

**MINUTES OF THE SENATE JUDICIARY  
STANDING COMMITTEE  
Monday, February 4, 2002  
Room 414, STATE CAPITOL BUILDING**

Members Present: Sen. David L. Gladwell, Chair  
Sen. D. Chris Buttars  
Sen. Lyle W. Hillyard  
Sen. Millie M. Peterson  
Sen. Alicia L. Suazo  
Sen. John L. Valentine

Staff Present: Jerry D. Howe, Research Analyst  
Saundra Maeser, Committee Secretary

Public Speakers Present: Colin Winchester, Asst. Attorney General  
Rich Townsend, Director, State Crime Lab  
Ken Brown, Utah Association of Defense Lawyers  
Colin King, Utah Trial Lawyers Association  
Kathy Berg, Director, Div. of Corporations, Department of Commerce  
Cassie Dippo, Common Cause of Utah  
Sandy Peck, Legislative Director, League of Women Voters  
Jon Greiner, President, Utah Chiefs Association

Visitor list on file.

Chair Gladwell called the meeting to order at 8:06 a.m.

**1. H.B. 39S1 Statute of Limitations Amendments (K. Bryson)**

Rep. Katherine Bryson introduced the bill.

**MOTION:** Sen. Hillyard moved to delete in title and body 1<sup>st</sup> Sub. H.B. 39 and replace it with 2<sup>nd</sup> Sub. H.B. 39.

The motion passed unanimously with Sen. Buttars absent for the vote.

Colin Winchester, Asst. Attorney General, spoke in support of the bill.

**MOTION:** Sen. Peterson moved to pass 2<sup>nd</sup> Sub. H.B. 39 out with a favorable recommendation.

The motion passed unanimously.

**MOTION:** Sen. Peterson moved to approve the minutes of January 30, 2002.

The motion passed unanimously

**2. S.B. 139 DNA Evidence - Removing Statute of Limitations** (L. Hillyard)

Sen. Hillyard introduced the bill.

**MOTION:** Sen. Hillyard moved to delete in title and body S.B. 139 and replace it with 1<sup>st</sup> Sub. S.B. 139.

The motion passed unanimously.

Rich Townsend, Director, State Crime Lab, answered questions and spoke in favor of the bill.

Ken Brown, Utah Association of Defense Lawyers spoke in favor of the bill and expressed concerns.

Colin Winchester, Asst. Attorney General, spoke in support of the bill.

**MOTION:** Sen. Valentine moved to pass 1<sup>st</sup> Sub. 139 out with a favorable recommendation.

The motion passed unanimously.

**3. S.B. 141 Punitive Damage Awards** (L. Hillyard)

Sen. Hillyard introduced the bill. He was assisted by Mark Ward, Litigation Division, Attorney General's Office.

Colin King, Utah Trial Lawyers Association, spoke in favor of the bill.

Sen. Hillyard suggested holding the bill for future action.

**4. S.B. 150 Registration and Protection of Trademarks and Service Marks** (L. Hillyard)

Sen. Hillyard introduced the bill.

Kathy Berg, Director, Div. of Corporations, Dept. of Commerce, spoke in support of the bill.

Sen. Hillyard suggested holding the bill for future action.

**5. H.B. 70 Political Fundraising Restrictions on Governor** (N. Hansen)

Rep. Neil Hansen introduced the bill.

Cassie Dippo, Common Cause of Utah, and Sandy Peck, Legislative Director, League of Women Voters, spoke in favor of the bill.

**MOTION:** Sen. Buttars moved to pass H.B. 70 out with a favorable recommendation.

The motion passed unanimously with Sen. Hillyard absent for the vote.

**6. H.B. 224 Giving False Information to Police Officer (K. Morgan)**

Rep. Karen Morgan introduced the bill

Colin Winchester, Asst. Attorney General, spoke to the bill.

Jon Greiner, President, Utah Chiefs Association, spoke in support of the bill.

**MOTION:** Sen. Valentine moved to hold the bill for future action.

The motion passed unanimously, with Sen. Buttars and Sen. Hillyard absent for the vote.

**7. H.B. 233 Mitigation of Damages in Condemnation Proceedings (G. Curtis)**

Rep. Greg Curtis introduced the bill.

**MOTION:** Sen. Valentine moved to amend the bill as follows:

1. Page 1, Line 23: After "to" insert "the" and after "property" delete "actually taken"

The motion passed unanimously with Sen. Buttars and Sen. Hillyard absent for the vote.

**MOTION:** Sen. Peterson moved to pass H.B. 233, as amended, out with a favorable recommendation.

The motion passed unanimously with Sen. Buttars and Sen. Hillyard absent for the vote.

**8. H.B. 190 Criminal Restitution Amendments (S. Allen)**

Rep. Sheryl Allen introduced the bill.

**MOTION:** Sen. Peterson moved to pass H.B. 190 out with a favorable recommendation.

The motion passed unanimously with Sen. Buttars and Sen. Hillyard absent for the vote.

**MOTION:** Sen. Peterson moved to place H.B. 190 on the Consent Calendar.

The motion passed unanimously with Sen. Buttars and Sen. Hillyard absent for the vote.

**MOTION:** Sen. Peterson moved to adjourn the meeting.

The motion passed unanimously with Sen. Buttars and Sen. Hillyard absent for the vote.

Sen. Gladwell adjourned the meeting at 9:20 a.m.

Minutes recorded by Sandra Maeser, Secretary

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Sen. David L. Gladwell, Chair