

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE
STANDING COMMITTEE MEETING
FRIDAY, FEBRUARY 8, 2008, 8:00 AM.
ROOM W135, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX**

Members Present: Sen. Gregory S. Bell, Chair
Sen. Jon J. Greiner
Sen. Lyle W. Hillyard
Sen. Mark B. Madsen
Sen. Scott D. McCoy
Sen. Ross I. Romero
Pres. John L. Valentine

Staff Present: Jerry Howe, Policy Analyst
Karen C. Allred, Committee Secretary

Public Speakers Present: Ken Wallentine, Chief of Law Enforcement, Attorney General
Sharon Zaine, mother of Charlotte Hansen
Gene Bairschmiller, Executive Director, Humane Society
Anne Davis, Executive Director, Animal Advocacy Alliance of UT
Sheryl Herin Devereaux, Consultant
David Reynolds
Todd Bingham, Utah Farm Bureau
Garrick Hall, Dairy Farmer
Charles Hardy, Policy Director, Gun Owner of Utah
Gregory Casill, Best Friends Animals
Cheryl Smith, Utah Animal Adoption
Jeff Stoddard

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

Chair Bell called the meeting to order at 8:07 am.

Chair Bell announced that S.B. 72 would not be heard today.

1. **S.B. 183 Child Pornography Amendment** (*D. C. Buttars*)

Sen. Buttars presented and explained the bill.

Ken Wallentine, Chief of Law Enforcement, Attorney General, spoke in favor of the bill.

MOTION: Sen. Romero moved to pass S.B. 183 out of committee with a favorable recommendation.

The motion passed unanimously with Pres. Valentine absent for the vote.

2. **H.B. 256 Criminal Penalties Amendments -- Including Jessica's Law** (C. Wimmer)

Rep. Wimmer presented and explained the bill.

Sharon Zaine, mother of Charlotte Hansen, spoke in favor of the bill.

MOTION: Sen. Hillyard moved to pass H.B. 256 out of the committee with a favorable recommendation.

The motion passed unanimously with Pres. Valentine absent for the vote.

MOTION: Sen. Hillyard moved to place H.B. 256 on the consent calendar.

The motion passed unaimously with Pres. Valentine absent for the vote.

3. **S.B. 117 Animal Cruelty Amendments** (A. Christensen)

Sen. Christensen presented and explained the bill.

Sen. Hillyard assumed the chair.

Sen. Bell presented and explained an amendment to S.B. 117.

MOTION: Sen. Bell moved to adopt the following amendment to S.B. 117:

1. *Page 5, Line 144:*

144 husbandry practices or customary farming practices ; or

2. *Page 5, Line 147:*

147 (B) is not in accordance with accepted animal husbandry practices or customary farming practices .

3. *Page 6, Line 153:*

153 (A) cared for in accordance with accepted animal husbandry practices or customary farming practices ; and

4. *Page 6, Line 161:*

161 (iii) livestock that is cared for in accordance with:
(A) accepted animal husbandry practices for livestock; or
(B) customary farming practices for livestock ; or

5. *Page 8, Line 233:*

233 in a manner not in keeping with accepted animal husbandry practices or customary
farming practices . intentionally, knowingly,

The motion passed unanimously.

Sen. Bell resumed the chair.

Gene Bairschmiller, Executive Director, Humane Society; Ann Davis, Executive Director, Animal Advocacy Alliance of Utah; Sheryl Herin Devereaux, Consultant; David Reynolds; Gregory Casill, Best Friends Animals; and Cheryl Smith, Utah Animal Adoption spoke against the bill.

Todd Bingham, Utah Farm Bureau and Garrick Hall, Dairy Farmer spoke in favor of the bill.

Charles Hardy, public policy director, Gun Owners of Utah and Jeff Stoddard spoke to the bill.

MOTION: Sen. McCoy moved to amend S.B. 117 with the following amendment:

1. *Page 11, Line 314:*

314 (ii) vivisection necessary to protect the health or life of livestock ;

The motion failed with Sens. McCoy and Romero voting for, Sens. Bell, Hillyard, Greiner and Madsen voting against, and Pres. Valentine absent for the vote.

MOTION: Sen. Romero moved to go to the next item on the agenda.

The motion failed with Sens. McCoy and Romero voting for, Sens. Bell, Hillyard, Greiner and Madsen voting against, and Pres. Valentine absent for the vote.

MOTION: Sen. Madsen moved to pass S.B. 117 out of committee with a favorable recommendation.

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The motion passed with Sens. Bell, Hillyard, Greiner and Madsen voting for, Sens. McCoy and Romero voting against, and Pres. Valentine absent for the vote.

MOTION: Sen. Greiner moved to adjourn

The motion passed unanimously with Pres. Valentine absent for the vote.

The meeting adjourned at 9:50 am.

Sen. Gregory S. Bell, Committee Chair