MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT AND CRIMINAL JUSTICE
STANDING COMMITTEE
Friday, January 24, 2003
Room 414, STATE CAPITOL BUILDING

Members Present: Sen. Gregory S. Bell, Chair
           Sen. Patrice M. Arent
           Sen. D. Chris Buttars
           Sen. Mike Dmitrich
           Sen. James M. Evans
           Sen. David L. Gladwell
           Sen. Lyle W. Hillyard

Member Excused: Sen. L. Al Mansell

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

Public Speakers Present: Kevin Smith, President, Utah Burglar and Fire Alarm Association
           Shanna Werner, Alarm Administrator, SLCPD
           Paul Boyden, Director, Statewide Association of Prosecutors
           Susan Burke, Director, Utah Substance Abuse and Anti-violence
           Coordination Council
           Kirk Torgensen, Deputy, Attorney General's Office

Visitor list on file.

Committee Chair Bell called the meeting to order at 8:10 a.m.

 MOTION: Sen. Arent moved to approve the minutes of the January 22, 2003 meeting.

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

 S.B. 93 Reappointment of County Justice Court Judges (T. Hatch) was not considered by the
 committee.

1. <u>**S.B. 86 Prohibition of Automatic Renewal of Service Contracts**</u> (M. Waddoups**)**

 Sen. Michael Waddoups introduced the bill.

 Kevin Smith, President, Utah Burglar and Fire Alarm Association spoke to the bill.

Shanna Werner, Alarm Administrator, Salt Lake City Police Department, spoke in support of the bill.

MOTION: Sen. Hillyard moved to amend S.B. 86 as follows:

1. Page 2, Lines 34-35:   After "or repair" delete "in connection with any real or personal property." and insert ": (a) in connection with any real property; or (b) that provides a benefit to any real property."

2. Page 2, Line 45:   After "contract;" delete "and"

3. Page 2, Line 47:   After "contract" delete "." and insert "; and (c) written in clear and understandable language printed in an easy-to-read type size and style."

4. Page 2, Lines 50-51:   Delete lines 50-51 and insert:
"If a seller does not comply with Section 15-10-201 with respect to a service contract containing an automatic renewal provision:
(1) the automatic renewal provision is void and unconscionable as a matter of public policy; and
(2) the service contract shall automatically renew on a month-to-month basis."

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

MOTION: Sen. Hillyard moved to pass S.B. 86 out with a favorable recommendation, as amended.

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

2. **S.B. 7 Automobile Homicide Amendments** (C. Walker)

Sen. Walker introduced the bill. Paul Boyden, Director, Statewide Association of Prosecutors, assisted in the presentation and discussed the legal ramifications.

Susan Burke, Director, Utah Substance Abuse and Anti-Violence Coordinating Council, spoke in support of the bill.

MOTION: Sen. Arent moved to pass S.B. 7 out with a favorable recommendation.

The motion passed unanimously with Sen. J. Evans absent for the vote.

3. **S.B. 26 Sunset Act Reauthorizations** (P. Arent)

Sen. Arent introduced the bill.

MOTION: Sen. Gladwell moved to amend S.B. 26 as follows:

1. Page 4, Line 101   After "1," delete "2003" and insert "<u>2008</u>"

The motion passed unanimously with Sen. J. Evans absent for the vote.

MOTION: Sen. Hillyard moved to pass S.B. 26 out with a favorable recommendation, as amended.

 The motion passed unanimously with Sen. J. Evans absent for the vote.

4. <u>S.B. 41 Clandestine Lab Racketeering Amendment</u> (P. Arent)

Sen. Arent introduced the bill. She was assisted in the presentation by Kirk Torgensen, Deputy, Attorney General's Office, who distributed a handout.

MOTION: Sen. Hillyard moved to pass S.B. 41 out with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Hillyard moved to adjourn the meeting.

The motion passed unanimously.

Committee Chair Bell adjourned the meeting at 9:20 a.m.

Minutes recorded by Saundra Maeser, Secretary

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            Sen. Gregory S. Bell, Chair

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