

# 2010 Legislative Report

# *GrassRoots*

*Committed to Promoting the Principles of Limited Government, Constitution, Representative Government, Participatory Democracy, Free Market Economy, Separation of Powers and Family*

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**Annual Report on Utah's Legislature**

**April 2010**

## **The Year of the Tenth Amendment**

The Tenth Amendment to the Bill of Rights states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

This year the Utah State Legislature decided finally to put some teeth behind these words. They voted to exercise our health care rights, our land rights and our gun rights. While the legislature should be applauded for their efforts, the question GrassRoots asks is, "What took so long?" These issues have affected the state for quite some time; they are not new.

Utah Grassroots lauds the courage of the Wyoming legislature which passed HB 95 (Wyoming Firearms Freedom Act), and of the governor who signed this bill on March 11 of this year. Among other things, it provides jail time or fines (or both) to penalize government agents who attempt to enforce federal regulations on Wyoming-made firearms and ammunition, and authorizes the AG to defend any Wyoming citizen who is prosecuted for the violation of any such regulations.

All news was not good from the session. Legislators raised the cigarette tax by \$1 per pack which will increase the tax burden by \$43 million. They also passed legislation which would allow the Utah Transit Authority to become a limited partner in housing development (this is comparable to the federal government investing in General Motors). Parental rights took a blow when a move to liberalize the booster seat law failed in the House.

One of the big issues facing the state is the issue of ethics legislation. GrassRoots decided to not take a position on the legislation passed by the legislature this year. Grassroots believes the best method of enforcing ethics is an informed citizenry who are informed and hold all elected officials accountable for their actions. Ethics

legislation must recognize that every individual, including elected officials, have rights which are guaranteed by the Constitution. These rights should not be infringed upon.

During lean economic times, it is easy for legislators to curb runaway spending. GrassRoots urges our legislators and citizens to be equally concerned about government growth when good economic times resume.

## **Morley Receives Perfect Score to Lead House Dayton Leads State Senate**

**House Summary :** Mike Morley (R-UT) received a 100% on this year's report card. Other top scoring House members were Carl Wimmer (R-SL), Kenneth Sumsion (R-UT), Craig Frank (R-UT), Stephen Sandstrom (R-UT) and Chris Herrod (R-UT). This year the House had an average score of 58% which is up from the lifetime score of 51%.

**Senate Summary:** Margaret Dayton (R-UT) led the Senate with a score of 90%. Other top Senators were Howard Stephenson (R-SL) and Mark Madsen (R-UT). The Senate beat the House with a 61% rating. This is up from their lifetime average of 51%

**Governor:** Gary Herbert's score of 71% is the highest score by a governor since the founding of GrassRoots.

### **What is GrassRoots?**

GrassRoots has been issuing an annual legislative report card since 1992. The Constitutions of the nation and state are the guides which GrassRoots uses in picking issues for its legislative report card. Bills are picked without regard to any particular individual.

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### Analysis of Bills for 2010

**Bills are listed by number with house bills listed first. The sponsor of the bill is in parentheses. The tally on bills from each house is listed by Yeas, Nays and those Absent or Not Voting. Text of all bills can be found at [www.leg.state.ut.us](http://www.leg.state.ut.us).**

**A) H.B. 67 (C Wimmer)** Prohibits a state agency or department from implementing federal health care reform; unless the state legislature specifically authorizes the implementation by statute. The federal health care bill recently passed by Congress exceeds the authority granted to the federal government specified by the Constitution. HB 67 helps protect the Tenth amendment rights of the state of Utah and protects citizens' rights from unlawful federal mandates. **GrassRoots approves of a YES vote. Passed the House (53-20-2); Senate (16-7-6) and was signed into law by the Governor**

**B) H.B. 82 (F Seegmiller)** This bill infringes on our basic right to property. H.B. 82 would have banned individuals from smoking in their motor vehicle if a child is present. Citizens would face a fine of \$45 for doing a lawful activity on their own personal property. While GrassRoots acknowledges the dangers of second hand smoke, it believes that property rights and personal responsibility are more important. **GrassRoots approves of a NO vote. Passed the House (40-31-4) but did not come up for a vote in the Senate.**

**C) H.B. 113 (C. Herrod)** In 2007, the Legislature infringed upon parents' rights by requiring all children under the age of eight years old to ride in a booster seat. This bill sought to ease this requirement by allowing a child to not have to be put in a booster seat in areas that the speed limit did not exceed 45 miles per hour. GrassRoots prefers the state legislature reassert parents rights by repealing the original bill. This bill was a minor step in the right direction. **GrassRoots approves of a YES vote. Failed in the House (24-47-4)**

**D) H.B. 143 (C. Herrod)** Approximately 70% of Utah's land is controlled by the federal government. The vast majority of this land is controlled in manners not authorized by the US Constitution. The citizens of this state should have a greater say in how our land is used. This bill authorizes the state to exercise eminent domain authority on property held by the federal property unless the land was acquired with the consent of the Utah Legislature. **GrassRoots approves of a YES vote. Passed the House (48-17-10); Senate (21-6-2) and was signed into law by the Governor.**

**E) H.B. 146 (M. Noel)** Bill asserts Utah's Tenth Amendment rights by stating that Utah does not recognize federal law enforcement agency authority beyond that necessary to manage

and protect federal management lands in accordance with the US Constitution. **GrassRoots approves of YES vote. Passed the House (67-2-6); Senate (23-5-1) and was signed into law by the Governor.**

