

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE
STANDING COMMITTEE
Room 250, Utah State Capitol
February 23, 2016**

Members Present: Sen. Mark B. Madsen, Chair
Sen. Gene Davis
Sen. Luz Escamilla
Sen. Lyle W. Hillyard
Sen. Daniel W. Thatcher
Sen. Stephen H. Urquhart
Sen. Todd Weiler

Staff Present: Mr. Nathan Brady, Policy Analyst
Ms. Nancy Skidmore, Committee Secretary

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

Chair Madsen called the meeting to order at 4:10 p.m.

MOTION: Sen. Weiler moved to approve the minutes of the February 22, 2016 meeting. The motion passed unanimously with Sen. Urquhart absent for the vote.

S.B. 77 Medicaid Expansion Proposal (*Sen. G. Davis*)

Sen. Davis explained the bill to the committee.

Spoke for the bill: Mr. Paul Gibbs, Executive Committee, LDS Democrats Caucus
Ms. Angela York, Utah Nurses Association
Ms. Elizabeth Klc, Utah Association of Counties
Mr. Scott Hayashi, Bishop, Episcopal Diocese of Utah
Ms. Aimee McLean, State Director, Utah Nurses Association

Spoke against the bill: Ms. Evelyn Everton, Americans for Prosperity

MOTION: Sen. Thatcher moved to pass the bill out favorably. The motion passed with Sen. Hillyard voting in opposition and Sen. Weiler absent for the vote.

S.B. 189 Death Penalty Amendments (*Sen. S. Urquhart*)

Sen. Urquhart explained the bill to the committee.

Spoke to the bill: Mr. Thomas Brunner, Utah Attorney General's Office

Spoke for the bill: Mr. Ralph Dellapiana, Chairman, Utah Capital Committee Chair,

Utah Association of Criminal Defense Lawyers
Ms. Jean Hill, Government Liaison, Catholic Diocese
Ms. Jensie Anderson, Rocky Mountain Innocence Center
Mr. Kent Hunt, Executive Director, Utah Association of Criminal
Defense Lawyers
Mr. David Shapiro, Criminal Defense Attorney

Spoke against the bill: Ms. Maryann Christensen, Utah Eagle Forum

MOTION: Sen. Urquhart moved to pass the bill out favorably. The motion passed with Sen. Hillyard and Sen Weiler voting in opposition.

S.B. 181 Judiciary Amendments (*Sen. L. Hillyard*)

MOTION: Sen. Hillyard move to amend the bill as follows:

I. *Page 5, Lines 126 through 128:*

126 (i) In cases where [~~a minor is facing a felony-level offense~~] [petitions](#) [a petition](#) or
information

127 alleging a felony-level offense is filed, the court shall appoint counsel, who shall appear until
128 counsel is retained on the minor's behalf. The minor may not waive counsel unless the minor

2. *Page 5, Lines 133 through 134:*

133 (ii) In all other [~~situations~~] cases in which [a petition is filed](#) the right to counsel may not
be waived by a

134 minor unless there has been a finding on the record, taking into consideration the minor's

The motion passed unanimously with Sen. Davis and Sen. Urquhart absent for the vote.

Sen. Hillyard explained the bill to the committee.

Spoke to the bill: Mr. Rick Schwermer, Utah State Courts

MOTION: Sen. Hillyard moved to pass the bill out favorably. The motion passed unanimously with Sen. Davis and Sen. Urquhart absent for the vote.

MOTION: Sen. Thatcher moved to place the bill on the Consent Calendar. The motion passed unanimously with Sen. Davis and Sen. Urquhart absent for the vote.

S.B. 192 Study of Claims Exceeding Statutory Limit (*Sen. J. Iwamoto*)

Sen. Iwamoto explained the bill to the committee.

Spoke for the bill: Mr. Steve Sullivan, Attorney

MOTION: Sen. Thatcher moved to pass the bill out favorably. The motion passed unanimously with Sen. Davis, Sen. Hillyard, and Sen. Urquhart absent for the vote.

S.B. 187 Reclassification of Misdemeanors (*Sen. D. Thatcher*)

MOTION: Sen. Thatcher moved the S.B. 187 be replaced with 1st Sub. S.B. 187. The motion passed unanimously with Sen. Davis, Sen. Hillyard and Sen. Urquhart absent for the vote.

Sen. Thatcher explained the bill to the committee.

MOTION: Sen. Thatcher moved to pass the bill out favorably. The motion passed unanimously with Sen. Davis, Sen. Hillyard and Sen. Urquhart absent for the vote.

MOTION: Sen. Escamilla moved to reconsider action on S.B. 192. The motion passed unanimously with Sen. Davis, Sen. Hillyard and Sen. Urquhart absent for the vote.

MOTION: Sen. Escamilla moved S.B. 192 be placed on the Consent Calendar. The motion passed unanimously with Sen. Davis, Sen. Hillyard and Sen. Urquhart absent for the vote

S.B. 202 Pre-trial Release Amendments (*Sen. L. Hillyard*)

This bill was not considered.

S.B. 179 Uniform Parentage Act Amendments (*L. Hillyard*)

This bill was not considered.

MOTION: Sen. Davis moved to adjourn. The motion passed unanimously with Sen. Hillyard and Sen. Urquhart absent for the vote.

Chair Madsen adjourned the meeting 6:03 p.m.