

**MINUTES OF THE  
SENATE JUDICIARY, LAW ENFORCEMENT AND CRIMINAL JUSTICE  
STANDING COMMITTEE  
Wednesday, February 4, 2004  
Room 414, STATE CAPITOL BUILDING**

Members Present: Sen. Gregory Bell, Chair  
Sen. Patrice M. Arent  
Sen. D. Chris Buttars  
Sen. James M. Evans  
Sen. Lyle W. Hillyard  
Sen. Mike Dmitrich

Members Excused: Sen. L. Alma Mansell  
Sen. David L. Gladwell

Staff Present: Jami Momberger, Policy Analyst  
Katrina Yarrington, Committee Secretary

Public Speakers Present: Steve Dixon, Attorney  
Brian Allen, Government Relations, Utah Bankers Association  
C.C. Horton, Assistant Attorney General  
James Wood, Attorney  
David McConkie, Attorney, Utah Adoption Council  
Emma Chacon, Director, Office of Recovery Services  
Chris Purcell, Attorney, State Farm  
Dave Walsh, Commission on Criminal and Juvenile Justice  
Paul Allred, Deputy Commissioner, DFI

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

Committee Chair Bell called the meeting to order at 8:09 a.m.

**MOTION:** Sen. Evans moved to approve the minutes of February 2, 2004.

The motion passed unanimously, with Sen. Arent and Sen. Dmitrich absent for the vote.

**1. S.B. Uniform Trust Code (L. Hillyard)**

Sen. Hillyard introduced the bill.

**MOTION:** Sen. Buttars moved to adopt 1st Substitute S.B. 47.

The motion passed unanimously, with Sen. Arent and Sen. Dmitrich absent for the vote.

The following people spoke in support of the bill:

Steve Dixon, Attorney

The following people spoke in opposition to the bill:

Brian Allen, Government Relations, Utah Bankers Association

**MOTION:** Sen. Buttars moved to pass 1st Substitute S.B. 47 out with a favorable recommendation.

The motion passed unanimously, with Sen. Dmitrich absent for the vote.

**2. H.B. 193 Commission on Criminal and Juvenile Justice (M.S. Lawrence)**

Rep. Lawrence introduced the bill.

The following people spoke in support of the bill:

Dave Walsh, Commission on Criminal and Juvenile Justice

**MOTION:** Sen. Evans moved to pass H.B.193 out with a favorable recommendation.

The motion passed, with Sen. Arent voting in opposition and Sen. Dmitrich absent for the vote.

**3. S.B. 131 Uniform Principal and Income Act (L. Hillyard)**

Sen. Hillyard introduced the bill.

The following people spoke in support of the bill:

James Wood, Attorney

**MOTION:** Sen. Buttars moved to pass S.B. 131 out with a favorable recommendation.

The motion passed unanimously.

**4. H.B. 72 Release of Claims on Behalf of a Minor (J. Dougall)**

Rep. Dougall introduced the bill.

The following people spoke in support of the bill:

Chris Purcell, Attorney, State Farm

James Wood, Attorney

**MOTION:** Sen. Arent moved to pass H.B. 72 out with a favorable recommendation.

The motion passed unanimously.

**MOTION:** Sen. Hillyard moved that H.B. 72 be placed on the Consent Calendar.

The motion passed unanimously.

**5. S.B. 45 Uniform Parentage Act (L. Hillyard)**

Sen. Hillyard introduced the bill.

**MOTION:** Sen. Arent moved to adopt 1st substitute S.B. 45.

The motion passed unanimously.

The following people spoke in support of the bill:

Emma Chacon, Director, Office of Recovery Services

David McConkie, Attorney, Utah Adoption Council

**MOTION:** Sen. Buttars moved to refer 1st substitute S.B. 45 to interim study.

**AMENDED MOTION:** Sen. Buttars moved to amend 1st substitute S.B. 45 as follows, and to pass 1st substitute S.B. 45 out with a favorable recommendation as amended:

1. Page 1, line 22: After "takes effect on" delete "January" and insert "May"
2. Page 25, line 753: After "prior to" delete "January" and insert "May" and after "four years after" delete "January" and insert "May"
3. Page 49, line 1484: After "commenced before" delete "January" and insert "May"
4. Page 49, line 1521: After "takes effect on" delete "January" and insert "May"

The motion passed, with Sen. Arent voting in opposition.

**6. S.B. 63 Witness Tampering Amendments (D.C. Buttars)**

Sen. Buttars introduced the bill assisted by C. C. Horton, Assistant Attorney General.

**MOTION:** Sen. Arent moved to pass S.B. 63 out with a favorable recommendation.

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

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

The motion passed unanimously.

Committee Chair Bell adjourned the meeting at 9:46 a.m.

Minutes recorded by Katrina Yarrington, Secretary

---

Sen. Gregory S. Bell, Committee Chair