**F) H.B. 150 (B. Daw)** This bill violates our Fourth Amendment rights by requiring Internet Service Providers to turn over service records without search warrants. Our Founders believed that it was important to protect the rights of citizens from government abuses. Just as the federal government was wrong to pass the Patriot Act; this bill strips citizens of God given protections guaranteed in the Fourth Amendment and puts burdensome obligations upon business owners. **GrassRoots approves of a NO vote. Passed the House (48-20-7); Senate (19-10-0) and was signed into law by the Governor.**

**G) H.B. 196 (P. Ray)** Increases the tax burden on Utahns by \$43 million by raising the cigarette tax. When government increases taxes on any citizen, it provides a mechanism to continue to grow the government. The sponsors of this legislation have stated that a purpose of this legislation is to discourage individuals from smoking. If the government is successful in getting citizens to stop smoking; how will it make up for the revenue generated by this tax? It will raise taxes on the non smokers. This bill also violates the principle of equality under the law and will harm certain legal businesses. **GrassRoots approves of a NO vote. Passed the House (39-35-1); Senate (19-8-2) and was allowed to become law when the Governor failed to sign or veto the bill. GrassRoots is considering this a yes vote for the governor; since he had the power to stop the tax increase but did nothing.**

**H) H.B.221(K. Garn)** Reauthorizes over 40 state entities and programs within one bill. The purpose of sunset laws is for a program to end at a certain date. Reauthorizing a large number of unrelated programs in one bill is poor government. **GrassRoots approves of a NO vote. Passed the House (64-8-3); Senate (22-0-7) and was signed into law by the Governor.**

**I) H.B. 227 (S. Sandstrom)** Requires those applying for business licenses to show proof of U.S. citizenship. One of the proper roles of government is protecting our borders. This bill protects the rights of U.S. citizens and reinforces that we are a nation governed by laws. **GrassRoots approves of a YES vote. Passed the House (38-36-1) but did not come up for a vote in the Senate.**

**J) H.B. 234 (S. Sandstrom)** Prohibits the state of Utah from participating in the federal Real ID program. One of the concerns with the Real ID is that it allows the government to have access to personal data of citizens. The proper role of government is to protect citizens' rights not to collect private information that may be abused. **GrassRoots approves of a YES vote. Passed the House (70-0-5); Senate (23-5-1) and was signed into law by the Governor.**

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**K) H.B. 278 (C. Herrod)** Requires government entities to produce documents in electronic format upon request; if documents are maintained electronically. This bill provides that this must be done within five business days. The citizens are the master of the government. This is information that “We the People” have a right too. This bill protects this right. **GrassRoots approves of a YES vote. Passed the House (63-10-2); Senate (27-0-2) and was signed into law by the Governor.**

**L) H.B. 324 (K. Sumsion)** Appropriates up to \$1 million to defend Utah’s Tenth Amendment rights in regards to public lands. It is unfortunate, that Utah would have to defend itself against the federal government when its rights are clearly outlined in the Tenth amendment. This is a necessary expenditure, as Utah defends its Constitutional right. **GrassRoots approves of a YES vote. Passed the House (48-19-8), Senate (20-7-2) and was signed into law by the Governor.**

**M) H.C.R. 2 (J. Fisher)** Reaffirms Utah’s rights under the Tenth Amendment. It also encourages the U.S. Congress to repeal unconstitutional Tenth Amendment infringements and to prohibit future regulations. **GrassRoots approves of a YES vote. Passed the House (57-13-5), Senate (24-3-2) and was signed into law by the Governor.**

**N) H.J.R. 21 (M. Noel)** Urges the Governor of the State of Utah to withdraw from the Western Climate Initiative. When former Governor Huntsman joined the WCI on behalf of the state of Utah, he violated the separation of powers because it imposed executive government regulation without legislative approval. This resolution would restore the separation of powers. The WCI also increases government regulation on private enterprise. **GrassRoots approves of a YES vote. Passed the House (52-18-5) and Senate (19-8-2).**

**O) S.B. 11 (M. Dayton)** Provides that firearms that are manufactured in the state of Utah are not subject to federal firearms laws and regulations and reasserts Utah’s Tenth Amendment rights. Items manufactured in the state of Utah and used in the state are not subject to the U.S. Constitution’s Commerce Clause. **GrassRoots approves of a YES vote. Passed the House (56-17-2); Senate (19-10-0) and was signed into law by the Governor.**

**P) S.B. 43 (D. Liljenquist)** Many former government employees have returned to employment with the government and are receiving not only their retirement benefits but also their regular salary or “double dipping” from the state. The fiscal note on this bill says that eliminating this practice, as this bill does, will save the state up to \$10.5 million. **GrassRoots approves of a YES vote. Passed the House (55-20-0); Senate (20-8-1) and was signed into law by the Governor.**

**Q) S.B. 44 (L. Robles)** Waives the requirement that a legal immigrant child be a resident for at least five years before being

eligible for the Utah Children’s Health Insurance Program (CHIP). While the federal government would have funded this enlargement; the federal government does not have the money to pay for such an expansion. In addition, it is not the proper role of government to provide health care to its citizens. **GrassRoots approves of a NO vote. Failed in the Senate (13-14-2) .**

**R) S. B 47 (K Van Tassell)** Permits power companies to curb your electrical consumption. **GrassRoots approves of a NO vote. Passed the House (53-19-3); Senate (21-7-1) and was vetoed by the Governor.**

