

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room 223 - State Capitol Building
February 5, 2004**

MEMBERS PRESENT: Rep. Ben C. Ferry, Chair
Rep. J. Stuart Adams, Vice Chair
Rep. Chad E. Bennion
Rep. Katherine M. Bryson
Rep. Scott Daniels
Rep. Neal B. Hendrickson
Rep. Eric K. Hutchings
Rep. M. Susan Lawrence
Rep. Dana C. Love
Rep. Rosalind J. McGee
Rep. J. Morgan Philpot
Rep. Mike Thompson

MEMBERS ABSENT: Rep. Greg J. Curtis

STAFF: Jerry D. Howe, Policy Analyst
Cherri White, Committee Secretary

NOTE: A list of visitors and handouts are filed with the committee minutes.

Representative Ferry called the meeting to order at 8:10 a.m. and called for a motion to approve the minutes of January 30 and February 3, 2004.

MOTION: Representative Love moved to approve the minutes of January 30 and February 3, 2004. The motion passed unanimously with Representatives Curtis, Hutchings, and Philpot absent for the vote.

H.B. 93 DNA Reimbursement Costs (*Rep. J. S. Adams*)

Representative Adams introduced the bill and explained its intent. Representative Adams also indicated there was an amendment he would like the committee to consider.

MOTION: Representative Bryson moved to amend:

1. Page 1, Line 13: After "the inmate's" insert "county"
2. Page 2, Line 38: After "the inmate's" insert "county"
3. Page 5, Line 143: After "the inmate's" insert "county"

MOTION: Representative Bryson moved to pass the bill out favorably as amended. The motion passed unanimously with Representatives Bennion, Curtis, Hutchings, and Philpot absent for the vote.

Representative Ferry turned the chair to Representative Adams at 8:40 a.m.

H.B. 97 Protective Order Amendments (Rep. K. Holdaway)

The sponsor introduced the bill and explained its intent. He was assisted in the presentation by Rick Schwermer, Administrative Office of the Courts.

The following members of the public spoke in favor of the bill:

Robert Yates, Third District Juvenile Court Judge
Kerry Beazer, Concerned Parent

Addressing concerns with the bill:

Adam Trupe, Child and Family Services,

MOTION: Representative Love moved to amend:

1. Page 8, Lines 229 through 233:

- 229 (2) Upon the filing of a petition, the clerk of the court shall:
230 (a) review the records of the juvenile court, the district court, and the division
to find
231 any petitions, orders, or investigations related to the child or the parties to the case;
232 (b) request the records of any law enforcement agency identified by the
petitioner as
233 having investigated ~~[[domestic violence against the petitioner or]]~~ abuse
~~[[or neglect]]~~ of the child;

The motion passed 10-1-2, with Representative Adams voting against the motion, and Representatives Curtis and Philpot absent for the vote.

MOTION: Representative Ferry moved to pass the bill out favorably as amended.

SUBSTITUTE

MOTION: Representative McGee moved to go to the next item on the agenda. The motion passed on a roll call vote. Representatives Bennion, Bryson, Daniels, Hendrickson, Hutchings, McGee, and Thompson voted in favor of the motion, Representatives Lawrence, Love, Adams,

