

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE**
Wednesday , January 31, 2018 • 2:00 p.m. • 250 State Capitol

Members Present:

Sen. Todd Weiler, Chair
Sen. Gene Davis
Sen. Luz Escamilla
Sen. Lyle W. Hillyard
Sen. Daniel W. Thatcher

Members Absent:

President Wayne L. Niederhauser
Sen. Ralph Okerlund

Staff Present:

Mr. John Feinauer, Policy Analyst
Ms. Nancy Skidmore, Committee Secretary

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

Chair Weiler called the meeting to order at 2:07 p.m.

MOTION: Sen. Hillyard moved to approve the minutes of the January 29, 2018. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. L. Hillyard
Sen. T. Weiler

Nays-0

Absent-5

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

1 . S.B. 105 Crime Statistics Reporting Amendments (*Ipson, D.*)

Sen. Ipson explained the bill.

MOTION: Sen. Hillyard moved to amend S.B. 105 with Amendment #1. The motion passed with a vote of 2 - 0 - 5 .

Amendment 1
S.B. 105

1 Page 2, Lines 41 through 42

41 (b) in a manner prescribed by the bureau and in compliance with the requirements of

42 the Federal Bureau of Investigation's {~~Uniform Crime Reporting~~} uniform crime reporting standards.

Yeas-2

Sen. L. Hillyard
Sen. T. Weiler

Nays-0

Absent-5

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

MOTION: Sen. Hillyard moved to pass S.B. 105 out favorably. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

Sen. L. Hillyard
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-4

Sen. G. Davis
Sen. L. Escamilla
Sen. W. Niederhauser

Sen. R. Okerlund

2 . H.B. 43 Blood Testing Amendments (Hall, C.)

Rep. Hall explained the bill.

Ms. Alexandra Wubble, Nurse, spoke in favor of the bill.

Ms. Karra Porter, Attorney, spoke in favor of the bill.

Ms. Marina Lowe, Legislative Council, American Civil Liberties Union (ACLU), spoke in favor of the bill.

Mr. Steven Winward, Captain, Utah Highway Patrol, spoke in favor of the bill.

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

MOTION: Sen. Hillyard moved to pass H.B. 43 out favorably. The motion passed with a vote of 4 - 0 - 3 .

Yeas-4

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

Nays-0

Absent-3

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

Sen. Hillyard assumed the chair.

3 . S.B. 118 Abortion Law Amendments (Weiler, T.)

Sen. Weiler explained the bill.

MOTION: Sen. Weiler moved to replace S.B. 118 with 1st Substitute S.B. 118. The motion passed with a vote of 4 - 0 - 3 .

Yeas-4

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

Nays-0

Absent-3

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

MOTION: Sen. Weiler moved to amend 1st Substitute S.B. 118 with Amendment #1. The motion passed with a vote of 4 - 0 - 3 .

Amendment 1
1st Sub. S.B. 118

1 Page 12, Lines 338 through 342

338 (2) Except as provided in Subsection [(9)] (8), consent to an abortion is voluntary and

339 informed only if[:-(a)], at least 72 hours before the abortion[:];

340 (a) a staff member of an abortion clinic or hospital, physician, registered nurse, nurse practitioner,
advanced practice registered nurse,

341 certified nurse midwife, genetic counselor, or physician's assistant {~~-, or staff member of an abortion~~

342 clinic or hospital } presents the information module to the pregnant woman;

Yeas-4

Sen. G. Davis

Sen. L. Hillyard

Sen. D. Thatcher

Sen. T. Weiler

Nays-0

Absent-3

Sen. L. Escamilla

Sen. W. Niederhauser

Sen. R. Okerlund

Ms. Mark Brinton, General Counsel and Director of Government Affairs, Utah Medical Association, spoke to the bill.

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

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

Ms. Jean Hill, Government Liaison, Catholic Diocese of Salt Lake City spoke in favor of the bill.

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

Ms. Marilee Boyack, President, Family Watch International-Utah, spoke in favor of the bill.

Ms. Kristy Nielsen, Social Media Director, Pro-Life Utah, spoke in favor of the bill.

MOTION: Sen. Weiler moved to pass 1st Substitute S.B. 118 out favorably. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

Sen. L. Hillyard

Nays-0

Absent-4

Sen. G. Davis

Sen. D. Thatcher
Sen. T. Weiler

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

4 . H.B. 13 Public Safety Peer Counseling Provisions (Perry, L.)

Rep Perry explained the bill with the assistance of Ms. Heather S. White, Attorney, Mr. Ken Wallentine, Policeman.

MOTION: Sen. Thatcher moved to amend H.B. 13 with Amendment #1. The motion passed with a vote of 3 - 0 - 4 .

Amendment 1
1.H.B. 13

2 Page 1, Lines 14 through 19

14 This bill:

* * * Some lines not shown * * *18 ▶ requires that members of the peer support team receive training in accordance with

19 POST guidelines for law enforcement officers, the State Fire Marshal's Office for firefighters, and the Health Department for all other first responders ; and

3 Page 2, Lines 56 through 57

56 (d) "Trained" means a person who has successfully completed a peer support training

57 program approved by Peace Officer Standards and Training Division , the State Fire Marshal's Office, or the Health Department, as applicable .

Yeas-3

Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Thatcher

Nays-0

Absent-4

Sen. G. Davis
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. T. Weiler

Ms. Jacee Skinner, Administrative Office of the Courts, spoke to the bill.

MOTION: Sen. Thatcher moved to pass H.B. 13 out favorably. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Thatcher

Nays-0

Absent-4

Sen. G. Davis
Sen. W. Niederhauser
Sen. R. Okerlund

Sen. T. Weiler

5 . H.B. 44 Child Support Guidelines Amendments (*McKell, M.*)

Rep. McKell explained the bill.

MOTION: Sen. Escamilla moved to pass H.B. 44 out favorably. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Thatcher

Nays-0

Absent-4

Sen. G. Davis
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. T. Weiler

MOTION: Sen. Thatcher moved to place H.B. 44 on the Consent Calendar. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Thatcher

Nays-0

Absent-4

Sen. G. Davis
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. T. Weiler

Sen. Thatcher assumed the chair.

6 . S.B. 121 Uniform Electronic Legal Material Act (*Hillyard, L.*)

Sen. Hillyard explained the bill with the assistance of Melissa Bernstein, Director, James E. Faust Law Library, Mike Broschinsky, Coordinator, Office of Administrative Rules.

MOTION: Sen. Hillyard moved to pass S.B. 121 out favorably. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

Sen. L. Escamilla
Sen. L. Hillyard
Sen. D. Thatcher

Nays-0

Absent-4

Sen. G. Davis
Sen. W. Niederhauser
Sen. R. Okerlund
Sen. T. Weiler

MOTION: Sen. Hillyard moved to place S.B. 121 on the Consent Calendar. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

Sen. L. Escamilla

Sen. L. Hillyard

Sen. D. Thatcher

Nays-0

Absent-4

Sen. G. Davis

Sen. W. Niederhauser

Sen. R. Okerlund

Sen. T. Weiler

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

Yeas-3

Sen. L. Escamilla

Sen. L. Hillyard

Sen. D. Thatcher

Nays-0

Absent-4

Sen. G. Davis

Sen. W. Niederhauser

Sen. R. Okerlund

Sen. T. Weiler

Acting Chair Thatcher adjourned the meeting at 3:27 p.m.