

**MINUTES OF THE
JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE INTERIM COMMITTEE**

Wednesday, June 23, 2010 – 9:00 a.m. – Room 30 House Building

Members Present:

Sen. Jon J. Greiner, Senate Chair
Rep. Douglas C. Aagard, House Cochair
Rep. Lorie D. Fowlke, House Cochair
Sen. Benjamin M. McAdams
Sen. Ross I. Romero
President Michael G. Waddoups
Rep. Sheryl L. Allen
Rep. Trisha S. Beck
Rep. Jim Bird
Rep. Richard A. Greenwood
Rep. Keith Grover
Rep. Don L. Ipson
Rep. Brian S. King
Rep. Rebecca D. Lockhart
Rep. Curtis Oda

Rep. Jennifer M. Seelig
Rep. Mark A. Wheatley
Rep. Larry B. Wiley
Rep. Carl Wimmer

Members Absent:

Sen. D. Chris Buttars
Sen. Lyle W. Hillyard
Rep. Eric K. Hutchings

Staff Present:

Mr. Jerry D. Howe, Policy Analyst
Mr. Stewart E. Smith, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Esther D. Chelsea-McCarty, Associate General Counsel
Ms. Amanda K. Majers, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Aagard called the meeting to order at 9:12 a.m.

MOTION: Sen. Greiner moved to approve the minutes of the May 19, 2010 meeting. The majority of the members present voted in favor of the motion, with Rep. Allen, Rep. Fowlke, Rep. Greenwood, Rep. Grover, Rep. Ipson, Rep. Oda, Rep. Seelig, and Rep. Wimmer absent for the vote. However, a quorum of Senate members were not present for the vote as Sen. McAdams, Sen. Romero, and President Waddoups were absent. As a result, the motion did not pass.

2. Administrative Office of the Courts

Mr. Daniel J. Becker, State Court Administrator, Administrative Office of the Courts, gave a presentation concerning the effects of recent budget cuts on the Utah State Courts' operations and answered questions from the Committee.

A. Mandatory Education for Divorcing Parents

Mr. Richard Schwermer, Assistant Court Administrator, Administrative Office of the Courts, distributed and discussed a memorandum from Polly Schnapper, Divorce Education Manager, addressing the annual report for the Divorce Education for Parents Program.

B. Dispute Resolution Programs

Mr. Schwermer distributed and discussed the handout, "Utah State Court-Annexed: Alternative Dispute Resolution Programs."

3. Statutorily Required Reports

Mr. Schwermer; Mr. Ron Gordon, Executive Director, Utah Commission on Criminal and Juvenile Justice (CCJJ); and Mr. Mike Haddon, Deputy Director, Utah Department of Corrections, discussed and answered questions concerning "Reports Required by Statute," which was distributed to the Committee prior to the meeting.

Chair Aagard requested that Mr. Gordon compile an estimate of the number of personnel hours required to compile the CCJJ statutorily required reports.

Mr. Paul Patrick, Emergency Medical Services Bureau Chief, Utah Department of Health, discussed "Statutes Relating to Required Reports," which was distributed to the Committee prior to the meeting. Mr. Patrick answered questions from the Committee.

4. Funding for Statewide Unified E-911 Emergency Service

Committee staff distributed a copy of Utah Code Section 69-2-5.6, "Emergency Services Telecommunications Charge to Fund Statewide Unified E-911 Emergency Service," to the Committee.

Mr. Bill Jensen, 911 Program Manager, distributed and discussed a map "Status of Utah PSAPs Prior to 2005" and distributed a booklet "Next Generation 9-1-1 Transition Policy Implementation Handbook: A Guide for Identifying and Implementing Policies to Enable NG9-1-1 - March 2010." Mr. Jensen and Chief Mike Mathieu, Chair, State of Utah 911 Committee, answered questions from the Committee.

MOTION: Sen. Greiner moved to extend, for ten years, the sunset date for the emergency services telecommunications charge established in Section 69-2-5.6 to fund the Statewide Unified E-911 Emergency Service. The motion passed unanimously, with Sen. Romero, President Waddoups, Rep. Allen, Rep. Ipson, Rep. Lockhart, Rep. Seelig, and Rep. Wimmer absent for the vote.

5. Inmate Health Insurance

Rep. Paul Ray discussed 2011 General Session draft legislation, "Inmate Health Insurance Amendments" (2011FL-0035/002), which was distributed to the Committee prior to the meeting.

Rep. Ray and Mr. Haddon answered questions from the Committee concerning the draft legislation.

Mr. Steve Hunter, Utah Health Plans, spoke in opposition to the draft legislation.

MOTION: Rep. Fowlke moved to adopt 2011 General Session draft legislation, "Inmate Health Insurance Amendments" (2011FL-0035/002) as a committee bill.

SUBSTITUTE MOTION: Rep. Bird moved to continue to the next agenda item. The motion failed, with Rep. Allen, Rep. Bird, Rep. Grover, Rep. Ipson, Rep. Oda, and Rep. Wimmer voting in favor. Sen. McAdams, Sen. Romero, President Waddoups, and Rep. Lockhart were absent for the vote.

The majority of the members present voted in favor of the original motion, with Rep. Bird, Rep. Grover, Rep. Ipson, Rep. Oda, and Rep. Wimmer voting in opposition and Rep. Lockhart absent. However, a quorum of Senate members were not present for the vote as Sen. McAdams, Sen. Romero, and President Waddoups were absent. As a result, the original motion did not pass.

6. Gun Safety and Gun Free Zones

Sen. Dennis E. Stowell distributed and discussed a handout, "Schools May Adopt Firearm Safety Training" and showed the movie, "Talk and Lock: A Gun Safety Message."

Mr. Blaine Nay, Cedar City resident and firearms instructor, spoke to the issue.

Committee questions and comments followed.

Superintendent Larry K. Shumway, Utah State Office of Education, spoke concerning the proposal.

7. Guardianship Appointments

Rep. Kraig Powell distributed and discussed 2011 General Session draft legislation, "Guardianship Amendments" (2011FL-0140/003) and "Comparison of Current Law and H.B. 347, Guardianship Amendments by Rep. Kraig Powell."

Mr. Timothy M. Shea, Administrative Office of the Courts, spoke in favor of the draft legislation.

Rep. Powell and Mr. Shea answered questions from the Committee.

8. Other Business / Adjourn

Chair Aagard adjourned the meeting at 12:00 p.m.