

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT AND CRIMINAL JUSTICE
STANDING COMMITTEE
Tuesday, January 27, 2004
Room 414, STATE CAPITOL BUILDING**

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

Members Excused: N/A

Staff Present: Jami Momberger, Policy Analyst
Katrina Yarrington, Committee Secretary

Public Speakers Present: Scott McCoy, Attorney, Equality Utah
Paul Boyden, Director, State Wide Association of Prosecutors
Michael Zimmerman, Attorney
Roger Browne, citizen
Douglas Nelson, MD, Primary Children's Medical Center
Dee Rowland, Government Liaison, Catholic Diocese
Marla Kennedy, Executive Director, Gun Violence Prevention Center
John Spangler, Utah Shooting Sports Council
JoAnn Neilson, President, Utah PTA
Bill Clayton, Director of Community Action, GOUtah
Barbara Nash, Gun Violence Prevention Center
W. Clark Aposhian, Chairman, US-DIN
Janalee Tobias, President, Women Against Gun Control
Leonard Wojcik, USSC
Selanie Leavitt, Co-Founder, Gun Wise

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Chair Bell called the meeting to order at 8:05 a.m.

MOTION: Sen. Gladwell moved to approve the minutes of January 23, 2004.

The motion passed unanimously, with Sen. Evans, Sen. Dmitrich, and Sen. Mansell absent for the vote.

1. SB 118 JUDICIARY AMENDMENTS (L. Hillyard)

Sen. Hillyard introduced the bill.

MOTION: Sen. Arent moved to pass S.B. 118, out with a favorable recommendation.

The motion passed unanimously, with Sen. Dmitrich, Sen. Evans and Sen. Mansell absent for the vote.

2. S.B. 24 MARRIAGE RECOGNITION POLICY (D.C. Buttars)

MOTION: Sen. Buttars moved to adopt 1st Substitute S.B. 24.

The motion passed, with Sen. Dmitrich, Sen. Evans and Sen. Mansell absent for the vote.

Sen. Buttars introduced the bill.

The following people spoke to the bill:

Michael Zimmerman, Attorney, former Utah State Supreme Court Justice

The following people spoke in support of the bill:

Roger Browne, citizen

The following people spoke in opposition of the bill:

Scott McCoy, Attorney, Equality Utah

MOTION: Sen. Hillyard moved to pass S.B. 24 out with a favorable recommendation.

SUBSTITUTE MOTION: Sen. Arent moved to hold S.B. 24 in committee.

The motion failed, with Sen. Bell, Sen. Buttars, Sen. Gladwell, Sen. Hillyard, and Sen. Mansell voting in opposition, and Sen. Evans absent for the vote.

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

3. S.B. 36 PREVENTION OF CHILD ACCESS TO FIREARMS (P. Julander)

Sen. Julander introduced the bill.

The following people spoke in support of the bill:

Douglas Nelson, M.D., Primary Children's Medical Center, ER Doctor

Paul Boyden, Director, State Wide Association of Prosecutors
Dee Rowland, Government Liaison, Catholic Diocese
Marla Kennedy, Executive Director, Gun Violence Prevention Center
JoAnn Neilson, President, Utah PTA
Barbara Nash, Gun Violence Prevention Center
Selanie Leavitt, Co- Founder, Gun Wise

The following people spoke in opposition of the bill:

John Spangler, Utah Shooting Sports Council
Bill Clayton, Director of Community Action, GOUtah
W. Clark Aposhian, Chairman, US-DIN
Janalee Tobias, President, Women Against Gun Control
Leonard Wojcik, USSC

MOTION: Sen. Arent moved to pass S.B. 36 out with a favorable recommendation.

SUBSTITUTE MOTION: Sen. Buttars moved to vote the bill down with an unfavorable recommendation on S.B. 36.

The motion was ruled out of order by Chairman Bell.

SUBSTITUTE MOTION: Sen. Evans moved to hold S.B. 36.

The motion passed, with Sen. Buttars and Sen. Gladwell voting in opposition, and Sen. Mansell and Sen. Hillyard absent for the vote.

S.B. 106 was not discussed at this meeting.

MOTION: Sen. Evans moved to adjourn.

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

Committee Chair Bell adjourned the meeting at 10:10 a.m.

Minutes recorded by Katrina Yarrington, Secretary

Sen. Gregory S. Bell, Committee Chair