

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room 20, West Office Building
March 7, 2013**

MEMBERS PRESENT: Rep. Kay L. McIff, Chair
Rep. Lee B. Perry, Vice Chair
Rep. Patrice Arent
Rep. LaVar Christensen
Rep. Brian M. Greene
Rep. Craig Hall
Rep. Eric K Hutchings
Rep. Brian S. King
Rep. V. Lowry Snow

STAFF PRESENT: Ms. Chelsea Lloyd, Policy Analyst
Ms. Linda Black, Committee Secretary

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

Chair McIff called the meeting to order at 4:35 p.m.

MOTION: Rep. Snow moved to approved the minutes for March 4, 2013. The motion passed unanimously, with Rep. Arent, Rep. Christensen, Rep. Hall, and Rep. Hutchings absent for the vote.

S.B. 204S01 Judiciary Amendments (*Sen. L. Hillyard*)

Sen. Hillyard presented the bill to the committee.

Spoke to the bill: Mr. Rick Schwermer Administrative Office of the Courts

MOTION: Rep. Perry moved to pass the bill out favorably. The motion passed unanimously, with Rep. Arent, Rep. Hall, and Rep. Hutchings absent for the vote.

MOTION: Rep. Perry moved to place S.B. 204S01 on the Consent Calendar. The motion passed unanimously, with Rep. Arent, Rep. Hall, and Rep. Hutchings absent for the vote.

S.B. 155S01 Open Adoption (*Sen. L. Hillyard*)

Sen Hillyard presented the bill to the committee.

MOTION: Rep. Perry moved to pass the bill out favorably. The motion passed unanimously, with Rep. Hall absent for the vote.

S.B. 102S01 Contractor Licensing Amendments (*Sen. W. Harper*)

Sen. Harper presented the bill to the committee.

MOTION: Rep. Greene moved to pass the bill out favorably. The motion passed unanimously, with Rep. Hall absent for the vote.

MOTION: Rep. Perry moved to place S. B. 102S01 on the Consent Calendar. The motion failed, with Rep. Arent voting in opposition.

S.C.R. 4S01 Standing with Israel Concurrent Resolution (*Sen. C. Bramble*)

Sen. Bramble presented the resolution to the committee.

MOTION: Rep. Arent moved to pass the resolution out favorably. The motion passed unanimously, with Rep. Hall and Rep. Snow absent for the vote.

MOTION: Rep. King moved to place S.C.R. 4S01 on the Consent Calendar. The motion passed unanimously, with Rep. Hall and Rep. Snow absent for the vote.

H.B. 383 Taxpayer Funded Lobbyist Prohibition Act (*Rep. P. Ray*)

Rep. Ray presented the bill to the committee.

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

1. Page 2, Line 33:

33 (c) "Public official" ~~is~~ " **notwithstanding Section 36A-11-102,** is as defined in
Section 20A-11-1202.

The motion passed unanimously, with Rep. Snow absent for the vote.

MOTION: Rep. Green moved to further amend the bill as follows:

1. Page 2, Lines 34 through 35:

34 (2) A governmental entity may not use public funds to hire, contract, or otherwise
35 engage a lobbyist for the purpose of influencing the action of a public official **of the**
state or of a political subdivision .

The motion passed unanimously, with Rep. Snow absent for the vote.

Spoke in favor

of the bill: Mr. Derek Monson Sutherland Institute
Mr. Connor Boyack Libertas Institute

Spoke in opposition
to the bill:

Mr. Sean Hullinger
Mr. Jeremy Roberts

Criminal Defense Lawyers
(against the amendment)

MOTION: Rep. Hutchings moved to strike the amendment, and to return the bill to its original form.

SUBSTITUTE

MOTION: Chair McIff moved to hold the bill.

Rep. Hutchings and Chair McIff withdrew their motions.

MOTION: Rep. Arent moved to pass the bill out favorably, as amended. The motion passed unanimously, with Rep. Christensen and Rep. King absent for the vote.

H.B. 397 Property Tax Increase Amendments (*Rep. J. Nielson*)

Rep. Nielson presented the bill to the committee.

Spoke in favor
of the bill:

Mr. Ronald Mortensen

Spoke in opposition
to the bill:

Ms. Barbara Smith
Mr. Jay Blaine
Mr. Arie Van De Graaff

Davis County School Board
Utah Education Association
Utah Association of Counties

MOTION: Rep. Arent moved to proceed to the next item on the agenda. The motion passed unanimously, with Rep. Christensen and Rep. King absent for the vote.

S.B. 105 Board of Pardons and Parole Revisions (*Sen. D. Thatcher*)

Sen. Thatcher presented the bill to the committee, with the assistance of Ms. Jacey Skinner, Utah Sentencing Commission.

MOTION: Rep. Arent moved to pass the bill out favorably. The motion passed unanimously, with Rep. Christensen and Rep. King absent for the vote.

MOTION: Rep. Hall moved to place S.B. 105 on the Consent Calendar. The motion passed unanimously, with Rep. Christensen and Rep. King absent for the vote.

S.B. 159 Theft Amendments (*Sen. D. Thatcher*)

Sen. Thatcher presented the bill to the committee.

Spoke to the bill: Ms. Jacey Skinner, Director Utah Sentencing Commission

MOTION: Rep. Arent moved to pass the bill out favorably. The motion passed unanimously, with Rep. Christensen and Rep. King absent for the vote.

MOTION: Rep. Hall moved to place S.B. 159 on the Consent Calendar. The motion failed with Rep. Arent voting in opposition.

MOTION: Rep. Perry moved to adjourn the meeting. The motion passed unanimously, with Rep. Christensen and Rep. King absent for the vote.

Chair McIff adjourned the meeting at 7:30 p.m.

Kay L. McIff, Chair