

# 2011 Legislative Report

## *GrassRoots*

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

UtahGrassRoots.org

Annual Report on Utah's Legislature

April 2011

### The Good, The Bad and The Ugly of 2011

#### The Good

The Legislature should be commended for its ability to balance Utah's budget without raising taxes during these tough economic times. Our elected leaders also continue to reassert our 10th amendment rights against a federal government that has exerted more control over state issues.

Good bills were passed creating a statewide online educational system, strengthening second amend rights and allowing school districts more flexibility in funding education.

#### The Bad

Legislators unanimously passed legislation which increased government regulation. They also failed to pass legislation which would have given voters more power in electing state school board members.

#### The Ugly

The passage of two bills, HB 477 and HB 116, put a black eye on this session. HB.477 (see page 8) ruined Utah's GRAMA laws. In passing HB 116, the legislature set a terrible precedent by creating the nation's first state-based guest worker program. Not only is this bill unconstitutional due to the fact it conflicts with federal immigration laws, it also rewards illegal immigrants who have knowingly broken our nation's laws and violated its borders with amnesty. Accordingly, once it goes into effect, this law will serve to transform Utah into America's first ever sanctuary state. Both bills were negotiated in secret and introduced at the tail end of the session. Both were passed in a rushed manner, which is inconsistent with open government.

### Wimmer and Morley Lead House; Madsen Receives Top Score in Senate

**House Summary :** Carl Wimmer (R-SL) and Mike Morley (R-UT) earned scores of 95% to lead all House members. Also receiving over 90% was Julie Fisher (R-Davis). Earning 89% were Merilynn Newbold (R-SL), Curt Oda (R-Davis), Stephen Sandstrom (R-UT), Kenneth Sumsion (R-UT). Overall the House averaged a 61% which is above its lifetime average of 54%

**Senate Summary:** Mark Madsen (R-UT) received a 93% to lead all Senators; he was followed by Curt Bramble (R-UT), Daniel Thatcher (R-Salt Lake), Dan Liljenquist (R-DA) and Margaret Dayton (R-UT). The Senate averaged a 66% compared to its lifetime percentage of 54%.

**Governor:** Gary Herbert's received a 73% up from his score of 71% in his first year in office.

### What is GrassRoots?

GrassRoots has been issuing an annual legislative report card since 1992. The United States and Utah Constitutions 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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## GrassRoots

### Analysis of Bills for 2011

**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. 75 (C. Oda)** Prior to the passage of HB 75, an individual could not carry a gun within 1,000 feet of a school. This bill protects our second amendment rights by removing this limit. The second amendment states, "the right of the People to keep and bear arms shall not be infringed." **GrassRoots approves of YES vote. Passed the House (58-15-2); Senate (19-8-2) and was signed into law by the Governor.**

**B) H.B. 76 (K. Ivory)** Creates a Federalism Subcommittee within the Constitutional Defense Council to review how federal law impacts Utah, discuss challenging certain federal rulings and prepare a defense plan against further federal intervention into the state. It also creates a defense fund as Utah challenges the recently passed federal health care bill. This bill is a first step in preserving our 10<sup>th</sup> amendment rights. **GrassRoots approves of a YES vote. Passed the House (58-11-6); Senate (25-2-2) and was signed into law by the Governor.**

**C) H.B. 89 (P. Arent)** Would have made it illegal to smoke in a car while a child is present. A parent has the primary responsibility for raising their children. This bill infringes on parental rights for doing a legal activity. While GrassRoots hopes parents will not smoke while their children are present, this is not a proper role of government. **GrassRoots approves of a NO vote. Passed the House (39-35-1) but did not come up for a vote in the Senate.**

**D) H.B. 116 (Wright)** Creates a guest worker program in the state of Utah for which only illegal immigrants are eligible. Anyone who has entered the country illegally would be able to benefit from their breaking of federal law by being able to remain in the state and work legally. GrassRoots opposes, as a matter of principle, any law which grants amnesty to illegal immigrants as this does. This bill conflicts with federal law, and based upon the supremacy clause in the US Constitution is unconstitutional. **GrassRoots approves of NO vote. Passed the House (41-32-2); Senate (21-7-1) and was signed into law by the Governor.**

**E) HB. 138 (K. Ivory)** Requires certain state agencies to report money received from the federal government and create a plan for reduced federal funding. The federal government is trillions of dollars in debt, and federal spending needs to be cut. In addition, federal money received by the state often comes with strings attached which cost the state additional money to fund. This bill is a beginning to what GrassRoots hopes will be an end to federal funding with its unfunded mandates on the citizens of this state. **GrassRoots approves of a YES vote. Passed the House (59-9-7); Senate (25-0-4) and was signed into law by the Governor.**

**F) H.B. 183 (K. Grover)** Prohibits a local school board from granting paid leave for employee association or union duties. Our tax dollars should be used judiciously. Tax dollars directed towards education should be spent educating our children and not for union activities which often conflict with the best interest of our children. **GrassRoots approves of a YES vote. Passed the House (42-28-5); Senate (20-7-2); and was signed into law by the Governor.**