**S) S.B. 66 (M. Madsen)** Provides that a minor who is enrolled in private school or home school shall be eligible to participate in extracurricular activities in public school. Parents have a right to educate their children, as they see fit. Their children should not be penalized. If children who participate in public schools should be able to participate in activities, so should other children who reside within that school district. **GrassRoots approves of a YES vote. Passed the House (59-11-5); Senate (27-0-2) and was signed into law by the Governor.**

**T) S.B. 77 (M. Dayton)** Prohibits granting paid association leave for employees engaged in union activities. Also requires reimbursement to the school district if an employee is out doing union work for over 10 days. An auditor’s report revealed that many school districts were paying for activities which were not in the school’s best interest and hence not using tax payer dollars properly. This bill will save taxpayer dollars and insure that public employees are working for the public good while being paid by us. **GrassRoots approves of a YES vote. Passed the Senate (17-11-1) but failed in the House (25-43-7).**

**U) S.B. 251 (C Buttars)** Over 50,000 Utah children have had their identities stolen. This bill helps protect these children by requiring businesses to check the legal status of those it seeks to hire. One of the proper roles of state government is to protect its borders and protect its citizens from being harmed. This bill reemphasizes the rule of law and protects those who are in this country legally. **GrassRoots approves of a YES vote. Passed the House (46-24-5); Senate (24-4-1) and was signed into law by the Governor.**

**V) S.B. 272 (J. Stevenson)** Allows the Utah Transit Authority to participate in real estate development. When we justly criticize the federal government for buying General Motors; we should not allow a quasi-government agency to compete with private enterprise in creating real estate projects. Government should not compete with private enterprise. **GrassRoots approves of a NO vote. Passed the House (47-22-6); Senate (19-7-3) and was signed into law by the Governor.**

**W) S.B. 273 (L.Hillyard)** Bill creates a new restricted special revenue fund to receive hospital assessments. It also asserts that it is an important purpose of the state of Utah to improve the healthcare access of Medicaid recipients. This bill further entrenches the state of Utah in health care to attempt to get more federal funds. In a year when the state legislature did such a

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commendable job in reasserting our state's Tenth Amendment rights, this bill attempts to get more federal funding for Medicaid. **GrassRoots approves of a NO vote. Passed the House (56-12-7), Senate (25-2-2) and was signed into law by the Governor.**

## 2010 Voting Summaries

### Utah House of Representatives

Y or y="yes", N or n="no"; a=absent or not voting; Y or N=good vote; y or n=bad vote

