spoke against the bill.

Ms. Burgandy Keel, of the National Down Syndrome Adoption Network, spoke in favor of the bill.

Ms. Marina Lowe, Legislative and Policy Council of the ACLU of Utah, spoke against the bill.

Ms. Lisa Wilson, Down Syndrome AQUH, spoke in favor of the bill.

Ms. Michelle Deming spoke against the bill.

Mr. Earl Van Weerd spoke in favor of the bill.

Ms. Lorraine Dakan-Gilbert spoke against the bill.

Mr. Aaron Simpson spoke in favor of the bill.

Ms. Carolyn Payne spoke against the bill.

Ms. Julie Simpson spoke in favor of the bill.

Ms. Karen Reimherr spoke against the bill.

Ms. Natalie Warner spoke in favor of the bill.

Ms. Catherine Balka spoke against the bill.

Ms. Courtney Thorup spoke in favor of the bill.

Ms. Kris Fawson spoke regarding the bill.

Ms. Katie McMann spoke in favor of the bill.

Ms. Dawn Nunn spoke against the bill.

Ms. Maryann Christensen, Executive Director of Utah Eagle Forum, spoke in favor of the bill.

Ms. Jeanette Reprothrow spoke against the bill.

Ms. Deanna Holland, Vice President, Pro-Life Utah, spoke in favor of the bill.

Dr. Ellen Brady spoke against the bill.

Ms. Kristy Nielson, Pro-Life Utah, spoke in favor of the bill.

Ms. Julie Mayhew spoke against the bill.

Ms. Mary Taylor, President, Pro-Life Utah, spoke in favor of the bill.

Ms. Mary Kelch spoke in favor of the bill.

Dr. Sarah Cortez spoke against the bill.

Mr. Andrew Riggle, Public Policy Advocate for the Disability Law Center, spoke in favor of the bill.

MOTION: Rep. McKell moved to amend H.B. 205 with Amendment #1. The motion passed with a vote of 11 - 0 - 1 .

Amendment 1
H.B. 205

1 Page 5, Lines 130 through 133

130 (2) The result of any prenatal screening or diagnostic test that indicates that an unborn
131 child has or may have Down syndrome shall be delivered to the pregnant woman:

132 (a) by a { physician } licensed prenatal health care provider at an in-person consultation or a {
scheduled telephone } telemedicine or telephone conference;

133 (b) with contact information for a state or national Down syndrome parents' group { s }; and

Yeas-11

Nays-0

Absent-1

Rep. K. Coleman
Rep. B. Cutler
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Rep. B. Greene

MOTION: Rep. Ivory moved to report a favorable recommendation on H.B. 205, as amended. The motion passed with a vote of 8 - 3 - 1 .

Yeas-8

Nays-3

Absent-1

House Judiciary Standing Committee

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Rep. K. Coleman
Rep. K. Ivory
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow

Rep. B. Cutler
Rep. B. King
Rep. M. Wheatley

Rep. B. Greene

SUBSTITUTE MOTION: Rep. King moved to return H.B. 205, as amended, to the Rules Committee The Substitute motion failed with a vote of 4 - 7 - 1 .

Yeas-4

Rep. B. Cutler
Rep. B. King
Rep. D. Pitcher
Rep. M. Wheatley

Nays-7

Rep. K. Coleman
Rep. K. Ivory
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow

Absent-1

Rep. B. Greene

MOTION: Rep. McKell moved to adjourn. The motion passed with a vote of 11 - 0 - 1 .

Yeas-11

Rep. K. Coleman
Rep. B. Cutler
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Nays-0

Absent-1

Rep. B. Greene

Vice-Chair Snow adjourned the meeting at 5:41 p.m.