**G) H.B. 191 (C. Wimmer)** Would have required a student to prove that their parents or legal guardians have paid Utah income taxes during the prior three years to qualify for instate tuition at our colleges or universities. Current law allows children of illegal immigrants to benefit from their illegal actions by receiving instate tuition. Those who violate our laws should not benefit from their actions. **GrassRoots approves of a YES vote. Passed the House (44-28-3) but did not come up for a vote in the Senate.**

**H) H.B. 199 (J. Bird)** Allows school districts to raise additional funds for transportation by selling advertising on school buses. If school districts could raise additional money by businesses voluntarily advertising on their buses as opposed to citizens involuntarily being taxed, then that would be a good policy change. **GrassRoots approves of a YES vote. Passed the House (42-30-3); Senate (18-7-4) and was signed into law by the Governor.**

**I) H.B. 220 (M. Morley)** Requires public schools to teach that the United States' form of government is a compound constitutional republic. Our Constitutional form of government is the best form of government known to man, and it is vital that our children understand this fact. **GrassRoots approves of a YES vote. Passed the House (54-14-7); Senate (27-0-2) and was signed into law by the Governor.**

**J) H.B. 243 (M. Morley)** Enlarges government by requiring licensure for recreational massage therapists. GrassRoots believes that the business industry should be allowed to govern itself; unless its actions will affect the God given rights of our citizens. Recreational massage does not fit into this category. **GrassRoots approves of a NO vote. Passed the House (71-0-4); Senate (25-0-4) and was signed into law by the Governor.**

**K) H.B. 249 (C. Herrod)** Recognizes the right of individuals to grow food for personal use or for their family without being subject to local, state or federal regulation unless the food poses a health risk. Recent federal legislation has put this right at risk. Government has many important functions, but regulating what you grow in your garden is not one of them. **GrassRoots approves of a YES vote. Passed the House (49-15-11) but did not come up for a vote in the Senate.**

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**L) H.B. 317 (B. Galvez)** Recognizes gold and silver coins issued by the federal government as legal tender. By printing trillions of dollars out of thin air, the Federal Reserve has significantly devalued the value of our paper currency. This bill allows citizens to protect their hard-earned wealth from further devaluation. **GrassRoots approves of a YES vote. Passed the House (47-26-2); Senate (17-7-5) and was signed into law by the Governor.**

**M) H.B. 353 (C. Wimmer)** Provides that a health care provider may on moral or religious grounds refuse to perform or in any way participate in an abortion. It also extends these same rights to health care facilities. One of the proper roles of government is to protect life and preserve religious freedom. This bill does both. **GrassRoots approves of a YES vote. Passed the House (54-13-8); Senate (23-6-0) and was signed into law by the Governor.**

**N) H.B. 354 (C. Wimmer)** Limits the type of abortion coverage that may be offered in a health benefit plan, on the state health insurance exchange, or on a federally mandated health insurance exchange. As noted in our write up of H.B. 353 one of the proper roles of government is the protection of life. It is inappropriate for government to aid in any manner the taking of innocent life. **GrassRoots approves of a YES vote. Passed the House (59-12-4); Senate (24-4-1) and was signed into law by the Governor.**

**O) H.B. 477 (J. Dougall)** Amends the current GRAMA law to exclude emails, text messages, instant message and voice messages. This bill also allowed government entities to charge an unlimited amount for government requests. While GrassRoots acknowledges that GRAMA laws need to be reviewed, the manner in which the bill was passed was very troubling. H.B. 477 had a title that only referred to changes in government until the Tuesday evening it was released (which was right at the tail end of the legislative session). The bill was then passed by both legislative bodies within 72 hours and was signed by the Governor only five days after the language was released. Not only did our legislative representatives exempt themselves from GRAMA requests, but they also rammed this bill through without allowing adequate citizen feedback. GrassRoots is appreciative that both the legislature and Governor repealed HB 477 in a special session, but it also believes that our representatives should be held accountable for their votes (both good and bad) on this important piece of legislation. **GrassRoots approves of a NO vote. Passed the House (42-29-4); Senate (23-6-0) and was signed into law by the Governor.**

**P) H.B. 497 (S. Sandstrom)** Requires that a law enforcement officer verify the immigration status of a person arrested for a felony, class A misdemeanor or person booked for other misdemeanors. The protection of our nation's borders is a proper role of government. It is also appropriate that those who enter the country illegally, and then break other laws are held accountable for their actions. **GrassRoots approves of a Yes vote. Passed the House (59-15-1); Senate (22-5-2) and was signed into law by the Governor.**

**Q) S.B. 65 (H. Stephenson)** Creates the Statewide Online Education Program. More educational choices will reduce class sizes and increased competition will improve the quality of our children's education and give citizens a better return on their education tax dollars. **GrassRoots approves of a YES vote. Passed the House (48-27-0); Senate (27-0-2) and was signed into law by the Governor.**