#### Bill (Page 2-3)

#### GrassRoots Recommended Votes

#### Rep-Party

Rep-Party	County(ies)	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	R	S	T	U	V	W	2010	Lifetime	
		Y	N	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N	Score	Score
Doug Aagard-R	Davis	Y	N	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	y	Y	n	Y	y	y	68%	63%	
Sheryl Allen-R	Davis	Y	y	n	Y	Y	y	y	n	Y	Y	n	Y	Y	Y	Y	y	Y	n	Y	Y	y	y	50%	37%	
Johnny Anderson-R	Salt Lake	Y	N	n	Y	Y	y	y	n	Y	Y	Y	Y	Y	Y	Y	N	Y	n	n	N	y	y	64%	59%	
Roger Barrus-R	Davis	Y	y	n	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	y	Y	n	Y	N	y	64%	64%	
Trish Beck-D	Salt Lake	n	y	n	n	Y	N	y	y	n	Y	Y	n	Y	Y	Y	n	y	Y	n	Y	N	y	45%	32%	
Ron Bigelow-R	Salt Lake	Y	N	n	Y	Y	a	N	y	Y	Y	Y	Y	Y	Y	n	Y	Y	a	Y	Y	y	y	67%	55%	
Jim Bird-R	Salt Lake	n	N	n	Y	Y	y	y	n	Y	Y	n	Y	Y	Y	Y	N	a	n	Y	y	N	y	57%	51%	
Jackie Biskupski-D	Salt Lake	Y	y	n	n	Y	Y	N	y	n	Y	n	n	n	n	n	n	n	y	Y	n	n	y	y	23%	21%
Laura Black-D	Salt Lake	n	y	n	Y	Y	N	N	y	n	Y	Y	Y	n	n	n	y	n	n	Y	N	y	y	45%	37%	
Mel Brown-R	*	Y	y	Y	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	y	Y	n	Y	y	y	64%	49%	
Rebecca Chavez-Houck-D	Salt Lake	n	y	n	n	Y	N	y	y	n	Y	Y	n	n	n	n	n	y	n	n	N	y	y	18%	17%	
David Clark-R	Washington	a	a	n	Y	Y	y	y	Y	a	Y	Y	Y	Y	Y	Y	y	Y	Y	Y	y	y	y	63%	58%	
Stephen Clark-R	Utah	Y	y	n	Y	a	N	y	y	n	a	Y	Y	n	Y	Y	y	Y	Y	n	y	y	y	50%	53%	
Tim Cosgrove-D	Salt Lake	n	y	n	n	Y	N	y	y	n	Y	n	n	n	n	n	n	y	n	n	Y	N	y	18%	20%	
Bradley Daw-R	Utah	Y	N	Y	a	Y	y	n	N	Y	Y	Y	a	Y	Y	Y	N	a	n	Y	N	N	y	89%	71%	
Brad Dee-R	Weber	Y	N	Y	a	a	y	y	a	Y	Y	Y	Y	a	Y	Y	y	Y	n	Y	y	y	y	67%	50%	
John Dougall-R	Salt Lake	Y	N	a	Y	Y	Y	N	y	n	Y	Y	Y	Y	Y	Y	N	Y	a	n	N	N	N	80%	74%	
Jack Draxler-R	Cache	Y	y	n	Y	Y	y	y	Y	Y	n	Y	Y	Y	Y	y	Y	Y	n	N	y	y	y	59%	48%	
Susan Duckworth-D	Salt Lake	n	y	n	n	Y	N	n	Y	n	n	n	n	n	n	n	n	y	Y	Y	Y	N	y	36%	33%	
James Dunnigan-R	Salt Lake	Y	y	Y	Y	Y	n	y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	n	n	y	y	y	68%	54%	
Becky Edwards	SL/Davis	Y	y	n	Y	Y	y	y	Y	Y	Y	Y	a	Y	Y	y	Y	n	Y	y	y	y	y	57%	58%	
Ben Ferry-R	Box Elder	Y	N	n	Y	Y	Y	N	y	Y	Y	Y	Y	Y	Y	Y	N	Y	n	n	y	a	y	71%	57%	
Julie Fisher-R	Davis	Y	N	n	Y	Y	N	n	y	Y	Y	Y	Y	a	Y	Y	N	Y	Y	Y	N	y	y	81%	59%	
Janice Fisher-D	Salt Lake	n	y	n	n	n	Y	N	y	n	Y	n	n	n	n	n	n	y	Y	Y	Y	N	y	32%	31%	
Lorie Fowlke-R	Utah	Y	a	Y	Y	a	y	y	n	Y	Y	Y	a	Y	a	Y	y	Y	Y	n	y	a	y	59%	53%	
Craig Frank-R	Utah	Y	N	Y	Y	Y	N	y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N	91%	83%	
Gage Froerer-R	Weber	Y	N	n	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	y	Y	n	Y	y	y	y	64%	60%	
Kevin Garn-R	Davis	a	a	Y	a	a	a	y	y	a	Y	Y	Y	a	Y	Y	a	a	a	Y	y	y	y	64%	67%	
Francis Gibson	Salt Lake	Y	y	Y	a	Y	a	N	Y	Y	Y	a	Y	Y	Y	Y	N	Y	Y	Y	N	y	y	89%	78%	
Kerry Gibson-R	Weber	Y	N	a	a	Y	Y	N	y	Y	Y	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	y	75%	56%	
James Gowans-D	Salt Lake	n	y	n	Y	Y	Y	N	a	n	Y	a	Y	Y	Y	Y	n	n	n	n	y	y	y	42%	38%	
Richard Greenwood-R	Weber	Y	y	n	Y	Y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	n	N	Y	n	Y	y	y	59%	63%	
Keith Grover-R	Utah	Y	N	Y	Y	Y	N	y	Y	Y	Y	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	N	N	86%	73%	
Neil Hansen-D	Weber	n	y	n	n	Y	N	n	y	n	Y	n	n	n	n	n	n	N	Y	n	n	y	y	32%	27%	
Wayne Harper-R	Salt Lake	Y	N	n	Y	Y	N	y	y	n	Y	Y	Y	Y	Y	Y	y	Y	a	Y	N	y	y	71%	68%	
Lynn Hemingway-D	Salt Lake	n	y	n	n	Y	N	y	y	n	Y	n	n	n	n	n	n	y	Y	n	n	y	y	23%	24%	
<b>GrassRoots Recommended Votes</b>		<b>Y</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>N</b>			

Y or y="yes", N or n="no"; a=absent or not voting; Y or N=good vote; y or n=bad vote

To find out who your representative is, you may either call 801-538-1029 or your county elections dept.

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GrassRoots recommends that you ask each legislator about his or her reasons for voting on a particular bill

**2010 Voting Summaries**  
**Utah House of Representatives**

Y or y="yes", N or n="no"; a=absent or not voting; Y or N=good vote; y or n=bad vote

