

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE
STANDING COMMITTEE MEETING
FRIDAY, FEBRUARY 19, 2010, 8:00 AM
ROOM 250, STATE CAPITOL**

Members Present: Sen. Mark B. Madsen, Committee Chair
Sen. Jon J. Greiner
Sen. Lyle W. Sen. Hillyard
Sen. Benjamin M. McAdams
Sen. Ross J. Romero
Sen. Michael Waddoups

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

Public Speakers Present: Joanne Slotnik, Executive Director, Judicial Performance
Evaluation Commission
Scott Reed, Assistant Attorney General
Rebecca Briggs, Utah Association of Collectors
Paul Boyden, Director, Statewide Association of Prosecutors
David Walsh, Prosecutor, Utah County
Gordon Wright, Bail Bonds Companies

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

Sen. McAdams was asked to Chair the meeting until Sen. Madsen arrived. Sen. McAdams called the meeting to order at 8:15 a.m.

Approval of Minutes

MOTION: Sen. Greiner moved to approve the minutes of February 12 and 16, 2010.

The motion passed unanimously with Sen. Romero absent for the vote.

1. S.B. 210 Judicial Performance Evaluation Commission (D.C. Buttars)

Sen. Buttars introduced the bill and the following amendment was distributed:

1. Page 5, Line 148:

148 (b) Litigants [~~and witnesses~~] may be surveyed only about judicial temperament integrity, and communication skills .

MOTION: Sen. Greiner moved to adopt the amendment.

The motion passed unanimously with Sen. Romero absent for the vote.

Joanne Slotnik, Executive Director, Judicial Performance Evaluation Commission, further clarified the bill and answered questions from the committee.

MOTION: Sen. Hillyard moved to transmit S.B. 210 as amended with a favorable recommendation.

The motion passed unanimously.

2. S.B. 154 Postconviction Remedies Act Amendments (J. S. Adams)

Sen. Adams introduced the bill and 1st Sub. S.B. 154 was distributed.

MOTION: Sen. Greiner moved to adopt 1st Sub. S.B. 154.

The motion passed unanimously.

Scott Reed, Assistant Attorney General, answered questions from the committee.

MOTION: Sen. Hillyard moved to transmit 1st Sub. S.B. 154 with a favorable recommendation.

The motion passed unanimously.

3. S.B. 200 Cause of Action Amendments (S. Urquhart)

Sen. Urquhart explained the bill.

Rebecca Briggs, Utah Association of Collectors, answered questions from the committee.

MOTION: Sen. Greiner moved to transmit S.B. 200 with a favorable recommendation.

The motion passed unanimously with Sen. Hillyard absent for the vote.

4. S.B. 219 Criminal Nuisance Amendment (J. Greiner)

Sen. Greiner explained the bill and answered questions from the committee.

MOTION: Sen. Greiner moved to transmit S.B. 219 with a favorable recommendation.

The motion passed unanimously with Sen. Hillyard absent for the vote.

5. H.B. 89 License for Controlled Substances Amendments (M. Morley)

Sen. Madsen explained the bill.

MOTION: Sen. Greiner moved to transmit H.B. 89 with a favorable recommendation.

The motion passed unanimously with Sen. Hillyard absent for the vote.

MOTION: Sen. Madsen moved that H.B. 89 be placed on the Consent Callendar.

The motion passed unanimously with Sen. Hillyard absent for the vote.

6. H.B. 195 Homicide Penalty Amendment (C. Wimmer)

Rep. Wimmer explained the bill and answered questions from the committee.

Paul Boyden, Director, Statewide Association of Prosecutors, further clarified the bill.

MOTION: Sen. Greiner moved to transmit H.B. 195 with a favorable recommendation.

The motion passed unanimously with Sen. Hillyard absent for the vote.

MOTION: Sen. Madsen moved that H.B. 195 be placed on the Consent Callendar.

Sen. Madsen withdrew the motion.

7. 1st Sub. H.B. 207 Protection of Property Amendment (C. Wimmer)

Rep. Wimmer explained the bill.

Paul Boyden, Director, Statewide Association of Prosecutors, further clarified the bill.

MOTION: Sen. Greiner moved to transmit 1st Sub. H.B. 207 with a favorable recommendation.

The motion passed unanimously with Sen. Hillyard absent for the vote.

8. S.B. 252 Bail Bond Act Amendments (D. Stowell)

Sen. Stowell introduced the bill and 1st Sub. S.B. 252 was distributed.

MOTION: Sen. Greiner moved to adopt 1st Sub. S.B. 252.

The motion passed unanimously with Sen. Hillyard absent for the vote.

David Walsh, Prosecutor, Utah County, further clarified the bill.

Gordon Wright, Bail Bondsman, spoke in support of the bill.

MOTION: Sen. Romero moved to transmit 1st Sub. S.B. 252 with a favorable recommendation.

The motion passed unanimously with Sen. Hillyard absent for the vote.

9. H.B. 225 Counterfeit Substance Amendments (P. Ray)

Sen. Greiner explained the bill.

Paul Boyden, Director, Statewide Association of Prosecutors, further clarified the bill and answered questions from the committee.

MOTION: Sen. President Waddoups moved to transmit H.B. 225 with a favorable recommendation.

The motion passed unanimously with Sen. Hillyard absent for the vote

MOTION: Sen. Greiner moved to adjourn.

The motion passed unanimously with Sen. Hillyard absent for the vote.

The meeting adjourned at 9:30 a.m.

Sen. Mark B. Madsen, Committee Chair

