

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT AND CRIMINAL JUSTICE
STANDING COMMITTEE
Tuesday, February 10, 2004
Room 414, STATE CAPITOL BUILDING**

Members Present: Sen. Gregory Bell, Chair
Sen. Patrice M. Arent
Sen. D. Chris Buttars
Sen. Mike Dmitrich
Sen. Lyle W. Hillyard

Members Excused: Sen. James M. Evans
Sen. David L. Gladwell
Sen. L. Al Mansell

Staff Present: Jami Momberger, Policy Analyst
Saundra Maeser, Committee Secretary

Public Speakers Present: Ron Karren, Citizen
Robin Arnold-Williams, Executive Director, Dept. of Human Services
Bonnie Macri, Executive Director, JEDI Women
Cliff Swenson, Division of Child & Family Services
Bill Barnes, Primary Children's Medical Center
Thomas Rogers, Citizen
Steve Russell, Attorney
Adam Tripp, Division of Child & Family Services
Mark May, Attorney General's Office
Barbara Feester, U Foster Success
Lisa Burly, Mother

A list of visitors is filed with the committee minutes.

Committee Chair Bell called the meeting to order at 4:35 p.m.

1. Approval of Minutes

MOTION: Sen. Arent moved to approve the minutes of February 6, 2004.

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

2. S.B. 54S1 Restructuring Division of Child and Family Services (P. Hellewell)

Sen. Parley Hellewell introduced the bill, assisted by Ron Karren, Citizen.

The following spoke in support of the bill:

Bonnie Macri, JEDI Women

Thomas Rogers, Citizen

The following spoke in opposition to the bill:

Robin Arnold Williams, Executive Director, Dept. of Human Services

Cliff Swenson, Division of Child & Family Services

Bill Barnes, Primary Children's Medical Center

MOTION: Sen. Arent moved to hold S.B. 54S1 until the next meeting and to move to the next item on the agenda.

Sen. Bell stated no vote was needed and the committee moved to the next item on the agenda.

3. S.B. 81 Child and Family Services - Plea in Abeyance (P. Hellewell)

Sen. Hellewell introduced the bill, assisted by Steve Russell, Attorney.

Adam Tripp, Division of Child & Family Services spoke to the bill.

MOTION: Sen. Buttars moved to pass S.B. 81 out with a favorable recommendation.

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

4. S.B. 104 Selection of Mental Health Therapist in Termination of Parental Rights (P. Hellewell)

Sen. Hellewell introduced the bill, assisted by Steve Russell.

MOTION: Sen. Arent moved to pass S.B. 104 out with a favorable recommendation.

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

5. S.B. 103 Child Removal Amendments (P. Hellewell)

Sen. Hellewell introduced the bill, assisted by Steve Russell.

The following spoke in support of the bill:

Mark May, Attorney General's Office

Lisa Burly, Mother

Barbara Feester, U Foster Success, spoke in opposition to the bill

MOTION: Sen. Arent moved to amend S.B. 103 as follows:

1. *Page 2, Lines 48 through 50:*

48 proper parental care and protection. Under those circumstances, the welfare and
protection of

49 children is ~~[[+]]~~ **the consideration of paramount importance** ~~[[+]]~~ ~~[[balanced~~
against the rights of the

50 parent or guardian of the children and the integrity of the family]].

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

MOTION: Sen. Buttars moved to pass S.B. 103 out, as amended, with a favorable recommendation.

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

MOTION: Sen. Buttars moved to adjourn.

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

Committee Chair Bell adjourned the meeting at 6:00 p.m.

Minutes recorded by Sandra Maeser, Secretary

Sen. Gregory S. Bell, Committee Chair