



April 9, 2010

Dear Delegate,

Is this a *Conservative* Governor?

I am concerned that when the Governor signed HB 150 into law on Tuesday, April 6th, he gave prosecutors nearly unlimited access to your personal electronic communications. This means that the government can now demand internet and cell phone providers to turn over information about its customers *without obtaining a warrant from a judge*.

Further, HB 150 allows prosecutors to issue administrative subpoenas, which do not require a judge's approval, in cases of stalking or child kidnapping. Obviously, no one wants our children to be at risk. However, this does not bely the fact that this is a bold step toward allowing administrative subpoenas that can be used as a fishing net on the suspicion that the citizen "might be involved" in any unspecified activity.

When *both* the mega-liberal American Civil Liberties Union and the conservative Sutherland Institute contend that the powers granted by HB 150 were overboard and unconstitutional, the defects in this bill must be serious indeed.

As of this moment, the Governor is not listening to the people, the attorneys or advocacy groups. He is comfortable with the expanded powers contained within the legislation. This, of course, means that the Governor must also be comfortable with signing bills into law that are clearly unconstitutional.

The Governor also signed into law HB 112, which removes deadlines for court decisions involving citizen initiatives and referendums. This is a direct attack on the freedoms and rights of Utah citizens, and an attack on their efforts to redress neglect or abuse by the state government. Opponents say it could give courts the power to effectively veto – through delay – citizen-initiated law.

Lest we also forget, the Governor signed into law HB 141. This bill restricts access to rivers and streams on private land to our sportsmen. It does not allow recreational water users to walk on the private bed of a public water body. This means that if you are fishing or recreating in public water that flows over private property, you may not walk on the land beneath the water without obtaining landowner permission. The law prohibits our sportsmen from leaving public waters and touching private riverbanks.

On July 25th, 1847, upon entering the Salt Lake Valley, Utah's first Governor Brigham Young stated, "There is to be no private ownership of streams of water... Walk faithfully in the light of these laws and you will be a prosperous people." Yet, here we are 162-years later, finding ourselves subjugated to yet another law that impedes upon our freedoms and our rights.

As I've previously reported, under the current administration Utah lost \$4 billion in its investment funds during 2008. Coupled with these latest three bills, it is clear that not all is well in Utah. If we continue to follow these trends dictated by Utah's current leadership, we will not only lose more of our freedoms, but also the leverage by which we can live prosperously.

Are these the marks of a *conservative* Governor?

I, Richard Martin, contend that we need leaders in government who will fight to protect the rights of Utah citizens, not leaders who trample on those rights for the sake of expediency.

Sincerely,

Richard Martin



801-765-9280

www.RichardMartinGovernor.com