

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING
Room W010 - State Capitol Complex
February 16, 2007**

MEMBERS PRESENT: Rep. Douglas C. Aagard, Chair
Rep. Lorie D. Fowlke, Vice Chair
Rep. Sheryl L. Allen
Rep. Jim Bird
Rep. Jackie Biskupski
Rep. Keith Grover
Rep. Eric K. Hutchings
Rep. Christine A. Johnson
Rep. Mark A. Wheatley
Rep. Scott L. Wyatt

MEMBERS ABSENT: Rep. Kevin S. Garn
Rep. Rosalind J. McGee
Rep. Kay L. McIff

STAFF PRESENT: Jerry D. Howe, Policy Analyst
Sylvia Newton, Committee Secretary

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

Representative Fowlke called the meeting to order at 4:22 p.m.

MOTION: Rep. Allen moved to approve the minutes of the February 12, 2007 meeting. The motion passed unanimously with Rep. Grover absent for the vote.

H.B. 385 Process Server Amendments (Rep. L. Shurtliff)

MOTION: Rep. Biskupski moved to amend the bill as follows:

1. Page 2, Lines 28 through 31:

28 (1) Persons who are not peace officers, constables, sheriffs, or lawfully appointed
29 deputies of such officers, or authorized state investigators, or licensed private investigators
may
30 not serve any forms of civil or criminal process {~~other than complaints, summonses,~~
~~and~~
31 ~~subpoenas~~} .

The motion to amend the bill passed unanimously.

Rep. Shurtliff explained the bill to the committee, assisted by Larry Braegger, Diversified Investigations and Consultants Inc.

Spoke to the bill: Rick Schwermer, Administrative Office of the Courts

Spoke in favor of the bill: Mel Ashton, Private Investigators of Utah

MOTION: Rep. Wyatt moved to proceed to the next item on the agenda. The motion passed unanimously with Rep. Allen and Rep. Johnson absent for the vote.

S.B. 113 *Limitation of Actions (Sen. G. Bell)*

Sen. Bell explained S.B. 113 to the committee, assisted by Steve Traynor, Utah Defense Lawyers Association.

MOTION: Rep. Aagard moved to pass S.B. 113 out favorably. The motion passed unanimously with Rep. Allen absent for the vote.

MOTION: Rep. Hutchings moved to place S.B. 113 on the Consent Calendar. The motion passed unanimously with Rep. Allen absent for the vote.

S.B. 152 *Presumptive Personal Representative (Sen. G. Bell)*

Sen. Bell explained S.B. 152 to the committee, assisted by Steve Traynor, Utah Defense Lawyers Association.

MOTION: Rep. Wyatt moved to pass S.B. 152 out favorably. The motion passed unanimously.

MOTION: Rep. Wyatt moved to place S.B. 152 on the Consent Calendar. The motion failed with Rep. Johnson voting in opposition to the motion.

Rep. Fowlke relinquished the chair to Rep. Aagard.

H.B. 460 Child and Family Protection (*Rep. L. Fowlke*)

Rep. Fowlke explained H.B. 460 to the committee.

MOTION: Rep. Johnson moved to delete in title and body H.B. 460 and replace it with 1st Substitute. H.B. 460. The motion passed unanimously.

Spoke to the bill: Tom Vaughn, Associate General Counsel

Spoke in favor of the bill: Paul Murphy, Attorney General's Office

MOTION: Rep. Grover moved to pass 1st Substitute H.B. 460 out favorably. The motion passed unanimously.

MOTION: Rep. Grover moved to adjourn the meeting. The motion passed unanimously.

Rep. Aagard adjourned the meeting at 5:40 p.m.

Rep. Douglas C. Aagard, Chair