**R) S.B. 73 (H. Stephenson)** Prohibits school districts from using last-hired, first fired layoff policy when reducing staff. Our children deserve to have the best teachers. When schools are reducing staff, the best teachers should be kept. Our tax dollars should not be spent on teachers who are not up to the task, while good teachers are let go. **GrassRoots approves of a YES vote. Passed the House (45-28-2); Senate (19-6-4); and was signed into law by the Governor.**

**S) S.B. 86 (S Jenkins)** Reauthorizes approximately 40 state entities and programs which would sunset before the next legislative session. The purpose of sunset legislation is for an entity or program to end after a certain period of time, or at a bare minimum have thorough review and debate. Reauthorizing such a large number (the majority of which do not have any connection to each other) is irresponsible. **GrassRoots approves of a NO vote. Passed the House (57-13-5); Senate (22-0-7) and was signed into law by the Governor.**

**T) S.B. 224 (H. Stephenson)** Under current law candidates for state school board are picked by a committee and the Governor. The state school budget makes up a majority of our Utah budget. Our citizens deserve a greater say in how their education dollars are spent and how education policy is created and implemented. This bill would allow citizens to choose state school board representatives in the same manner the Governor and legislature are chosen. **GrassRoots approves of a YES vote. Passed the Senate (17-12-0) but did not come up for a vote in the House.**

# GrassRoots

## 2011 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

GrassRoots Recommended Votes			A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	2011	Lifetime
Rep-Party		County(ies)	Y	Y	N	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Score	Score
Johnny Anderson-R	34	Salt Lake	Y	Y	N	y	Y	Y	Y	n	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	74%	68%
Patrice Arent-D	36	Salt Lake	n	n	y	y	n	n	n	a	n	y	n	n	n	n	N	n	n	n	y	6%	18%
Roger Barrus-R	18	Davis	Y	Y	y	N	Y	Y	Y	n	Y	y	Y	Y	Y	Y	N	Y	Y	Y	y	79%	61%
Jim Bird-R	42	Salt Lake	Y	Y	y	y	Y	n	Y	Y	Y	y	Y	n	Y	Y	y	Y	n	n	y	53%	51%
Jackie Biskupski-D	30	Salt Lake	n	n	y	y	Y	n	n	n	n	y	n	n	a	n	N	n	n	n	y	11%	20%
Joel Briscoe-D	25	Salt Lake	n	n	y	N	n	n	n	Y	n	y	n	n	n	n	N	n	n	n	y	16%	16%
Derek Brown-R	49	Salt Lake	Y	Y	y	y	Y	Y	n	Y	Y	y	Y	n	Y	a	N	Y	Y	Y	y	67%	67%
