

CORRECTED
MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
20 House Building, Utah State Capitol Complex
February 4, 2015

Members Present:

- Rep. LaVar Christensen, Chair
- Rep. Merrill Nelson, Vice Chair
- Rep. Fred C. Cox
- Rep. Bruce Cutler
- Rep. Brian M. Greene
- Rep. Craig Hall
- Rep. Brian S. King
- Rep. Curtis Oda
- Rep. V. Lowry Snow
- Rep. Kevin J. Stratton
- Rep. Mark A. Wheatley

Staff Present:

- Mr. Gregg Girvan, Policy Analyst
- Ms. Linda Black, Committee Secretary

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

Chair Christensen called the meeting to order at 4:12 p.m.

MOTION: Rep. Nelson moved to approve the minutes of January 29, 2015. The motion passed unanimously with Rep. Wheatley absent for the vote.

H.B. 34 Personal Injury Damages Amendments (Rep. K. McIff)

Rep. McIff explained the bill to the committee.

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

1. *Page 2, Lines 37 through 39:*

37 from the injury caused by the wrongdoer and which occurred prior to death of the injured party

38 from the unrelated cause. { The general damages available under the circumstances described in

39 this Subsection (1)(b) may not exceed \$100,000. }

2. *Page 2, Lines 49 through 53:*

49 (d) A subsequent claim against an underinsured motorist carrier for which the
injured
50 party was a covered person is not subject to the notice requirement described in
Subsection
51 (1)(c).
52 {+} (e) In no event shall ~~the~~ an award of general [damage award]
damages available under the circumstances described in Subsection (1)(b) or (1)(c)
against any wrongdoer or any insurer exceed \$100,000 regardless of
53 available liability, uninsured or underinsured motor vehicle coverage. {+}

The motion passed unanimously with Rep. Greene, Rep. Wheatley and Rep. Nelson absent for the vote.

Spoke to the bill: Steve Sullivan
Chris Purcell

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

Rep. Oda assumed the chair.

H.B. 164 Grandparent Rights Amendments (Rep. L. Christensen)

Rep. Christensen explained the bill to the committee.

Spoke to the bill: Dan Fazzini
Eric Johnson, attorney
Stewart Ralphs, Legal Aid Society of Salt Lake City
Jackie deGasten, attorney

Spoke for the bill: Amanda Davis

MOTION: Rep. Cutler moved to pass the bill out favorably.

SUBSTITUTE

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

1. Page 3, Line 77:

77 (i) bring an action or file a petition for visitation rights as described in

Subsection s (2) and (3) :

The substitute motion passed unanimously with Rep. Wheatley absent for the vote.

MOTION: Rep. Cutler moved to pass the bill out favorably as amended. The motion passed with Rep. King voting in opposition. Rep. Wheatley was absent for the vote.

Chair Christensen resumed the chair.

H.B. 35 Parent-time Schedule Amendments (Rep. V. L. Snow)

Rep Snow explained the bill to the committee.

Spoke to the bill: Lorie Fowlke, attorney
Eric Johnson, attorney
Julie Anderson, citizen

MOTION: Rep. Cox moved to pass the bill out favorably. The motion passed unanimously with Rep. Stratton absent for the vote.

Vice Chair Nelson assumed the chair.

H.B. 154 Jury Duty Exemption Amendments (Rep. M. McKell)

Rep. McKell explained the bill to the committee.

Spoke for the bill: Michelle Scharf, midwife
Lacey Smith, dula
Stephanie Pitcher, law student

MOTION: Rep. Stratton moved to pass the bill out favorably. The motion passed unanimously.

MOTION: Rep. Cutler moved to place H.B. 154 on the Consent Calendar. The motion passed unanimously.

H.B. 109 Expungement of Administrative Action (Rep. B. Greene)

The bill was not considered.

H.B. 137 Change to Mandatory Retirement Age for Judges (Rep. K. Powell)

The bill was not considered.

H.B. 143 Prohibition on Tattooing of Minors (*Rep. L. Christensen*)

The bill was not considered.

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

Vice Chair Nelson adjourned the meeting at 6:00 p.m.

LaVar Christensen, Chair