

**MINUTES OF THE  
HOUSE POLITICAL SUBDIVISIONS  
STANDING COMMITTEE**

Room W125, West Office Building, State Capitol Complex  
Thursday, February 9, 2006

MEMBERS PRESENT:     Rep. Brad L. Dee, Chair  
                              Rep. M. Susan Lawrence, Vice Chair  
                              Rep. D. Gregg Buxton  
                              Rep. Julie Fisher  
                              Rep. Ann W. Hardy  
                              Rep. Kory M. Holdaway  
                              Rep. Ronda Rudd Menlove  
                              Rep. LaWanna Lou Shurtliff

MEMBERS ABSENT:     Rep. Ralph Becker  
                              Rep. Kerry W. Gibson  
                              Rep. Brad King

STAFF PRESENT:       Joseph Wade, Policy Analyst  
                              Doris Donat, Committee Secretary

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

Rep. Dee called the meeting to order at 4:25 p.m.

MOTION:     Rep. Shurtliff moved to approve the minutes of February 8, 2006. The motion passed unanimously, with Rep. Becker, Rep. Fisher, Rep. Gibson, and Rep. King absent for the vote.

**H.B. 448       Standardizing Documents Filed with the County Recorder (Rep. C. Frank)**

Rep. Frank introduced and explained the bill to the Committee, with the help of Randy Covington, Utah County Recorder.

MOTION:     Rep. Buxton moved to adopt 1st Sub. H.B. 448.

Rep. Holdaway moved to cut off debate on the motion to substitute. The motion passed unanimously, with Rep. Becker, Rep. Fisher, Rep. Gibson, and Rep. King absent for the vote.

The motion to substitute, passed unanimously, with Rep. Becker, Rep. Fisher, Rep. Gibson, and Rep. King absent for the vote.

MOTION:     Rep. Buxton moved to amend 1st Sub. H.B. 448 as follows:

1. *Page 2, Lines 40 through 41:*

40 (2) Each document executed on or after July 1, 2006 that is submitted for recording  
to a county recorder's office { ~~on or~~  
41 ~~after July 1, 2006~~ } shall:

2. *Page 2, Line 57 through Page 3, Line 57:*

57 (iii) have a space of { ~~three~~ } 2-1/2 inches down and 4-1/2 inches across the  
upper right corner of

The motion to amend passed unanimously, with Rep. Becker, Rep. Fisher, Rep. Gibson, and Rep. King absent for the vote.

MOTION: Rep. Hardy moved to amend 1st Sub. H.B. 448 as amended as follows:

1. *Page 2, Line 50:*

50 (f) be notarized with the notary stamp and the seal legible; and

SUBSTITUTE

MOTION: Rep. Lawrence moved a substitute motion to amend 1st Sub. H.B. 448 as follows:

1. *Page 2, Line 50:*

50 (f) be notarized with the notary stamp { ~~and~~ } with the seal legible; and

The motion to substitute passed unanimously, with Rep. Becker, Rep. Fisher, Rep. Gibson, and Rep. King absent for the vote.

Spoke to the bill: Paul Newton, Vice President, Utah Land Title Association

MOTION: Rep. Hardy moved that the Committee recommend 1st Sub. H.B. 448 favorably as amended. The motion passed unanimously, with Rep. Becker, Rep. Fisher, Rep. Gibson, and Rep. King absent for the vote.

**S.B. 117 Eminent Domain Amendments (Sen. H. Stephenson) (Rep. D. Ure)**

Sen. Stephenson introduced and explained the bill to the Committee, with the help of Craig Call, State Property Rights Ombudsman, Department of Natural Resources.

MOTION: Rep. Holdaway moved to amend S.B. 117 as follows:

1. Page 2, Line 50:

50 (b) Before { ~~voting to approve the taking of property~~ } taking a final vote to approve the filing of an eminent domain action, the governing body of each

2. Page 2, Line 54:

54 opportunity to be heard on the proposed taking.

(c) The requirement under Subsection (3)(b) to provide notice to a property owner is satisfied by the governing body mailing the written notice to the property owner:

(i) at the owner's address as shown on the records of the county assessor's office; and

(ii) at least ten business days before the public meeting.

3. Page 3, Line 60:

60 (1) before { ~~voting~~ } taking a final vote to approve the { ~~taking of property or initiating~~ } filing of an eminent domain

4. Page 3, Line 64:

64 than 14 days before [the] { ~~voting to approve the taking of property or~~ } a final vote is taken to approve the filing {+} of {+} an eminent

The motion to amend passed unanimously, with Rep. Becker, Rep. Fisher, Rep. Gibson, and Rep. King absent for the vote.

Spoke to the bill: Todd Bingham, Utah Farm Bureau  
Fred W. Finlinson, Attorney, Water Coalition

MOTION: Rep. Shurtliff moved that the Committee recommend S.B. 117 favorably as amended. The motion passed unanimously, with Rep. Becker, Rep. Gibson, Rep. Holdaway, and Rep. King absent for the vote.

MOTION: Rep. Fisher moved to adjourn the meeting. The vote was unanimous. Rep. Dee adjourned the meeting at 5:20 p.m.