**Bill (See Page 2-3)**

**GrassRoots Recommended Votes**

			A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	R	S	T	U	V	W	2010	Lifetime	
			Y	N	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	N	Score	Score
Rep-Party		County(ies)																									
Neil Hendrickson-D	33	Salt Lake	Y	N	n	a	Y	N	N	y	n	a	Y	a	Y	Y	Y	n	N	n	a	Y	y	a	65%	39%	
Christopher Herrod-R	62	Utah	Y	N	Y	Y	y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	a	Y	Y	N	N	90%	79%	
Gregory Hughes-R	51	Salt Lake	Y	N	a	Y	Y	N	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	y	y	76%	74%	
Fred Hunsaker-R	4	Cache	Y	y	n	Y	Y	y	y	y	n	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	n	y	y	55%	47%	
Eric Hutchings-R	38	Salt Lake	Y	a	Y	a	Y	a	N	y	Y	Y	Y	a	Y	Y	Y	Y	Y	Y	a	Y	N	a	88%	56%	
Don Ipson-R	75	Washington	Y	N	n	Y	Y	y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	n	Y	a	y	67%	65%	
Christine Johnes-D	25	Salt Lake	n	y	n	n	Y	y	y	y	n	Y	n	n	n	n	n	n	n	Y	y	n	n	y	y	14%	18%
Brad King-D	69	*	n	y	n	n	Y	N	y	y	n	Y	n	n	n	n	n	n	Y	a	n	n	a	y	y	20%	24%
Todd Kiser-R	41	Salt Lake	Y	y	Y	Y	Y	N	N	y	Y	Y	Y	Y	Y	Y	Y	Y	n	Y	Y	Y	y	y	68%	64%	
Bradley Last-R	71	Washington	Y	N	n	Y	Y	a	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	n	Y	y	y	67%	57%	
David Litvak-D	26	Salt Lake	n	y	n	n	Y	y	y	y	n	Y	n	n	n	n	n	n	Y	y	n	n	n	y	y	23%	17%
Becky Lockhart-R	64	Utah	Y	N	Y	Y	y	N	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	a	N	N	86%	80%	
Steven Mascaro-R	47	Salt Lake	Y	y	n	Y	Y	y	y	y	n	Y	Y	Y	Y	Y	Y	Y	Y	Y	n	a	y	y	52%	45%	
John Mathis-R	55	Salt Lake	Y	N	Y	Y	N	N	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	n	a	N	y	81%	61%		
Kay McIff-R	70	*	Y	y	n	Y	Y	y	y	y	n	a	Y	Y	Y	Y	Y	Y	Y	Y	n	a	y	y	50%	40%	
Rhonda Menlove	1	B.E./Tooele	Y	y	n	Y	Y	y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	n	n	a	y	57%	40%	
Michael Morley-R	66	Utah	Y	N	Y	a	Y	a	N	N	Y	Y	Y	a	Y	Y	Y	Y	N	Y	Y	Y	N	N	100%	90%	
Carol Moss-D	37	Salt Lake	n	y	n	n	a	y	y	a	n	Y	n	n	n	n	n	n	n	n	n	n	y	a	11%	16%	
Merlynn Newbold-R	50	Salt Lake	Y	N	n	Y	Y	y	n	y	n	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	a	86%	72%		
Michael Noel-R	73	*	Y	N	Y	Y	y	N	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	a	y	81%	64%		
Curtis Oda-R	14	Davis	Y	N	Y	Y	y	N	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	n	Y	y	y	73%	76%		
Patrick Painter-R	67	Utah, Jb, Car	Y	N	Y	Y	Y	n	Y	Y	a	a	Y	Y	a	Y	Y	Y	Y	n	Y	y	y	68%	64%		
Marie Poulson	46	Salt Lake	n	y	n	n	Y	N	y	y	n	Y	n	Y	n	n	n	n	n	n	Y	Y	y	y	36%	43%	
Kraig Powell	54	*	Y	y	n	Y	Y	y	y	y	n	Y	n	Y	Y	Y	Y	Y	Y	Y	Y	Y	y	y	55%	56%	
Paul Ray-R	13	Davis	Y	y	n	Y	a	y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	y	71%	55%		
Phil Riesen-D	36	Salt Lake	n	y	n	a	Y	y	y	y	n	Y	n	a	n	n	n	n	n	n	y	Y	a	n	y	16%	16%
Stephen Sandstrom-R	58	Utah	Y	N	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	n	Y	y	91%	74%	
Jay Seegmiller-D	49	Salt Lake	n	y	n	n	Y	N	y	y	n	Y	n	n	n	n	n	n	N	a	n	Y	N	y	33%	44%	
Jennifer Seelig-D	23	Salt Lake	n	y	n	n	Y	y	y	y	n	Y	Y	n	a	n	a	n	y	Y	n	n	y	y	20%	24%	
Kenneth Sumsion-R	56	Utah	Y	N	Y	Y	y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	a	N	95%	82%		
Evan Vickers-R	72	Iron	Y	y	n	Y	Y	y	y	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	n	Y	y	y	59%	58%		
Brent Wallis	10	Weber	Y	N	n	Y	Y	y	y	y	Y	Y	Y	a	Y	Y	Y	Y	Y	n	Y	y	y	62%	63%		
Christine Watkins	69	Carbon	n	y	n	Y	Y	y	N	y	n	Y	n	Y	Y	Y	Y	n	n	n	n	n	y	y	36%	33%	
Curt Webb-R	5	Cache	Y	y	n	Y	Y	y	N	y	n	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	n	a	y	62%	49%	
Mark Wheatley-D	35	Salt Lake	n	y	n	n	Y	N	N	y	n	Y	n	n	a	n	n	n	y	Y	n	n	y	y	24%	22%	
Ryan Wilcox	7	Weber	Y	y	Y	Y	y	a	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	a	Y	Y	Y	y	N	80%	79%	
Larry Wiley-D	31	Salt Lake	Y	y	n	n	Y	N	N	y	n	Y	n	n	n	n	n	n	n	n	n	Y	y	y	27%	23%	
Carl Wimmer-R	52	Salt Lake	Y	N	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	95%	88%	
Bill Wright-R	68	Sanpete, Juab	Y	N	a	a	Y	a	N	N	n	Y	a	Y	Y	Y	Y	Y	Y	Y	n	a	a	81%	79%		
<b>GrassRoots Recommended Votes</b>			<b>Y</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>N</b>		

Y or y="yes", N or n="no"; a=absent or not voting; Y or N=good vote; y or n=bad vote

To find out who your representative is, you may either call 801-538-1029 or your county elections dept.