Mel Brown-R	53	*	Y	Y	a	y	Y	n	a	n	a	y	a	Y	Y	Y	y	Y	Y	Y	y	60%	51%
David Butterfield-R	4	Cache	Y	Y	N	y	Y	a	n	n	n	Y	y	Y	n	Y	y	Y	Y	Y	a	65%	65%
Rebecca Chavez-Houck-D	24	Salt Lake	n	n	y	N	n	n	n	n	Y	n	n	n	n	n	N	n	n	n	y	11%	16%
LaVar Christensen-R	48	Salt Lake	Y	a	N	y	Y	Y	Y	n	Y	y	Y	Y	Y	Y	y	Y	Y	Y	N	78%	68%
David Clark-R	74	Washington	Y	Y	N	N	Y	Y	Y	n	Y	y	Y	Y	Y	Y	N	Y	Y	Y	y	84%	60%
Tim Cosgrove-D	44	Salt Lake	n	n	y	y	n	n	n	Y	n	y	n	n	Y	Y	N	n	n	n	y	21%	21%
Fred Cox-R	32	Salt Lake	Y	Y	N	N	Y	Y	Y	n	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	79%	79%
Bradley Daw-R	60	Utah	Y	Y	N	a	Y	Y	Y	Y	y	a	Y	Y	Y	Y	y	Y	Y	Y	y	82%	72%
Brad Dee-R	11	Weber	Y	Y	N	y	a	n	Y	Y	a	a	Y	Y	Y	Y	y	Y	Y	Y	y	75%	52%
John Dougall-R	27	Salt Lake	Y	Y	N	y	Y	Y	a	Y	Y	y	a	Y	Y	Y	y	Y	Y	Y	N	88%	76%
Jack Draxler-R	3	Cache	n	Y	y	y	Y	a	n	n	a	y	Y	n	Y	Y	y	Y	Y	Y	a	50%	48%
Susan Duckworth-D	22	Salt Lake	Y	Y	y	N	Y	n	n	Y	n	y	n	Y	n	n	y	Y	n	n	a	44%	36%
James Dunnigan-R	39	Salt Lake	Y	Y	y	N	Y	n	Y	Y	Y	y	Y	Y	Y	Y	N	Y	n	n	y	68%	56%
Becky Edwards-R	20	SL/Davis	n	Y	y	y	Y	n	n	Y	Y	y	Y	n	Y	Y	y	Y	n	n	y	42%	53%
Steve Eliason-R	45	Salt Lake	n	Y	y	N	Y	Y	Y	Y	y	a	n	Y	Y	N	Y	Y	Y	Y	y	72%	72%
Julie Fisher-R	17	Davis	Y	Y	N	N	Y	Y	Y	n	Y	a	Y	a	Y	Y	N	Y	Y	Y	a	93%	63%
Janice Fisher-D	29	Salt Lake	n	n	y	y	Y	n	n	a	n	y	n	Y	a	Y	N	n	n	n	y	22%	30%
Gage Froerer-R	8	Salt Lake	Y	Y	y	y	Y	Y	Y	Y	Y	y	Y	n	Y	Y	y	Y	Y	Y	y	68%	62%
Brad Galvez-R	6	Weber	Y	Y	y	N	Y	Y	Y	Y	y	Y	Y	Y	Y	Y	y	Y	Y	Y	y	79%	79%
Francis Gibson-R	65	Utah	Y	Y	N	N	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	84%	80%
Richard Greenwood-R	12	Weber	Y	Y	y	N	Y	n	Y	n	Y	y	Y	n	Y	Y	N	Y	n	n	y	58%	62%
Keith Grover-R	61	Utah	Y	Y	N	N	Y	Y	Y	n	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	79%	74%
Stephen Handy-R	16	Davis	Y	Y	y	N	Y	n	n	n	Y	y	Y	n	Y	Y	y	Y	Y	n	y	53%	53%
Wayne Harper-R	43	Salt Lake	Y	Y	N	N	Y	Y	Y	Y	Y	y	a	Y	Y	Y	y	Y	Y	Y	y	79%	68%
Lynn Hemingway-D	40	Salt Lake	n	n	y	y	a	n	n	Y	n	y	n	n	n	n	N	n	n	n	y	11%	22%
Neil Hendrickson-D	33	Salt Lake	Y	Y	y	y	Y	n	n	n	n	y	Y	n	n	Y	y	Y	n	n	y	32%	38%
Christopher Herrod-R	62	Utah	Y	Y	N	N	Y	Y	Y	n	Y	y	Y	Y	Y	Y	a	Y	Y	Y	N	89%	80%
Gregory Hughes-R	51	Salt Lake	Y	Y	N	N	a	Y	Y	Y	a	y	a	Y	a	Y	y	Y	Y	a	y	79%	75%
Eric Hutchings-R	38	Salt Lake	Y	Y	y	y	Y	Y	Y	Y	Y	y	Y	Y	a	Y	y	n	Y	Y	y	67%	57%
<b>GrassRoots Recommended Votes</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>N</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>		

