

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE
STANDING COMMITTEE MEETING
ROOM 250, STATE CAPITOL
February 28, 2012**

Members Present: Sen. Mark B. Madsen, Committee Chair
Sen. Ben McAdams
Sen. Ross I. Romero
Sen. Steve H. Urquhart
Sen. Todd Weiler

Members Excused: Sen. Lyle W. Hillyard
Pres. Michael G. Waddoups

Staff Present: Nathan Brady, Policy Analyst
Karen C. Allred, Committee Secretary

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

Acting Chair Romero called the meeting to order at 8:11 a.m.

MOTION: Sen. Weiler moved to approve the minutes of the February 24, 2012. The motion passed unanimously with Sen. Madsen and Sen. Urquhart absent for the vote.

H.B. 117 Firearm Modifications (Rep. K. Ivory)

Rep. Ivory introduced and explained the bill.

MOTION: Sen. McAdams moved to pass S.B. 117 out favorably. The motion passed unanimously with Sen. Madsen and Sen. Urquhart absent for the vote.

1st Sub. H.B. 52 Notorious Criminal Activity Amendments (Rep. R. C. Webb)

Rep. Webb introduced and explained the bill.

Sen. Romero relinquished the Chair to Sen. Madsen

MOTION: Sen. Romero moved to pass 1st Sub. H.B. 52 out favorably. The motion passed unanimously with Sen. McAdams and Sen. Urquhart absent for the vote.

H.B. 99 Background Check Fee Exemption for Firearm Purchase (Rep. B. Galvez)

Rep. Galvez introduced and explained the bill.

Spoke to the bill: Alice Moffat, Division Director, Department of Public Safety, Bureau of Criminal Investigation

Spoke for the bill: Kelly Atkinson, Government Relations, Fraternal Order of Police

Spoke against the bill: Clark Aposhian, Chairman, Utah Shooting Sports Council

Sen. Madsen relinquished the Chair to Sen. Romero.

MOTION: Sen. Weiler moved to pass H.B. 99 out favorably. The motion failed with Sen. McAdams and Sen. Urquhart voting in opposition, Sen. Romero and Sen. Weiler voting in favor, and Sen. Madsen absent for the vote.

Sen. Romero relinquished the Chair to Sen. Madsen.

MOTION: Sen. Weiler made a motion to the next item on the agenda. The motion passed unanimously.

1st Sub H.B. 432 Bureau of Criminal Identification Amendments (Rep. J. Seelig)

MOTION: Sen. Weiler moved to amend 1st Sub. H.B. 432 as follows:

1. Page 2, Lines 44 through 45:

- 44 the total of the fee under Subsection (1)(a) and the fee under Subsection (6)(a) ~~{-are}~~
~~{-an}~~ is the nearest even
45 dollar amount to that total .

The motion passed unanimously with Sen. Madsen and McAdams absent for the vote.

Rep. Seelig introduced and explained the bill.

Spoke for the bill: Clark Aposhian, Chairman, Utah Shooting Sports Council

MOTION: Sen. Weiler moved to pass 1st Sub. H.B. 432 out favorably. The motion passed unanimously with Sen. Madsen and Sen. McAdams absent for the vote.

MOTION: Sen. Weiler moved to place 1st Sub. H.B. 432 on the Consent Calendar. The motion passed with Sen. Madsen and Sen. McAdams absent for the vote.

H.B. 307 Factual Innocence Amendments (Rep. B. Dee)

Sen. Weiler introduced and explained the bill.

Spoke for the bill: Scott Reed, Assistant Attorney General, Utah Office of the Attorney General

Spoke to the bill: Jensie Anderson, Professor/Legal Director, University of Utah/ Rocky Mountain Innocence Center

Sen. Romero relinquished the Chair to Sen. Madsen.

MOTION: Sen. Romero moved to pass H.B. 307 out favorably. The motion passed unanimously with Sen. McAdams absent for the vote.

H.B. 223 Retention of Evidence Amendments (Rep. B. Wilson)

Rep. Wilson introduced and explained the bill

Spoke for the bill: Paul Boyden, Executive Director, Statewide Association of Prosecutors

MOTION: Sen. Romero moved to pass H.B. 223 out favorably. The motion passed unanimously.

MOTION: Sen. Weiler moved to place H.B. 223 on the Consent Calendar. The motion passed unanimously.

H.B. 326 Serious Youth Offender Amendments (Rep. P. Ray)

Chair Madsen announced that H.B. 326 would not be heard today.

1st Sub. H.B. 254 Controlled Substances Amendments (Rep. G. Froerer)

Rep. Froerer introduced and explained the bill.

Spoke for the bill: Dr. David Sundwall, Chair, Controlled Substance Abuse Advisory Committee; Professor, University of Utah

MOTION: Sen. McAdams moved to pass 1st Sub. H.B. 254 out favorably. The motion passed with Sen. Madsen voting in opposition.

1st Sub. H.B. 229 Constables Amendments (Rep. L. Perry)

Rep. Perry introduced and explained the bill.

Spoke for the bill: John Sindt, Constable, Constables Association

MOTION: Sen. Romero moved to pass H.B. 229 out favorably. The motion passed unanimously.

1st Sub. H.B. 121 Disabled Law Enforcement Officer Amendments (*Rep. L. Perry*)

Rep. Perry introduced and explained the bill.

Spoke for the bill: Kelly Atkinson, Government Relations, Fraternal Order of Police
Christine House, Employee Representative, Utah Public Employees
Association

MOTION: Sen. Weiler moved to pass 1st Sub. H.B. 121 out favorably. The motion passed
unanimously with Sen. McAdams absent for the vote.

MOTION: Sen. Romero moved to adjourn the meeting. The motion passed unanimously,
with Sen. McAdams absent for the vote.

Chair Madsen adjourned the meeting at 9:28 a.m.

Minutes reported by Karen C. Allred, Secretary.

Sen. Mark B. Madsen, Committee Chair