- \*House District 53 includes Morgan, Sum., Rich, Daggett
- \* House District 69 includes Carbon, Emery, Grand and San Juan
- \* House Diestict 70 includes Sanpete, Sevier and Emery Counties
- \* House District 73 includes Sevier, Beaver, Piute, Wayne, Garfield, Kane

Help bring the message of GrassRoots to as many Utahns as possible. Please mail your contribution to:  
 GrassRoots, P.O. Box 70711, West Valley City, UT 84179

Email: [utahgrassroots@yahoo.com](mailto:utahgrassroots@yahoo.com)

**Utah State Senate  
2010 Voting Summary**

Y or y="yes", N or n="no"; a=absent or not voting; Y or N=good vote; y or n=bad vote

**Bills (See Pages 2-3)**

GrassRoots Recommended Votes			A	D	E	F	G	H	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	2010	Lifetime	
Rep-Party	Dist	County(ies)	Y	Y	Y	N	N	N	Y	Y	Y	Y	y	Y	Y	N	N	Y	Y	Y	Y	N	N	Score	Score
Stuart Adams-R	22	Davis	Y	Y	Y	y	N	y	Y	Y	Y	Y	Y	Y	Y	N	y	Y	Y	Y	Y	y	75%	59%	
Curtis Bramble-R	16	Utah	Y	Y	Y	y	y	y	a	Y	a	Y	Y	Y	Y	N	y	Y	Y	Y	Y	y	67%	60%	
Chris Buttars-R	10	Salt Lake	Y	Y	Y	y	N	a	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	a	83%	60%	
Allen Christensen-R	19	Mor, Sum, Web	Y	Y	Y	y	y	y	Y	Y	Y	a	a	Y	Y	N	N	Y	Y	Y	Y	y	72%	58%	
Gene Davis-D	3	Salt Lake	n	n	n	N	N	y	n	Y	n	Y	n	n	n	y	y	Y	n	n	y	y	25%	21%	
Margaret Dayton-R	15	Utah	Y	Y	Y	y	N	y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	N	N	90%	82%	
Brent Goodfellow-D	12	SL/Tooele	n	n	n	N	N	y	Y	Y	n	n	n	n	n	y	y	Y	n	Y	y	y	30%	22%	
Jon Greiner-R	18	Weber/Davis	Y	Y	n	y	N	y	n	n	Y	Y	Y	Y	n	y	N	Y	n	a	N	N	58%	58%	
Lyle Hillyard-R	25	Cache, Rich	Y	a	a	y	y	y	n	Y	a	a	Y	n	Y	a	y	a	Y	Y	y	y	43%	44%	
David Hinkins-R	27	*	Y	Y	Y	y	a	y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	y	y	68%	70%	
Scott Jenkins-R	20	Weber	Y	Y	Y	y	y	y	Y	Y	Y	Y	a	Y	Y	N	N	Y	Y	N	Y	N	79%	70%	
Patricia Jones-D	4	Salt Lake	Y	n	Y	y	y	y	Y	Y	n	Y	n	n	Y	y	y	Y	n	Y	y	y	40%	22%	
Peter Knudson-R	17	*	Y	Y	Y	y	y	y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	y	y	75%	42%	
Dan Liljenquist-R	23	Davis/SL	Y	Y	Y	y	y	y	n	Y	Y	Y	Y	Y	Y	N	y	Y	Y	Y	y	y	65%	57%	
Mark Madsen-R	13	UT Tooele	Y	Y	Y	N	N	a	Y	Y	Y	Y	Y	Y	a	y	a	Y	a	Y	N	y	88%	76%	
Karen Mayne-D	5	Salt Lake	n	n	Y	N	y	a	Y	Y	n	Y	n	n	n	y	y	Y	n	Y	y	y	37%	38%	
Ben McAdams-D	2	Salt Lake	n	a	Y	N	a	y	Y	Y	n	n	n	n	n	y	y	Y	n	n	a	y	29%	29%	
Karen Morgan-D	8	Salt Lake	n	Y	Y	y	y	y	Y	Y	Y	Y	n	n	n	y	y	Y	n	Y	y	y	40%	32%	
W. Niederhauser-R	9	Salt Lake	Y	Y	Y	y	y	a	Y	Y	Y	Y	Y	Y	N	y	Y	Y	Y	a	y	78%	63%		
Ralph Okerland-R	24	*	Y	Y	Y	y	y	a	Y	Y	Y	Y	Y	Y	N	y	Y	Y	Y	y	y	74%	66%		
Luiz Robles-D	1	Salt Lake	n	n	n	N	y	y	Y	Y	n	n	n	n	n	y	y	Y	n	n	a	y	21%	27%	
Ross Romero-D	7	Salt Lake	n	n	n	N	y	a	Y	a	n	Y	n	n	n	y	y	Y	n	n	y	y	22%	23%	
Howard Stephenson-R	11	SL/Utah	Y	Y	Y	N	N	a	Y	Y	Y	Y	Y	Y	N	y	a	Y	Y	N	y	89%	75%		
Jerry Stevenson-R	21	Davis	Y	Y	Y	y	y	y	Y	Y	Y	Y	Y	Y	N	y	Y	Y	Y	y	y	70%	70%		
Denis Stowell-R	28	*	Y	Y	Y	y	y	y	Y	Y	Y	Y	Y	Y	N	y	Y	Y	Y	N	y	75%	65%		
Stephen Urquart-R	29	Washington	Y	Y	Y	N	y	y	Y	Y	Y	Y	Y	Y	N	y	Y	Y	Y	y	y	75%	65%		
John Valentine-R	14	Utah	Y	Y	Y	y	y	y	Y	Y	Y	Y	n	Y	a	y	Y	Y	Y	y	y	63%	56%		
Kevin VanTassell-R	26	*	Y	Y	Y	N	y	y	n	Y	Y	Y	Y	Y	y	y	Y	n	Y	y	y	60%	52%		
Michael Waddops-R	6	Salt Lake	Y	Y	Y	y	y	y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	N	80%	60%		
GrassRoots Recommended Votes			Y	Y	Y	N	N	N	Y	Y	Y	Y	y	Y	Y	N	N	Y	Y	Y	N	N			
			A	D	E	F	G	H	I	K	L	M	N	O	P	Q	R	S	T	U	V	W			