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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

# GrassRoots

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Rep-Party		County(ies)	Y	Y	N	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Score	Score
Don Ipson-R	75	Washington	Y	Y	N	N	Y	Y	Y	n	Y	y	Y	Y	Y	Y	N	Y	Y	Y	y	84%	71%
Ken Ivory-R	47	Salt Lake	Y	Y	N	N	Y	Y	Y	n	Y	y	Y	Y	Y	Y	a	Y	Y	Y	y	83%	83%
Brian King-D	28	Salt Lake	a	n	y	n	n	n	n	Y	n	y	n	n	n	n	N	n	n	n	y	17%	21%
Todd Kiser-R	41	Salt Lake	Y	Y	N	y	Y	Y	Y	n	Y	y	Y	Y	Y	Y	y	Y	Y	Y	N	79%	65%
Bradley Last-R	71	Washington	Y	Y	N	a	a	Y	Y	n	Y	y	Y	Y	Y	Y	N	Y	Y	Y	y	82%	59%
David Litvak-D	26	Salt Lake	n	n	y	y	a	n	n	n	a	a	n	n	n	n	y	n	n	n	y	0%	16%
Becky Lockhart-R	64	Utah	Y	Y	N	y	a	Y	a	Y	Y	y	a	Y	Y	Y	y	Y	Y	Y	N	81%	80%
John Mathis-R	55	Salt Lake	Y	a	N	N	Y	Y	Y	Y	a	y	Y	Y	Y	Y	y	Y	Y	Y	a	88%	64%
Kay McIlff-R	70	*	Y	Y	y	y	Y	n	n	n	Y	y	a	a	Y	Y	y	Y	n	n	y	41%	40%
Rhonda Menlove-R	1	Box Elder	Y	Y	y	y	Y	n	n	Y	Y	y	a	Y	Y	a	y	Y	n	n	y	44%	41%
Michael Morley-R	66	Utah	Y	Y	N	N	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	a	Y	Y	Y	N	94%	91%
Carol Moss-D	37	Salt Lake	n	n	y	y	n	n	n	Y	n	y	n	n	n	n	N	n	n	n	y	11%	15%
Merlynn Newbold-R	50	Salt Lake	Y	Y	N	N	Y	a	Y	Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	N	89%	74%
Jim Nielson-R	19	Davis	Y	Y	N	N	n	Y	Y	Y	Y	y	Y	Y	Y	Y	N	Y	Y	Y	y	84%	84%
Michael Noel-R	73	*	Y	Y	N	y	Y	Y	Y	n	Y	y	Y	n	Y	Y	N	Y	Y	Y	N	79%	66%
Curtis Oda-R	14	Davis	Y	Y	N	N	a	Y	Y	Y	n	Y	y	Y	Y	Y	Y	N	Y	Y	y	89%	78%
Patrick Painter-R	67	Utah, Jb, Car	Y	a	N	N	Y	Y	Y	n	a	y	Y	Y	Y	Y	y	Y	Y	Y	y	78%	66%
Lee Perry-R	2	Box Elder	Y	Y	y	y	Y	Y	Y	Y	Y	y	Y	Y	Y	a	y	Y	n	n	y	61%	61%
Jeremy Peterson-R	9	Weber	Y	Y	N	y	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	a	Y	Y	Y	y	83%	83%
Val Peterson-R	59	Utah	Y	Y	N	y	Y	Y	Y	n	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	74%	74%
Dixon Pitcher-R	10	Weber	Y	Y	y	y	Y	n	Y	Y	Y	y	Y	Y	Y	Y	N	Y	Y	n	y	68%	68%
Marie Poulson-R	46	Salt Lake	n	n	y	y	Y	n	n	Y	n	y	n	Y	a	Y	N	n	n	n	y	28%	38%
Kraig Powell-R	54	*	Y	Y	y	y	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	n	n	y	68%	60%
Paul Ray-R	13	Davis	a	Y	y	n	Y	a	Y	n	Y	y	Y	n	a	Y	y	Y	Y	Y	y	63%	56%
Holly Richardson-R	57	Utah	Y	Y	N	y	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	N	84%	84%
Douglas Sagers-R	21	Tooele	Y	a	y	y	Y	n	Y	a	Y	y	Y	Y	Y	Y	y	Y	n	n	y	53%	53%
Stephen Sandstrom-R	58	Utah	Y	a	N	N	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	N	Y	n	Y	N	89%	77%
Dean Sanpei-R	63	Utah	Y	Y	y	y	Y	Y	Y	Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	74%	74%
Jennifer Seelig-D	23	Salt Lake	n	Y	y	y	n	n	n	n	a	a	n	n	n	a	N	n	n	n	y	13%	22%
Kenneth Sumsion-R	56	Utah	Y	Y	N	N	Y	a	Y	Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	N	89%	83%
Evan Vickers-R	72	Iron	Y	Y	y	y	Y	n	Y	Y	y	Y	Y	Y	Y	Y	y	Y	Y	n	y	63%	60%
Christine Watkins	69	Carbon	Y	Y	y	y	Y	n	n	Y	n	y	Y	n	n	n	N	n	n	n	y	32%	32%
Curt Webb-R	5	Cache	Y	Y	N	y	Y	Y	n	n	Y	y	Y	n	a	Y	y	Y	Y	Y	y	61%	51%
Mark Wheatley-D	35	Salt Lake	n	a	y	y	n	n	n	Y	n	y	n	n	n	n	N	n	n	n	y	11%	21%
Ryan Wilcox-R	7	Weber	Y	Y	y	N	Y	Y	n	n	Y	y	Y	Y	Y	Y	y	Y	Y	Y	N	74%	77%
Larry Wiley-D	31	Salt Lake	Y	Y	y	y	Y	n	n	Y	Y	y	n	n	n	n	N	n	n	n	y	32%	24%
Brad Wilson-R	15	Davis	Y	Y	N	N	Y	Y	n	n	Y	y	a	Y	Y	Y	y	Y	Y	Y	N	72%	72%
Carl Wimmer-R	52	Salt Lake	Y	Y	N	N	Y	Y	Y	n	Y	y	Y	Y	Y	Y	N	Y	Y	Y	N	95%	89%
Bill Wright-R	68	San, Juab	Y	Y	N	y	Y	Y	Y	Y	Y	y	Y	Y	a	Y	y	Y	Y	a	y	76%	79%
<b>GrassRoots Recommended Votes</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>N</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>		

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 District 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, 1641 N 600 W West Bountiful, UT 84087*

