

**MINUTES OF THE
JUDICIARY INTERIM COMMITTEE**

Wednesday, May 18, 2016 – 8:30 a.m. – Room 25 House Building

Members Present:

Sen. Mark B. Madsen, Senate Chair
Rep. LaVar Christensen, House Chair
Sen. Luz Escamilla
Sen. Lyle W. Hillyard
Sen. Ralph Okerlund
Sen. Stephen H. Urquhart
Rep. Fred C. Cox
Rep. Bruce R. Cutler
Rep. Brian M. Greene
Rep. Craig Hall
Rep. Brad King

Rep. Merrill F. Nelson
Rep. Dixon M. Pitcher
Rep. V. Lowry Snow
Rep. Keven J. Stratton
Rep. Norman K. Thurston
Rep. Mark A. Wheatley

Staff Present:

Mr. Gregg Girvan, Policy Analyst
Ms. Esther Chelsea-McCarty, Associate General Counsel
Ms. Lucy W. Daynes, Legislative Assistant

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 Christensen called the meeting to order at 8:46 a.m.

MOTION: Rep. Cutler moved to approve the minutes of the October 21, 2015, and November 18, 2015, meetings. The motion passed unanimously with Sen. Escamilla, Sen. Madsen, and Sen. Urquhart absent for the vote.

Committee members and staff introduced themselves.

2. 2016 Interim Studies

Chair Christensen outlined the issues that the committee has been assigned to study during the interim. He noted that these include child welfare, indigent defense, marijuana impairment and penalties, state zoning powers, and justice courts.

The committee discussed the study topics.

Mr. Girvan explained provisions of 2016 General Session S.B. 115, "Indigent Defense" that relate to the committee's study of indigent defense. He described the indigent defense systems of Utah and other states.

3. 2016 Judiciary Legislation

Mr. Girvan presented "2016 List of Judiciary General Session Bills" and highlighted specific bills that were passed.

The committee discussed legislation from the 2016 General Session and additional topics for the committee to study during the interim.

Sen. Madsen outlined and expanded on the study topic of marijuana impairment and penalties.

4. State Zoning Powers

Chair Christensen introduced the topic of state zoning powers in the context of residential drug recovery centers. He explained that the committee will be cooperating with the Political Subdivisions Interim Committee to study and address the topic.

The committee discussed the intersections of federal, state, and local law in the context of residential drug recovery centers.

Mr. George Chapman, resident, Salt Lake City, highlighted issues for the committee to consider in placing a drug recovery center in a residential neighborhood. He expressed his support for 2016 General Session H.B. 374, "Accessible Parking Amendments," and asked the committee to refine laws related to booting cars.

Mr. Andrew Riggle, public policy advocate, Utah Disability Law Center, stated that under the Americans with Disabilities Act and the Fair Housing Act, individuals in recovery from drug use are considered individuals with disabilities. He clarified that drug recovery centers are licensed and regulated by the Utah Department of Human Services.

5. Sunset Review

Mr. Girvan presented "Sunset Review Process" and outlined the process and options for the committee in considering the sunset review for Title 63M-7-504, Crime Victim Restitution and Assistance Board.

6. Utah Open and Public Meetings Act Training

Mr. Girvan presented "Open and Public Meetings Act" and highlighted specific provisions of the act.

The committee discussed the Open and Public Meetings Act.

7. Other Items/Adjourn

MOTION: Rep. Thurston moved to adjourn. The motion passed unanimously with Sen. Madsen, Sen. Okerlund, Rep. Greene, and Rep. King absent for the vote.

Chair Christensen adjourned the meeting at 10:26 a.m.