- \*Senate District 17 includes Box Elder, Tooele Counties and Part of Cache County
- \*Senate District 24 includes Juab, Piute, Sanpete, Sevier, Tooele and Wayne Counties
- \*Senate District 26 includes Daggett, Duchesne, Summit, Uintah and Wasatch Counties
- \*Senate District 27 includes Carbon, Emery, Grand San Juan and Utah Counties
- \*Senate District 28 includes Beaver, Garfield, Iron, Kane, Millard and Washington Counties

**Governor**

GrassRoots Recommended Votes			A	D	E	F	G	H	J	K	L	M	O	P	R	S	U	V	W				
			Y	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	N	Y	Y	N	N				
Gary Herbert-R			Y	Y	Y	y	y	y	Y	Y	Y	Y	Y	Y	N	Y	Y	y	y			71%	71%

**Top 25 Rep-2010**

1	-	Michael Morley-R
2	-	Carl Wimmer-R
2	-	Kenneth Sumsion-R
4	-	Craig Frank-R
4	-	Stephen Sandstrom-R
6	-	Christopher Herrod-R
7	-	Bradley Daw-R
7	-	Francis Gibson
9	-	Eric Hutchings-R
10	-	Keith Grover-R
10	-	Becky Lockhart-R
10	-	Merlynn Newbold-R
13	-	Bill Wright-R
13	-	Julie Fisher-R
13	-	John Mathis-R
13	-	Michael Noel-R
17	-	John Dougall-R
17	-	Ryan Wilcox
19	-	Gregory Hughes-R
20	-	Kerry Gibson-R
21	-	Curtis Oda-R
21	-	Ben Ferry-R
21	-	Wayne Harper-R
21	-	Paul Ray-R
25	-	Patrick Painter-R
25	-	Doug Aagard-R
25	-	James Dunnigan-R
25	-	Todd Kiser-R

**Bottom 25 Rep-2010**

50	-	Kraig Powell
51	-	Steven Mascaro-R
52	-	Sheryl Allen-R
52	-	Stephen Clark-R
54	-	Kay McIff-R
55	-	Trish Beck-D
55	-	Laura Black-D
57	-	James Gowans-D
58	-	Susan Duckworth-D
58	-	Marie Poulson
58	-	Christine Watkins
61	-	Jay Seegmiller-D
62	-	Janice Fisher-D
62	-	Neil Hansen-D
64	-	Larry Wiley-D
65	-	Mark Wheatley-D
66	-	Jackie Biskupski-D
66	-	Lynn Hemingway-D
66	-	David Litvak-D
69	-	Brad King-D
69	-	Jennifer Seelig-D
71	-	Rebecca Chavez-Houck-D
71	-	Tim Cosgrove-D
73	-	Phil Riesen-D
74	-	Christine Johnson-D
75	-	Carol Moss-D

**Top 25 Reps Lifetime**

1	-	Michael Morley-R
2	-	Carl Wimmer-R
3	-	Craig Frank-R
4	-	Kenneth Sumsion-R
5	-	Becky Lockhart-R
6	-	Ryan Wilcox
6	-	Bill Wright-R
6	-	Christopher Herrod-R
9	-	Francis Gibson
10	-	Curtis Oda-R
11	-	John Dougall-R
11	-	Gregory Hughes-R
11	-	Stephen Sandstrom-R
14	-	Keith Grover-R
15	-	Merlynn Newbold-R
16	-	Bradley Daw-R
17	-	Wayne Harper-R
18	-	Kevin Garn-R
19	-	Don Ipson-R
20	-	Michael Noel-R
20	-	Patrick Painter-R
20	-	Todd Kiser-R
20	-	Roger Barrus-R
24	-	Richard Greenwood-R
24	-	Doug Aagard-R
24	-	Brent Wallis

**Bottom 25 Reps Lifetime**

50	-	Steven Mascaro-R
51	-	Jay Seegmiller-D
52	-	Marie Poulson
53	-	Rhonda Menlove
53	-	Kay McIff-R
55	-	Neil Hendrickson-D
56	-	James Gowans-D
57	-	Sheryl Allen-R
57	-	Laura Black-D
59	-	Susan Duckworth-D
59	-	Christine Watkins
61	-	Trish Beck-D
62	-	Janice Fisher-D
63	-	Neil Hansen-D
64	-	Lynn Hemingway-D
64	-	Jennifer Seelig-D
64	-	Brad King-D
67	-	Larry Wiley-D
68	-	Mark Wheatley-D
69	-	Jackie Biskupski-D
70	-	Tim Cosgrove-D
71	-	Christine Johnson-D
72	-	Rebecca Chavez-Houck-D
72	-	David Litvak-D
74	-	Carol Moss-D
74	-	Phil Riesen-D

**Senate Rank-2010**

1	-	Margaret Dayton-R
2	-	Howard Stephenson-R
3	-	Mark Madsen-R
4	-	Chris Butters-R
5	-	Michael Waddops-R
6	-	Scott Jenkins-R
7	-	Wayne Niederhauser-R
8	-	Stuart Adams-R
8	-	Peter Knudson-R
8	-	Denis Stowell-R
11	-	Stephen Urquart-R
12	-	Ralph Okerland-R
13	-	Allen Christensen-R
14	-	Jerry Stevenson-R
15	-	David Hinkins-R
16	-	Curtis Bramble-R
17	-	Dan Liljenquist-R
18	-	John Valentine-R
19	-	Kevin VanTassell-R
20	-	Jon Greiner-R
21	-	Lyle Hillyard-R
22	-	Patricia Jones-D
22	-	Karen Morgan-D
24	-	Karen Mayne-D
25	-	Brent Goodfellow-D
26	-	Ben McAdams-D
27	-	Gene Davis-D
28	-	Ross Romero-D
29	-	Luiz Robles-D

