

MINUTES OF THE HOUSE
LAW ENFORCEMENT AND CRIMINAL JUSTICE STANDING COMMITTEE
Room 25, House Office Building, State Capitol Complex
February 4, 2010

Members Present: Rep. Douglas Aagard, Chair
Rep. Curt Oda, Vice Chair
Rep. Trisha Beck
Rep. Richard Greenwood
Rep. Becky Lockhart
Rep. Paul Ray
Rep. Jennifer Seelig
Rep. Larry Wiley
Rep. Carl Wimmer

Members Absent: Rep. Ben Ferry
Rep. David Litvak

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

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

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

MOTION: Rep. Beck moved to approve the minutes of the February 2, 2010 meeting. The motion passed unanimously, with Rep. Ray, Rep. Oda, Rep. Seelig and Rep. Wiley absent for the vote.

H.B. 103 *Reduced Speed School Zone Amendments (Rep. S. Sandstrom)*

Rep. Sandstrom presented the bill to the committee with the assistance of Ms. Judy Day, Utah Parent Teacher Association.

Spoke for the bill: Ms. Tamara Lowe, Utah School Board Association
Mr. Doug Finch, principle, Cascade Elementary

MOTION: Rep. Wimmer moved to pass the bill out with a favorable recommendation. The motion passed unanimously, with Rep. Lockhart, Rep. Seelig and Rep. Wiley absent for the vote.

H.B. 96 Libel Amendments (Rep. Julie Fisher)

Rep. Fisher presented the bill to the committee with the assistance of Mr. Charlie Luke, American Public Policy Alliance. (handout)

MOTION: Rep. Wimmer moved to pass the bill out with a favorable recommendation. The motion passed unanimously, with Rep. Lockhart absent for the vote.

H.B. 110 County Jail Inmate Medical Costs (Rep. B. Daw)

Rep. Daw presented the bill to the committee with the assistance of Mr. Alan Bennett, nurse supervisor, Utah County Jail.

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

1. Page 1, Lines 20 through 26:

- 20 • deducting the costs from the inmate's cash account on deposit with the
jail during the inmate's incarceration or during a subsequent
incarceration if the subsequent incarceration occurs within the same
county and the incarceration is within three years of the date of the
expense in behalf of the inmate ; or
- 21 • placing a lien against the inmate's personal property {~~to provide~~
~~payment in the~~
22 ~~event funds become available at a later time~~} held by the jail ;
- 23 {~~provides that an existing lien may be carried over to a subsequent~~
~~incarceration of~~
24 ~~the same inmate if the subsequent incarceration takes place within the county~~
25 ~~originating the lien and the future incarceration takes place within three years of the~~
26 ~~date the lien was placed against the prisoner's personal property;~~} and

2. Page 3, Lines 82 through 83:

- 82 (ii) placing a lien for the amount of the expense against the inmate's personal
property {~~to~~
83 ~~provide reimbursement in the event funds become available at a later~~
~~time.~~} held by the jail.

The motion to amend passed unanimously, with Rep. Lockhart, Rep. Wiley and Rep. Wimmer absent for the vote.

Spoke for the bill: Mr. Dale Bench, host services, Utah County Jail

MOTION: Rep. Beck moved to pass the bill out with a favorable recommendation. The motion passed unanimously, with Rep. Lockhart absent for the vote.

H.B. 251 Admission of Affidavits into Evidence (*Rep. R. Lockhart*)

Rep. Lockhart presented the bill to the committee with the assistance of Mr. Pat Nolan, prosecutor, Utah Attorney Generals' Office. (handout)

Spoke against the bill: Mr. Kent Hart, Utah Association of Criminal Defense Lawyers

Spoke to the bill: Mr. Rick Schwermer, Assistant State Court Administrator
Ms. Pilar Shortsleeve, Utah State Crime Lab
Mr. Paul Boyden, Utah Statewide Association of Prosecutors
Ms. Gambrelli Layco, Utah State Toxicology Lab

MOTION: Rep. Ray moved to pass the bill out with a favorable recommendation. The motion passed, with Rep. Wiley voting in opposition. Rep. Seelig was absent for the vote.

S.B. 83 Bail Bond Recovery Amendments (*Sen. J. Greiner*)

Sen. Greiner presented the bill to the committee with the assistance of Mr. Doug Anderson, Bureau of Criminal Identification.

MOTION: Rep. Greenwood moved to adjourn the meeting. The motion passed unanimously.

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

Rep. Douglas Aagard, Chair