## GrassRoots

### Utah State Senate 2011 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	B	D	E	F	H	I	J	L	M	N	O	P	Q	R	S	T	2011	Lifetime	
GrassRoots Recommended Votes			Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	Y	N	Y	Score	Score	
Rep-Party	Dist	County(ies)																				
Stuart Adams-R	22	Davis	Y	Y	y	Y	Y	a	Y	y	a	Y	Y	y	Y	Y	Y	y	Y	73%	61%	
Curtis Bramble-R	16	Utah	Y	Y	y	Y	Y	Y	Y	a	Y	Y	Y	y	Y	Y	Y	a	Y	87%	62%	
Chris Buttars-R	10	Salt Lake	Y	Y	y	Y	a	a	Y	y	Y	Y	Y	y	Y	Y	Y	y	Y	73%	62%	
Allen Christensen-R	19	Mor, Sum, Web	Y	Y	y	Y	Y	Y	Y	y	n	Y	Y	y	Y	Y	Y	a	n	69%	59%	
Gene Davis-D	3	Salt Lake	n	n	y	Y	n	Y	Y	y	n	n	n	y	n	Y	n	y	n	24%	21%	
Margaret Dayton-R	15	Utah	Y	Y	N	Y	Y	n	Y	a	Y	Y	Y	y	Y	Y	Y	y	Y	81%	82%	
Lyle Hillyard-R	25	Cache, Rich	n	Y	y	Y	Y	Y	Y	y	n	Y	Y	y	a	Y	a	y	n	53%	44%	
David Hinkins-R	27	*	Y	Y	N	a	Y	Y	Y	y	Y	Y	Y	y	Y	Y	Y	y	n	80%	72%	
Scott Jenkins-R	20	Weber	Y	Y	y	a	Y	n	Y	y	Y	Y	Y	y	Y	a	Y	y	Y	67%	70%	
Patricia Jones-D	4	Salt Lake	n	Y	y	Y	n	Y	Y	y	n	n	Y	N	n	Y	a	y	n	44%	23%	
Peter Knudson-R	17	*	Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	Y	Y	Y	y	n	75%	43%	
Dan Liljenquist-R	23	Davis/SL	a	Y	N	Y	a	Y	Y	y	a	Y	Y	y	Y	Y	a	a	Y	83%	63%	
Mark Madsen-R	13	UT Tooele	Y	Y	N	a	Y	Y	Y	a	Y	Y	Y	y	Y	Y	Y	a	Y	93%	78%	
Karen Mayne-D	5	Salt Lake	n	Y	y	Y	n	Y	Y	y	n	n	Y	N	Y	Y	n	y	n	50%	40%	
Ben McAdams-D	2	Salt Lake	n	a	y	Y	n	Y	Y	y	a	n	n	N	n	Y	n	y	n	33%	31%	
Karen Morgan-D	8	Salt Lake	n	Y	y	Y	n	n	Y	y	Y	Y	Y	N	Y	Y	n	y	n	53%	33%	
W. Niederhauser-R	9	Salt Lake	Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	Y	Y	Y	y	Y	76%	65%	
Ralph Okerland-R	24	*	Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	Y	Y	Y	y	Y	76%	69%	
Stuart Reid-R	18	Weber/Davis	Y	Y	y	Y	Y	n	Y	y	Y	Y	Y	y	Y	Y	Y	y	Y	71%	71%	
Luiz Robles-D	1	Salt Lake	n	a	y	Y	n	Y	Y	a	n	n	n	N	n	Y	n	a	n	36%	29%	
Ross Romero-D	7	Salt Lake	n	n	N	Y	n	Y	Y	y	n	n	n	N	n	Y	n	y	n	35%	25%	
Howard Stephenson-R	11	SL/Utah	Y	Y	y	a	Y	Y	Y	y	Y	Y	Y	y	Y	Y	Y	y	Y	75%	75%	
Jerry Stevenson-R	21	Davis	Y	Y	y	Y	Y	n	Y	y	Y	Y	Y	y	Y	Y	Y	a	Y	75%	72%	
Dennis Stowell-R	28	*	a	Y	a	Y	Y	a	a	y	a	Y	Y	y	a	Y	a	y	Y	70%	66%	
Daniel Thatcher-R	12	SL/Tooele	Y	Y	N	Y	Y	a	Y	y	Y	Y	Y	y	Y	Y	Y	a	Y	87%	87%	
Stephen Urquart-R	29	Washington	Y	Y	N	Y	Y	n	a	y	a	Y	Y	y	Y	Y	Y	y	Y	73%	66%	
John Valentine-R	14	Utah	Y	Y	y	Y	Y	n	Y	y	Y	Y	Y	y	Y	a	Y	y	Y	69%	57%	
Kevin VanTassell-R	26	*	Y	Y	y	Y	Y	Y	Y	y	Y	Y	a	y	Y	Y	Y	n		69%	55%	
Michael Waddops-R	6	Salt Lake	Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	Y	Y	Y	y	Y	76%	61%	

- \*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			A	B	D	E	F	H	I	J	L	M	N	O	Q	R	S				
GrassRoots Recommended Votes			Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	N	Y	Y	N				
Gary Herbert-R			Y	Y	y	Y	Y	Y	Y	y	Y	Y	Y	y	Y	Y	y			73%	72%