**Fast Facts**

Average Score House 2010=58%  
 Average Score House Life=51%

Average Score Senate 2010=61%  
 Average Score Senate Life=51%

Last Year the House Averaged a 58% and the Senate a 59%

Governor Herbert's score of 71% would have ranked him 16th in the House and 14th in the Senate

Past Governor's Lifetime Scores

Gov Jon Huntsman 39%  
 Governor Olene Walker-33%  
 Governor Mike Leavitt-27%

**Senate Rank-Lifetime**

1	-	Margaret Dayton-R
2	-	Mark Madsen-R
3	-	Howard Stephenson-R
4	-	Scott Jenkins-R
4	-	David Hinkins-R
4	-	Jerry Stevenson-R
7	-	Ralph Okerland-R
8	-	Stephen Urquart-R
9	-	Denis Stowell-R
10	-	Wayne Niederhauser-R
11	-	Michael Waddops-R
12	-	Chris Butters-R
12	-	Curtis Bramble-R
14	-	Stuart Adams-R
15	-	Jon Greiner-R
15	-	Allen Christensen-R
17	-	Dan Liljenquist-R
18	-	John Valentine-R
19	-	Kevin VanTassell-R
20	-	Lyle Hillyard-R
21	-	Peter Knudson-R
22	-	Karen Mayne-D
23	-	Karen Morgan-D
24	-	Ben McAdams-D
25	-	Luiz Robles-D
26	-	Ross Romero-D
27	-	Brent Goodfellow-D
27	-	Patricia Jones-D
29	-	Gene Davis-D

**GrassRoots**

The 2010 GrassRoots was prepared by Don Guymon

Chairman-Don Guymon  
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The author thanks all of those individuals who helped in the publication of this newspaper

**The Tenth Amendment  
 By Don Guymon**

The Tenth Amendment.

These three words were quoted over again and again during the 2010 legislative session.

Legislators passed bills which would allow Utah to use eminent domain on federally owned property in the state of Utah. They passed a bill which opted Utah out of the recently passed federal health care legislation. They passed a bill which makes Utah made firearms exempt from federal gun control laws. For good measure they passed a resolution confirming our belief in the Tenth Amendment.

“What took you so long?”

The issues affecting the state of Utah are not new. The Bush administration made many onerous decisions on federal property. It wasn't like they were telling us, “You know we don't need this federal land, why don't you take it back?”

The No Child Left Behind Act, which was passed by the Bush administration, interfered in the state's ability to educate our children, the way we saw fit. Yet, when legislation was introduced to opt out of NCLB in 2004 (HB 43) it could not even get the State Senate to take a vote. It did finally pass in 2005.

The Tenth Amendment is about our freedom. The government should adhere to it regardless of what label the president wears. The principle of freedom should not only extend to the state but down to our individual level as well. It is no coincidence that the preamble of the Constitution begins with “We the People”. We created government. We are its master.

Conservatives were rightfully upset when the federal government bought General Motors. Yet state lawmakers passed SB 272 which allowed a quasi-government agency, The Utah Transportation Authority, to become a partner in real estate ventures. A tax-subsidized, money-losing entity can now legally compete against the interests of private enterprise. But UTA is not alone. In recent years U-Star and Utopia have pitted the government against private enterprise.

The legislature passed HB 143 which would allow the State of Utah to use eminent domain on federal property, but the House voted in favor of a smoking ban in a motor vehicle when a child is present. Both are issues of property, but many legislators sent mixed messages on which side of the issue they belong. Second hand smoke does pose a threat. Parents shouldn't smoke around their children; this is not a point of disagreement. What about their property rights? Isn't this the same as the federal government saying, yes you shouldn't drive your ATV in that area because it will leave tire tracks?

Many of our legislators have attended Tea Party rallies and 9/12 meetings to protest the threat of new federal mandates and taxes from the Obama administration. Yet, they had no problem passing HB196 which raised the cigarette tax \$1 per pack or a \$43 million increase on Utahans who smoke. Many say their constituents wanted them to pass the cigarette tax. I will bet those who supported the tax would not be affected. They forget the fact that even smokers' children need the basic necessities of life. They forget that what happens when people stop smoking, who will pay for the funding of the new programs? Why is this different than the federal government imposing new taxes upon them?

The principle of freedom is not always convenient. Sometimes one must support principles that are not always popular. That is the difference between a republic and a democracy. When you start compromising principles in the cause of popularity; you make it easier to limit personal freedom in the future.

We are greatly encouraged by the Tea Parties. We hope more and more people will embrace the principles of freedom and protest attempts to increase the size and scope of government. As we see a popular uprising of those remembering their threatened Constitutional freedoms. Let us not forget that many of these threats are not new. They will not go away in the future.

We must all fight for the principles of freedom each and every day. Remember that whenever you passively approve the loss of freedom of another person or group; you are ultimately endangering your own freedom.

If you would like to help in the cause email us at [utahgrassroots@yahoo.com](mailto:utahgrassroots@yahoo.com).