

# FREEDOM INDEX.US

## LEGISLATIVE SCORECARD BASED ON THE THE U.S. CONSTITUTION

The Legislative Scorecard is a nationwide, nonpartisan educational program of The John Birch Society intended to inform voters about legislators' voting records. It does not promote any candidate or political party. Bills are chosen for their constitutional implications and taxpayer costs.



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## Merrill F. Nelson

Utah

Representative, HD-068 (R)

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Lifetime  
Freedom  
Score

## 2021-2022 UT Legislative Scorecard

Based on the Principles of the U.S. Constitution

★ Constitutional	✗ Unconstitutional	? Did not Vote	Vote
1. <b>HB313 Election Security</b> (passed 56 to 14 on 3/3/2022). Enhances election security and voter confidence by instituting a number of election and ballot-related security measures, including valid voter identification requirements.			YES ★
2. <b>HB7 Social Services Budget</b> (passed 69 to 0 on 1/26/2022). Provides the social services base budget for the State of Utah, which appropriates \$247,133,400 for FY 2022, plus \$7,934,112,600 for FY 2023. <b>Estimated cost per household: -\$8,154.00/year.</b>			YES ✗
3. <b>SJR3 Ending Mask Mandates</b> (passed 45 to 29 on 1/21/2022). Terminated the public health orders that required the wearing of a mask or face covering in Salt Lake County, Summit County, Salt Lake City, or any other locality in Utah.			NO ✗
4. <b>HB415 Limiting Presidential Executive Orders</b> (passed 55 to 17 on 3/2/2021). Prevents enforcement of certain executive orders by the U.S. President, requires the Utah Constitutional Defense Council to review certain presidential executive orders, and authorizes the state Attorney General or Governor to seek to have them declared unconstitutional.			YES ★
5. <b>HB283 Civilian Review Boards</b> (passed 39 to 29 on 2/18/2021). Would create the Community and Police Relations Commission in Utah, which would be required to address "systemic issues of inequality and racial disparities," as well as report on "data collection" and "law enforcement transparency."			NO ★
6. <b>HB60 Permitless Concealed Carry</b> (passed 51 to 20 on 2/8/2021). Allows persons 21 years of age or older in Utah to carry a concealed firearm without a permit.			NO ✗

Scorecard Votes: 50%

# Why do these votes matter?

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## 1. Election Security

HB313 enhances election security and voter confidence by instituting a number of election and ballot-related security measures, including valid voter identification requirements, video surveillance of unattended ballot drop boxes, and an annual voter registration audit.

States should exercise their authority, under Article 1, Section 4, of the U.S. Constitution, to implement free, fair, and secure elections, guaranteeing equal protection of the right of citizens of the United States to vote.

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## 2. Social Services Budget

HB7 is the social services base budget bill for the State of Utah. This bill appropriates \$247,133,400 for FY 2022, plus \$7,934,112,600 for FY 2023.

Social services represents the biggest base budget category in Utah, relying heavily on unconstitutional federal funding, caused in large part by continued participation in the state's costly Medicaid programs. States should oppose the use of federal taxpayer money for purposes not authorized under Article 1, Section 8, of the U.S. Constitution.

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## 3. Ending Mask Mandates

SJR3 terminated the public health orders that required the wearing of a mask or face covering in Salt Lake County, Summit County, Salt Lake City, or any other locality in Utah.

Mask mandates should be opposed, as an individual's non-injurious activities, including personal health care decisions, are not the legitimate object of government, nor should be under federal, state, or local jurisdiction in the United States. To compel American citizens to cover their faces in such a manner is to violate their fundamental rights protected by the Bill of Rights and the 14th Amendment to the U.S. Constitution.

## 4. Limiting Presidential Executive Orders

HB415 prevents the enforcement of certain executive orders by the President of the United States, requires the Utah Constitutional Defense Council to review certain presidential executive orders, and authorizes the state Attorney General or Governor to seek to have the executive order declared unconstitutional.

Presidential executive orders should only be issued to enforce the U.S. Constitution and the "laws which shall be made in pursuance thereof" by Congress, according to Article 2 and Article VI of the U.S. Constitution. Whenever executive orders issued by the President involve the assumption of unconstitutional powers, nullification of such acts by the states remains protected by the Bill of Rights.

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## 5. Civilian Review Boards

HB283 would create the Community and Police Relations Commission in Utah. The commission, comprised of various state government officials and community members appointed for two-year renewable terms, would be required to address "systemic issues of inequality and racial disparities," as well as report on "data collection" and "law enforcement transparency."

Unelected 'civilian review boards' are an attempt to exert control over state and local law enforcement, a power that, under both Article IV, Section 4, and the 10th Amendment of the U.S. Constitution, is guaranteed to be reserved to each state and--by devolvement--local government. In a republic, government is limited to rule of law of, by, and for the people, whose representative officials shall alone exercise legitimate civil authority.

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## 6. Permitless Concealed Carry

HB60 allows persons 21 years of age or older in Utah to carry a concealed firearm without a permit.

The fundamental right of the American people to keep and bear arms should not be infringed, as guaranteed by the 2nd Amendment of the U.S. Constitution.