# GrassRoots

## Top 25 Rep-2011

1	-	Carl Wimmer-R
1	-	Michael Morley-R
3	-	Julie Fisher-R
4	-	Christopher Herrod-R
4	-	Merlynn Newbold-R
4	-	Curtis Oda-R
4	-	Stephen Sandstrom-R
4	-	Kenneth Sumsion-R
9	-	John Dougall-R
10	-	John Mathis-R
11	-	David Clark-R
11	-	Francis Gibson-R
11	-	Don Ipson-R
11	-	Jim Nielson-R
11	-	Holly Richardson-R
16	-	Jeremy Peterson-R
16	-	Ken Ivory-R
18	-	Bradley Daw-R
18	-	Bradley Last-R
20	-	Becky Lockhart-R
21	-	Roger Barrus-R
21	-	Fred Cox-R
21	-	Brad Galvez-R
21	-	Keith Grover-R
21	-	Wayne Harper-R
21	-	Todd Kiser-R
21	-	Michael Noel-R
21	-	Gregory Hughes-R

## Bottom 25 Reps 2011

51	-	Richard Greenwood-R
52	-	Douglas Sagers-R
53	-	Jim Bird-R
53	-	Stephen Handy-R
55	-	Jack Draxler-R
56	-	Susan Duckworth-D
56	-	Rhonda Menlove-R
58	-	Becky Edwards-R
59	-	Kay Mclff-R
60	-	Neil Hendrickson-D
60	-	Christine Watkins
60	-	Larry Wiley-D
63	-	Marie Poulson-R
64	-	Janice Fisher-D
65	-	Tim Cosgrove-D
66	-	Brian King-D
67	-	Joel Briscoe-D
68	-	Jennifer Seelig-D
69	-	Lynn Hemingway-D
69	-	Mark Wheatley-D
71	-	Jackie Biskupski-D
71	-	Rebecca Chavez-Houck-D
71	-	Carol Moss-D
74	-	Patrice Arent-D
75	-	David Litvak-D

## Top 25 Reps Lifetime

1	-	Michael Morley-R
2	-	Carl Wimmer-R
3	-	Jim Nielson-R
3	-	Holly Richardson-R
5	-	Jeremy Peterson-R
5	-	Kenneth Sumsion-R
5	-	Ken Ivory-R
8	-	Christopher Herrod-R
8	-	Francis Gibson-R
8	-	Becky Lockhart-R
11	-	Fred Cox-R
11	-	Brad Galvez-R
11	-	Bill Wright-R
14	-	Curtis Oda-R
15	-	Ryan Wilcox-R
15	-	Stephen Sandstrom-R
17	-	John Dougall-R
18	-	Gregory Hughes-R
19	-	Keith Grover-R
19	-	Merlynn Newbold-R
19	-	Val Peterson-R
19	-	Dean Sanpei-R
23	-	Steve Eliason-R
23	-	Brad Wilson-R
23	-	Bradley Daw-R

## Bottom 25 Reps Lifetime

49	-	Douglas Sagers-R
49	-	Stephen Handy-R
49	-	Becky Edwards-R
52	-	Brad Dee-R
53	-	Jim Bird-R
53	-	Curt Webb-R
53	-	Mel Brown-R
56	-	Jack Draxler-R
57	-	Rhonda Menlove-R
58	-	Kay Mclff-R
59	-	Neil Hendrickson-D
59	-	Marie Poulson-R
61	-	Susan Duckworth-D
62	-	Christine Watkins
63	-	Janice Fisher-D
64	-	Larry Wiley-D
65	-	Jennifer Seelig-D
65	-	Lynn Hemingway-D
67	-	Brian King-D
67	-	Mark Wheatley-D
67	-	Tim Cosgrove-D
70	-	Jackie Biskupski-D
71	-	Patrice Arent-D
72	-	David Litvak-D
72	-	Rebecca Chavez-Houck-D
72	-	Joel Briscoe-D
75	-	Carol Moss-D

## Senate Rank-2011

1	-	Mark Madsen-R
2	-	Curtis Bramble-R
2	-	Daniel Thatcher-R
4	-	Dan Liljenquist-R
5	-	Margaret Dayton-R
6	-	David Hinkins-R
7	-	W. Niederhauser-R
8	-	Ralph Okerland-R
9	-	Michael Waddops-R
10	-	Peter Knudson-R
10	-	Howard Stephenson-R
10	-	Jerry Stevenson-R
13	-	Chris Buttars-R
13	-	Stuart Adams-R
13	-	Stephen Urquart-R
16	-	Stuart Reid-R
17	-	Dennis Stowell-R
18	-	Allen Christensen-R
18	-	John Valentine-R
18	-	Kevin VanTassell-R
21	-	Scott Jenkins-R
22	-	Lyle Hillyard-R
22	-	Karen Morgan-D
24	-	Karen Mayne-D
25	-	Patricia Jones-D
26	-	Luiz Robles-D
27	-	Ross Romero-D
28	-	Ben McAdams-D
29	-	Gene Davis-D

## Fast Facts

Average Score House 2011=61%  
 Average Score House Life=54%  
 Average Score Senate 2011=66%  
 Average Score Senate Life=54%  
 Last Year the House Averaged a 58% and the Senate a 61%  
 Governor Herbert's score of 73% would have ranked him 33rd in the House and 23rd in the Senate  
 Past Governor's Lifetime Scores  
 Gov Jon Huntsman 39%  
 Governor Olene Walker-33%  
 Governor Mike Leavitt-27%

