

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room WO25, West Office Building, State Capitol Complex
January 31, 2005

Members Present: Rep. DeMar "Bud" Bowman, Chair
Rep. Michael T. Morley, Vice Chair
Rep. Duane Bourdeaux
Rep. LaVar F. Christensen
Rep. Wayne A. Harper
Rep. Patricia W. Jones
Rep. Todd E. Kiser
Rep. David Litvak
Rep. Curtis Oda
Rep. Paul Ray
Rep. Stephen H. Urquhart

Staff Present: Mr. Stewart Smith, Policy Analyst
Ms. Linda Black, Committee Secretary

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

Rep. Bowman called the meeting to order at 8:10 a.m.

MOTION: Rep. Harper moved to approve the minutes of January 27, 2005. The motion passed unanimously with Rep. Christensen, Rep. Kiser, Rep. Oda, and Rep. Urquhart absent for the vote.

H.B. 208 Unclaimed Property Amendments (*Rep. P. Ray*)

MOTION: Rep. Ray moved to amend the bill as follows:

1. *Page 5, Lines 129 through 142:*

129 (2) If the [custodial] property is not claimed by the owner [before the expiration of
130 ~~three months from the receipt of notice~~] following the notice or attempted notice required
in
131 Section 77-24-2, or if the owner is unknown and no claim of ownership has been made,
the
132 agency having possession of the [custodial] property may [either]:
133 (a) {+} **appropriate** {+} ~~{-retain}~~ the property ~~{for}~~ to
public interest use as provided in Subsection
134 (3); [or]

- 135 (b) sell the property at public auction, as provided by law and
136 ~~{+}~~ appropriate ~~{+}~~ ~~{-retain}~~ the
137 proceeds of the sale ~~[to its own]~~ ~~{for}~~ to public interest use[-]; or
138 (c) destroy the property if unfit for sale.
139 (3) Before ~~[appropriating the custodial]~~ ~~{retaining}~~ appropriating the
140 property ~~{for}~~ to public interest use,
141 the agency having possession of the property shall obtain from the legislative body of its
142 jurisdiction:
141 (a) permission to ~~{+}~~ appropriate ~~{+}~~ ~~{-retain}~~ the property to
public interest use ; and
142 (b) the designation and approval of the public interest use of the property.

The motion to amend passed unanimously with Rep. Kiser, Rep. Oda, and Rep. Urquhart absent for the vote.

Rep. Ray explained the bill.

Spoke in favor of the bill: Mr. Mark Jones, District Court Administrator, State of Utah.

MOTION: Rep. Ray moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Urquhart absent for the vote.

H.B. 215 Property Tracking Amendments *(Rep. P. Ray)*

Rep. Ray introduced the bill with the assistance of Paul Boyden, Executive Director, Statewide Association of Prosecutors.

MOTION: Rep. Jones moved to pass the bill out favorably. The motion passed unanimously with Rep. Urquhart absent for the vote.

H.B. 89 Presumption of Responsibility for Abuse or Neglect *(Rep. L. Christensen)*

Rep. Christensen explained the bill.

Spoke in favor of the bill: Mr. Paul Merrill, Sutherland Institute.

Spoke to the bill: Mr. Mark May, Division Chief, Child Welfare, Office of the Attorney General.

Rep. Harper moved to pass the bill out favorably. The motion passed with Rep. Jones and Rep. Litvak voting in opposition to the bill.

H.B. 184 Domestic Violence - Change of Locks on Rental Property *(Rep. L. Shurtliff)*

The bill was not heard at the request of the sponsor.

MOTION: Rep. Ray moved to adjourn. The motion passed unanimously. Rep. Bowman adjourned the meeting at 9:10 a.m.

Rep. DeMar "Bud" Bowman, Chair

House Law Enforcement & Criminal Justice Standing Committee
January 26, 2005
Page 4