

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room W020 - House Building, State Capitol Complex
February 8, 2010**

MEMBERS PRESENT: Rep. Lorie D. Fowlke, Chair
Rep. Jim Bird, Vice Chair
Rep. Sheryl L. Allen
Rep. Jackie Biskupski
Rep. Francis Gibson
Rep. Eric K. Hutchings
Rep. Christine A. Johnson
Rep. Brian King
Rep. Kay L. McIff
Rep. Kraig Powell
Rep. Mark A. Wheatley

MEMBERS ABSENT: Rep. Keith Grover

STAFF PRESENT: Jerry D. Howe, Policy Analyst
Kathy Sorg, Committee Secretary

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

Rep. Fowlke called the meeting to order at 8:08 a.m.

MOTION: Representative Johnson moved to approve the minutes of the February 4, 2010 meeting. The motion passed unanimously with Rep. Allen, Rep. Hutchings and Rep. McIff absent for the vote.

H.B. 109 Volunteer Government Workers Act Definitions (*Rep. J. Biskupski*)

Rep. Biskupski explained the bill to the committee with the assistance of Reed Richards, Utah Sheriff's Association.

MOTION: Rep. McIff moved to pass H.B. 109 with a favorable recommendation. The motion passed unanimously with Rep. Allen and Rep. Hutchings absent for the vote.

MOTION: Rep. Biskupski moved to place H.B. 109 on the Consent Calendar. The motion passed unanimously with Rep. Allen and Rep. Hutchings absent for the vote.

H.B. 115 Counsel for Indigents in Juvenile Court Proceedings (*Rep. K. Powell*)

Rep. Powell explained the bill to the committee.

Spoke in favor of the bill: Adam Trupp, Utah Association of Counties.
Rick Schwermer, Assistant State Court Administrator.

MOTION: Rep. Bird moved to proceed to the next item on the agenda. The motion passed unanimously with Rep. Allen and Rep. McIff absent for the vote.

1st Sub. H.B. 235 Child Support for Children in State Custody (Rep. W. Harper)

Rep. Harper explained the bill to the committee, assisted by Duane Betournay, Director, Division of Child and Family Services.

MOTION: Rep. Hutchings moved to pass 1st Sub. H.B. 235 with a favorable recommendation. The motion passed unanimously with Rep. McIff absent for the vote.

H.B. 277 Overdose Reporting Amendments (Rep. C. Johnson)

Rep. Johnson explained the bill to the committee.

Spoke in favor of the bill: Paul Boyden, Utah Statewide Association of Prosecutors.
Scott Reed, Utah Attorney General/Utah Substance Abuse & Anti-Violence Coordinating Council.
Mary Lou Emerson, Utah Substance Abuse & Anti-Violence Coordinating Council.

MOTION: Rep. Biskupski moved to amend H.B. 277 as follows:

1. *Page 2, Lines 29 through 31*
House Committee Amendments
2-5-2010:

29 (1) In sentencing an actor for a misdemeanor violation of Section 32A-12-203 or
30 Subsection 32A-12-209(1), the court ~~{may}~~ shall consider the elements under
 Subsection (2) as a
31 mitigating factor.

The motion to amend H.B. 277 passed unanimously.

MOTION: Rep. Biskupski moved to pass H.B. 277 as amended with a favorable

recommendation. The motion passed unanimously.

MOTION: Representative Powell moved to adjourn the meeting. The motion passed unanimously.

Rep. Fowlke adjourned the meeting at 9:10 a.m.

Rep. Lorie Fowlke, Chair