

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE**
Thursday , February 8, 2018 • 3:00 p.m. • 250 State Capitol

Members Present:

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

Sen. Luz Escamilla
President Wayne L. Niederhauser
Sen. Ralph Okerlund

Staff Present:

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

Members Absent:

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 3:05 p.m.

MOTION: Sen. Hillyard moved to approve the February 5, 2018 minutes. 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 . H.B. 71 Adoption Amendments (*Hawkes, T.*)

Rep. Hawkes explained the bill.

MOTION: Sen. Hillyard moved to pass H.B. 71 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

Sen. Thatcher assumed the chair.

2 . S.B. 134 Materials Harmful to Minors Amendments (*Weiler, T.*)

Sen Weiler explained the bill.

MOTION: Sen. Weiler moved to replace S.B. 134 with 1st Substitute S.B. 134. 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

Ms. Jenny Brown spoke in favor of the bill.

Ms. Linda Zenger, Family Life Commissioner, Utah Parent Teacher Association (PTA), spoke in favor of the bill.

Ms. Gail Ruzika, Eagle Forum, spoke in favor of the bill.

MOTION: Sen. Weiler moved to pass 1st Substitute S.B. 134 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

3 . S.B. 151 Court Security Funding Amendments (*Adams, J. S.*)

Sen. Weiler assumed the chair.

MOTION: Sen. Hillyard moved to amend S.B. 151 with Amendment #1. The motion passed with a vote of 3 - 0 - 4 .

Amendment 1
S.B. 151

1 Page 2, Lines 37 through 38

37 [(3)] (4) {~~The~~} Subject to appropriation, the Administrative Office of the Courts shall use the allocation to contract for

38 court security at all district and juvenile courts throughout the state.

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

Sen. Adams explained the bill with the assistance of Mr. Reed Richards, Deputy County Attorney, Weber County Sheriff's.

Mr. Chris Palmer, Director of Security, State Court System, spoke in favor of the bill.

MOTION: Sen. Davis moved to pass S.B. 151 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

4 . S.B. 156 Unclaimed Property Act Amendments (*Hillyard, L.*)

MOTION: Sen. Hillyard moved to amend S.B. 156 with Amendment #1. The motion passed with a vote of 4 - 0 - 3 .

Amendment 1

S.B. 156

1 Page 12, Lines 338 through 339

338 (i) a record described in Subsection (35)(a) that is purchased **or acquired** by an intermediary or
339 other party for resale, **for sale on consignment**, or as a gift to the card user, when the issuer does not know
the name and

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 explained the bill with the assistance of David Damschen, Utah State Treasurer.

Mr. Frank Pignanelli, Director, Utah Association of Financial Services, spoke in favor of the bill.

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

Mr. John Valentine, Chairman, Utah State Tax Commission, spoke in favor of the bill.

MOTION: Sen. Hillyard moved to pass S.B. 156 out favorably. The motion passed with a vote of 4 - 0 - 3 .

Yeas-4

Nays-0

Absent-3

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

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

5 . S.B. 154 Prohibition of Law Enforcement Quotas (*Stephenson, H.*)

Sen. Stephenson explained the bill with the assistance of Eric Moutsos and Jeffrey Hardenbrook, former Police Officers.

Mr. Val Schup, Executive Director. Utah Chiefs of Police, spoke to the bill.

Mr. Scott Carver, Undersherrif, Salt Lake Sherrif's Department, spoke to the bill.

MariadelMar Gonzales, Community Outreach, American Civil Liberties Union (ACLU) Utah, spoke in favor of the bill.

Colonel Michael Rapich, Utah Highway Patrol, spoke to the bill.

Mr. Rob Walton spoke in favor of the bill.

Ms. Molly Davis, Libertas Institute, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass S.B. 154 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

6 . 1st Sub. H.B. 59 Unmanned Aircraft Revisions (*Pitcher, D.*)

Rep. Pitcher explained the bill.

MOTION: Sen. Thatcher moved to replace 1st Substitute H.B. 59 with 2nd Substitute H.B. 59. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher

Nays-0

Absent-5

Sen. G. Davis

Sen. T. Weiler

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

Officer Steven White, President, Utah Sheriff's Association, spoke in favor of the bill.

Ms. Heather Anderson, Lobbyist, Utah Association of Special Districts, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass 2nd Substitute H.B. 59 out favorably. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund

7 . H.B. 80 Child Placement Amendments (*Peterson, J.*)

Rep. Peterson explained the bill.

Ms. Linda Zenger, Family Commissioner, Utah Parent Teacher Association (PTA), spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass H.B. 80 out favorably. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund

MOTION: Sen. Thatcher moved to reconsider action. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard

Sen. W. Niederhauser
Sen. R. Okerlund

8 . S.B. 134 Materials Harmful to Minors Amendments (*Weiler, T.*)

MOTION: Sen. Thatcher moved to replace 1st Substitute S.B. 134 with 2nd Substitute S.B. 134. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard
Sen. W. Niederhauser
Sen. R. Okerlund

9 . 1st Sub. H.B. 102 Use of Force Amendments (*Greene, B.*)

Rep. Greene explained the bill.

MOTION: Sen. Thatcher moved to pass 1st Substitute H.B. 102 out favorably. The motion passed with a vote of 3 - 0 - 4 .

Yeas-3

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

Nays-0

Absent-4

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

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

Sen. Snow explained the bill.

Mr. Gary Scheller, Director, Utah Office Victims of Crimes (UOVC), spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass H.B. 131 out favorably. The motion passed with a vote of 2 - 0 - 5 .

Yeas-2

Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-5

Sen. G. Davis
Sen. L. Escamilla
Sen. L. Hillyard

Sen. W. Niederhauser

Sen. R. Okerlund

MOTION: Sen. Thatcher moved to adjourn. 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

Chair Weiler adjourned the meeting at 4:47 p.m.