

**REVISED MINUTES OF THE SENATE BUSINESS & LABOR
STANDING COMMITTEE
MONDAY, JANUARY 26, 2004, 8:00 A.M.
ROOM 403, STATE CAPITOL BUILDING**

Members Present: Sen. Parley G. Hellewell, Chair
 Sen. Curtis Bramble
 Sen. Gene Davis
 Sen. Dan Eastman
 Sen. Thomas V. Hatch
 Sen. Ed Mayne
 Sen. Carlene M. Walker
 Sen. Michael Waddoups

Members Excused:

Staff Present: Mark Steinagel, Policy Analyst
 Karen Allred, Committee Secretary

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

Committee Chair Hellewell called the meeting to order at 8:05 a.m. and announced that **1st Sub. S.B. 28 Home Inspection - Action Against Inspector** (*P. Julander*) would not be heard.

MOTION: Sen. Walker moved to approve the minutes of January 22, 2004.

The motion passed unanimously with Sens. Bramble, Eastman, Waddoups, Davis and Mayne absent for the vote.

1. S.B. 102 Journal of Notary Public Acts (*P. Knudson*)

Sen. Knudson proposed the following amendments:

1. Page 2, Lines 51 through 53:

51 (e) the evidence of identity of each person for whom a notarial act is performed, in
 the
52 form of [~~either~~]:
53 (i) except as provided in Subsection (4)(b), a statement that the person is
 "personally known" to the notary; [~~or~~]

2. Page 3, Lines 67 through 74:

67 (4) Notwithstanding the other provisions of this section and Sections 46-1-13 and

68 46-1-15, a notary is not required to ~~[[enter]]~~ make an entry in a journal ~~[[the~~
information described in Subsection

69 ~~(1) or (2)]~~ for a notarial act if:

70 (a) (i) (A) the notary is an employee of the Department of Public Safety; or

71 ~~[[(ii)]]~~ (B) the document notarized by the notarial act is used in the ordinary
course of services

72 performed by the Department of Public Safety; and

73 ~~[[(b)]]~~ (ii) the Department of Public Safety maintains a copy of the
document that is notarized

74 for the time period prescribed by law ; or
(b) the person for whom a notarial act is performed is personally known to the
notary .

MOTION: Sen. Walker moved to adopt the amendments.

The motion passed unanimously with Sens. Bramble, Eastman, Waddoups, Davis and Mayne absent for the vote.

Paul Hansen, citizen, and Fran Fish, Director, Notary Authentication, Lt. Gov. Office, spoke in support of the bill.

Joseph Rust, attorney, spoke in opposition to the bill.

MOTION: Sen. Davis moved to pass the bill out favorably.

The motion failed with Sens. Bramble, Davis and Mayne voting in favor of the bill, Sens. Hellewell, Eastman, Hatch and Waddoups voting in opposition, and Sen. Walker absent for the vote.

3. H.B. 16 Life Insurance Law Amendments (J. Dunnigan)

Rep. Dunnigan introduced Mickey Brown, State Insurance Dept., and explained the bill.

MOTION: Sen. Mayne moved to pass the bill out favorably.

The motion passed unanimously with Sens. Bramble, Walker and Davis absent for the vote.

4. H.B. 21 Licensing - Insurance Law Amendments (J. Dunnigan)

Rep. Dunnigan explained the bill.

MOTION: Sen. Mayne moved to pass the bill out favorably.

The motion passed unanimously with Sens. Bramble, Walker and Davis absent for the vote

MOTION: Sen. Eastman moved to adjourn.

The motion passed unanimously with Sens. Bramble, Walker and Davis absent for the vote.

Chair Hellewell adjourned the meeting at 8:55 a.m.

Sen. Parley G. Hellewell, Chair