

**MINUTES OF THE  
SENATE JUDICIARY, LAW ENFORCEMENT & CRIMINAL JUSTICE  
STANDING COMMITTEE MEETING  
WEDNESDAY, JANUARY 22, 2008, 2:00 P.M.  
ROOM W130, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX**

Members Present:            Sen. Gregory S. Bell, Chair  
                                  Sen. Jon J. Greiner  
                                  Sen. Lyle W. Hillyard  
                                  Sen. Mark B. Madsen  
                                  Sen. Scott D. McCoy  
                                  Sen. Ross I. Romero

Members Excused:         Pres. John Valentine

Staff Present:             Jerry Howe, Policy Analyst  
                                  Karen C. Allred, Committee Secretary

Public Speakers Present:   Michael Cragun, Deputy Chief Of Staff, Lt. Governor  
                                  Clair Williams, UDLL Attorney, Union Pacific  
                                  Mark Rowley, Union Pacific Police  
                                  Richard Hamp, Asst. Attorney General  
                                  Tom Patterson, Executive Director, UDC  
                                  Amanda Viana, UPEA Field Rep.  
                                  Maureen Henrie, Utah Commission on Aging

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

Chair Bell called the meeting to order at 2:15 pm

1. **S.B. 114 Notary Public Revision** (*G. Bell*)

Sen. Greiner assumed the committee chair.

Sen. Bell distributed an amendment to the bill and introduced Michael Cragun, Deputy Chief of Staff, Lt. Governor to speak in favor of the bill.

**MOTION:** Sen. Bell moved to adopt the following amendment:

*1. Page 2, Lines 28 through 37:*

28            A notary may not perform a notarial act if the notary:

29            (1) is a signer of {~~or named in~~} the document that is to be notarized

- except ~~{2}~~
- 30 ~~—(a)}~~ in case of a self-proved will as provided in Section 75-2-504;  
~~{and}~~ or  
(2) is named in the document that is to be notarized except:  
(a) in the case of a self-proved will as provided in Section 75-2-504; or  
31 (b) in the case of a licensed attorney that is listed in the document only as  
representing  
32 a signer or another person named in the document;  
33 ~~{2}~~ (3) will receive directly from a transaction connected with a financial  
transaction in  
34 which the notary is named individually as a principal; or  
35 ~~{3}~~ (4) will receive directly from a real property transaction in which the  
notary is named  
36 individually as a grantor, grantee, mortgagor, mortgagee, trustor, trustee, beneficiary,  
vendor,  
37 vendee, lessor, or lessee.

The motion passed unanimously with Sens. Hillyard, and Romero absent for the vote.

**MOTION:** Sen. Bell moved to send S.B. 114 as amended, out of committee with a favorable recommendation.

The motion passed unanimously with Sens. Hillyard and Romero absent for the vote.

Chair Bell resumed the Chair.

2. **S.B. 94 Burglary of a Railroad Car** (*D. Peterson*)

Sen. Darin Peterson presented and explained the bill.

Clair Williams, UDLL Attorney, Union Pacific gave further clarification and spoke in favor of the bill.

Mark Rowley, Union Pacific Police, answered questions and spoke in favor of the bill.

**MOTION:** Sen. Madsen moved to send S.B. 94 out of committee with a favorable recommendation.

The motion passed unanimously with Sens. Hillyard and Romero absent for the vote.

3. **S.B. 52 Identity Theft Amendment** (*C. Walker*)

Sen. Walker presented and explained the bill.

Richard Hamp, Asst. Attorney General, spoke in favor of the bill.

**MOTION:** Sen. McCoy moved to send S.B.52 out of the committee with a favorable recommendation.

The motion passed unanimously with Sen. Hillyard absent for the vote.

4. **S.B. 106 Juvenile Custody Maintenance Amendments** *(D. Peterson)*

Sen. Peterson presented and explained the bill. After discussion, it was decided that the bill needed to be amended.

**MOTION:** Sen. Romero moved to go to the next item on the agenda.

The motion passed unanimously with Sens. Hillyard and Greiner absent for the vote.

5. **S.B. 119 Department of Corrections Amendments** *(D. Peterson)*

Sen. Peterson presented and explained the bill, and a handout was distributed.

Tom Patterson, Executive Director, UDC spoke in favor of the bill.

Amanda Viana, Field Rep, UPEA spoke in favor of the bill.

**MOTION:** Sen. McCoy moved to send S.B. 119 out of the committee with a favorable recommendation.

The vote was unanimous with Sen. Greiner absent for the vote.

**MOTION:** Sen. McCoy moved to place S.B. 119 on the consent calendar.

The vote was unanimous with Sen. Greiner absent for the vote.

6. **S.B. 120 Department of Corrections Employee Vehicle Use** *(D. Peterson)*

Sen. Peterson presented and explained the bill, and a handout was distributed.

Tom Patterson, Executive Director, UDC, spoke in favor of the bill.

**MOTION:** Sen. Hillyard moved to send S.B. 120 out of the committee with a favorable recommendation.

The vote was unanimous with Sen. Greiner absent for the vote.

7. **S.B. 122 Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act** (*L. Hillyard*)

Sen. Hillyard presented and explained the bill.

Maureen Henrie, Utah Commission on Aging spoke in favor of the bill.

**MOTION:** Sen. Madsen moved to send S.B. 122 out of the committee with a favorable recommendation.

The vote was unanimous with Sen. Greiner absent for the vote.

8. **SCR003 Resolution Supporting Observance of Peace Officers Memorial Day** (*J. Greiner*)

Sen. Greiner presented and explained the bill.

**MOTION:** Sen. Greiner moved to adopt SCR 3 and pass to the floor.

The vote was unanimous with Sens. Hillyard and McCoy absent for the vote.

**MOTION:** Sen. Romero moved to adjourn.

The vote was unanimous with Sens. McCoy and Hillyard absent for the vote.

The meeting adjourned at 3:15

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Sen. Gregory S. Bell, Committee Chair