## Senate Rank-Lifetime

1	-	Daniel Thatcher-R
2	-	Margaret Dayton-R
3	-	Mark Madsen-R
4	-	Howard Stephenson-R
5	-	Jerry Stevenson-R
6	-	David Hinkins-R
6	-	Stuart Reid-R
8	-	Scott Jenkins-R
9	-	Ralph Okerland-R
10	-	Stephen Urquart-R
10	-	Dennis Stowell-R
12	-	W. Niederhauser-R
13	-	Dan Liljenquist-R
14	-	Curtis Bramble-R
14	-	Chris Buttars-R
16	-	Michael Waddops-R
16	-	Stuart Adams-R
18	-	Allen Christensen-R
19	-	John Valentine-R
20	-	Kevin VanTassell-R
21	-	Lyle Hillyard-R
22	-	Peter Knudson-R
23	-	Karen Mayne-D
24	-	Karen Morgan-D
25	-	Ben McAdams-D
26	-	Luiz Robles-D
27	-	Ross Romero-D
28	-	Patricia Jones-D
29	-	Gene Davis-D

## GrassRoots

The 2011 GrassRoots was prepared by Don Guymon

Chairman-Don Guymon  
 Vice-Chairman- Bill Barton  
 Secretary-Donna Dahl  
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 Jim Dexter  
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The author thanks all of those individuals who helped in the publication of this report

## GrassRoots

### Who is the Servant, Who is the Master?

By Don Guymon

Who is the servant and who is the master?

That is the fundamental question raised in the HB 477 debate which overturned our GRAMA laws. First let's ask the question, "Why does the public need to know?"

Many people start their day by acknowledging that their work computer is subject to reviewed at any time. The owner of the business sets the expectation that the employee is doing work on his/her computer. Who is the owner of our state government? Just as with any business, the owner the person who pays the bills or in this case supply the tax dollars. The owner also has the power to terminate employment as do voters.

If a business owner has the ability to check what his employee is doing, why should the citizens of this state be treated any differently? In an environment where money flows from lobbyists to legislators and special interests abound, one would think that our legislators would favor a system that allows as much sunlight as possible to show the public that yes in fact the system works and they are above reproach.

The troubling aspect about the passage of HB 477 was not only the contents of the bill, which would have exempted all email, voice mail, instant messaging and texts from public access; it was the manner in which it was done. For five weeks of the six week legislative session, the bill sat with no text and a title which made no reference to GRAMA. Then on Tuesday evening (March 1st), the text was released. By Friday it had sailed through both the House and Senate (despite not having one citizen speak in favor of the bill at committee hearings). On Tuesday (March 8th) the governor signed the bill, although he could have waited until March 30th

Legislators began to doubt their vote almost immediately. Three legislators tweeted that they were reconsidering their vote on Monday (March 7th), although only Carl Wimmer switched his vote. The governor rationalized that he negotiated a 90 day window before it would go into effect, so he signed the bill so he wouldn't have been overridden. The only problem with that spin is that the bill did not receive a 2/3rds vote in the House. The votes were not there to override his veto, and if there had been an override so what? At least the governor would have done the right thing.

The administration's claims that the legislature pushed it through while he was in Washington ring hollow, when you consider that few bills were signed before the session ended. The governor appears to have been just as on board with HB 477 as the legislature.

Remember last year when he didn't sign the tobacco tax increase, but let it go into law without his signature? He wanted to claim that he never signed a tax

increase, but the net effect of his actions was what a tax increase.

When the UEA came beckoning to veto SB 65 (which created an online school), he listened and considered vetoing the bill (although he ultimately did sign it). So the notion that his hands were tied, is either intellectually dishonest or shows that the governor is afraid of the legislature.

The governor could have been a hero. When the people complained, the bill got repealed in a special session (which cost the taxpayers an additional \$30,000). The argument that we need to keep private information private is true. The only issue is that it is already part of the law. In the event a government entity feels the information is confidential, a five member board reviews the request. This past year the committee ruled text messages involving a member of UDOT who was having a relationship with a contractor were confidential in nature. A study by *The Salt Lake Tribune* (March 29, 2011) found that four of the 10 GRAMMA requests during the 2010 legislative session were denied or the information could not be found. This included a request that was denied from the *Deseret News* which requested all emails received by Rep Stephen Sandstrom (R-Utah) about immigration legislation

The cost of open records requests has been used to justify HB 477. Of the 10 requests last year, legislative staff only kept records of one. According to *The Tribune* the costs associated with that were \$2,100 and it was not done by the media or private citizens but by a law firm.

It was clear that many legislators cast votes without knowing the facts. The Senate sponsor of the bill admitted that he did not know that a state records committee existed.

The repeal of HB 477 was a good thing, the only issue is it should have never gotten to that point in the first place. Any future changes to GRAMA laws should be thoroughly vetted.

The legislature and governor should remember who their ultimate boss is. The people who supply their salaries ultimately have the power to say "You're Fired" at the voting booth.