

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room WO25, West Office Building, State Capitol Complex
February 16, 2006

Members Present: 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 Litvack
Rep. Curtis Oda
Rep. Paul Ray
Rep. Stephen H. Urquhart
Members Excused: Rep. DeMar "Bud" Bowman, Chair

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. Morley called the meeting to order at 8:23 a.m.

H.B. 421 Tampering with Evidence - Amendments (*Rep. P. Wallace*)

Rep. Wallace explained the bill.

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

1. *Page 2, Lines 29 through 30:*

29 compilation, or other ~~{tangible}~~ evidence.

30 (b) "Official proceeding" includes any action, trial, examination under
oath, administrative proceeding, or other

2. *Page 2, Line 40:*

40 purpose of deceiving a public servant or any other party who is or may be engaged in
the proceeding or

The motion passed unanimously, with Rep. Christensen, Rep. Jones, Rep. Kiser, and Rep. Ray absent for the vote.

Spoke in favor of the bill Mr. Joel Allred, Utah Trial Lawyers Association
 Mr. Rick Schwermer, Administrative Office of the Courts

MOTION: Rep. Harper moved to pass the bill out favorably as amended. The motion passed unanimously, with Rep. Christensen, Rep. Kiser, and Rep. Ray absent for the vote.

S.B. 54 Revenue Flow from Speeding Violations *(Sen. J. Hickman)*

Sen. Hickman introduced the bill.

Spoke in opposition
to the bill: Sheriff Jim Nyland, Grand County
 Mr. Chad Johnson, Commissioner, Beaver County
 Mr. Wayne Smith, Commissioner, Iron County

MOTION: Rep. Harper moved to pass the bill out favorably.

SUBSTITUTE

MOTION: Rep. Litvack moved to proceed to the next item on the agenda. The motion failed with Rep. Bourdeaux, Rep. Jones, Rep. Litvack and Rep. Ray voting in favor.

The original motion to pass the bill out favorably passed, with Rep. Bourdeaux, Rep. Jones, Rep. Litvack, and Rep. Ray voting in opposition.

S.B. 184 Criminal Identity Fraud Amendments *(Sen. C. Walker)*

Sen. Walker introduced the bill.

MOTION: Rep. Harper moved to pass the bill out favorably. The motion passed unanimously, with Rep. Bourdeaux and Rep. Christensen absent for the vote.

MOTION: Rep. Oda moved to place **S.B. 184** on the Consent Calendar. The motion failed, with Rep. Urquhart voting in opposition.

H.J.R. 12 Joint Resolution Supporting Garfield County Expansion of Correctional Facilities *(Rep. M. Noel)*

Rep. Noel explained the bill.

Spoke in favor of the bill: Mr. Scott Carver, Executive Director, Department of Corrections.

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

MOTION: Rep. Harper moved to place **H.J.R 12** on the Consent Calendar. The motion passed unanimously, with Rep. Bourdeaux and Rep. Christensen absent for the vote.

H.B. 362 Enforcement of Controlled Substance Laws *(Rep. D. Hogue)*

The bill was not considered.

S.B. 173 Licensure of Programs and Facilities - Criminal Background Check Amendments *(Sen. T. Hatch)*

Sen. Hatch introduced the bill.

Spoke in favor of the bill: Mr. Ken Stettler, Director, Department of Human Services

MOTION: Rep. Ray moved to pass the bill out favorably. The motion passed unanimously, with Rep. Christensen, and Rep. Ray absent for the vote.

H.B. 410 Sex Offender Registration Fee *(Rep. L. Fowlke)*

Rep. Fowlke introduced the bill.

Spoke in favor of the bill: Mr. Scott Carver, Executive Director, Department of Corrections.

House Law Enforcement & Criminal Justice Standing Committee
February 20, 2006
Page 4

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

MOTION: Rep. Kiser moved to adjourn. The motion passed unanimously, with Rep. Harper and Rep. Urquhart absent for the vote.

Rep. Morley adjourned the meeting at 9:30 a.m.

Rep. DeMar "Bud" Bowman, Chair