

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT AND CRIMINAL JUSTICE
STANDING COMMITTEE
Tuesday, February 11, 2003
Room 414, STATE CAPITOL BUILDING**

Members Present: Sen. Gregory 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

Members Excused: Sen. L. Al Mansell

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

Public Speakers Present: Ronald Gordon, Director, Utah Sentencing Commission
Fraser Nelson, Executive Director, Disability Law Center
Lewis Garrett, Director, Davis County Health Department
Gary Crane, Attorney, Layton City
Nancy Smith, citizen, Centerville City Council member
Lloyd Selleneit, citizen of Davis County
David Hansen, Chairman, Citizens for Safe Drinking Water
Thomas Rogers, citizen representing Utah farmers and ranchers
David Irvine, Legal Counsel, Utahns for Better Dental Health
Marla Kennedy, Executive Director, Gun Violence Prevention Center
Paul Boyden, Exec. Director, Statewide Association of Prosecuting Attorneys
Brian Judy, Utah State Liaison, National Rifle Association
Doug Mortensen, citizen, Utah Trial Lawyers Association
N. W. Clayton, Director of Communications, Gun Owners of Utah
Mara Carabella, Board Member, Gun Violence Prevention Center
Elwood Powell, Chairman, Utah Shooting Sports Council
Tim Cosgrove, Child Advocate, Primary Children's Medical Center

Visitor list on file.

Committee Chair Bell called the meeting to order at 4:11 p.m.

MOTION: Sen. Arent moved to approve the minutes of the February 7, 2003 meeting.

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

1. **S.B. 136 Guilty and Mentally Ill Sentencing Amendments** (D. Gladwell)

Sen. Gladwell introduced the bill. Ron Gordon, Director, Utah Sentencing Commission assisted in the presentation.

Fraser Nelson, Executive Director, Disability Law Center, spoke to the bill.

MOTION: Sen. Gladwell moved to pass S.B. 136 out with a favorable recommendation.

The motion passed unanimously.

2. **H.B. 64 Public Water Systems Amendments** (R. Barrus)

Rep. Roger Barrus introduced the bill and distributed a handout.

MOTION: Sen. Hillyard moved to adopt 1st Substitute H.B. 64.

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

Lewis Garrett, Director, Davis County Health Department; and Nancy Smith, citizen and Centerville City Council member, spoke to the bill.

Gary Crane, Attorney, Layton City; Lloyd Selleneit, citizen of Davis County; David Hansen, Chairman, Citizens for Safe Drinking Water; and Thomas Rogers, citizen, spoke in support of the bill.

David Irvine, Legal Counsel, Utahns for Better Dental Health, spoke in opposition to the bill.

MOTION: Sen. J. Evans moved to hold 1st Sub. H.B. 64 until the committee meeting of February 13.

SUBSTITUTE MOTION: Sen. Buttars moved to pass 1st Sub. H.B. 64 out with a favorable recommendation.

The substitute motion passed with Sen. Evans voting in opposition.

3. **S.B. 38 Child Access to Firearm Prevention Amendments** (P. Julander)

Sen. Paula Julander introduced the bill and distributed a handout. Marla Kennedy, Executive Director, Gun Violence Prevention Center, and Paul Boyden, Executive Director, Statewide Association of Prosecuting Attorneys, assisted in the presentation.

Brian Judy, Utah State Liaison, National Rifle Association; N. W. Clayton, Director of Communications, Gun Owners of Utah; and Elwood Powell, Chairman, Utah Shooting Sports Council, spoke in opposition to the bill.

Doug Mortensen, citizen and member of Utah Trial Lawyers Association; Mara Carabella, Board Member, Gun Violence Prevention Center of Utah; and Tim Cosgrove, Child Advocate, Primary Children's Medical Center, spoke in support of the bill.

MOTION: Sen. Arent moved to hold S.B. 38 for a future meeting.

SUBSTITUTE MOTION: Sen. Evans moved to table S.B. 38.

The substitute motion passed with Sen Arent voting in opposition and Sen. Dmitrich absent for the vote.

MOTION: Sen. Evans moved to adjourn.

The motion passed with Sen. Dmitrich absent for the vote.

Committee Chair Bell adjourned the meeting at 6:15 p.m.

Minutes recorded by Sandra Maeser, Secretary

Sen. Gregory S. Bell, Committee Chair