

Date: 1-29-21

Senate Natural Resources, Agriculture, and Environment Committee

Bill: 1st Sub HB 12 Deceased Voter Amendments

Sponsor: Rep. Winder

Floor Sponsor: Sen. McKell

UASD Position: Support

This Bill: provides for removal of a voter's name from the official register of voters upon the voter's death.

Discussion: Rep. Winder introduced the bill by explaining that the state doesn't have a uniform process for removing deceased people from voter rolls. He doesn't know of any case where a deceased person's ballot has been processed and counted, but he knows of many cases where deceased persons have received ballots by mail. The bill will establish the following process: when the death certificate is received by the State Registrar, they will inform the Lieutenant Governor's Office within 5 days. Within one day, the Lieutenant Governor's Office will inform the county clerks, who then have 10 days to remove the voter from the voter rolls. Sen. Iwamoto asked if this way is more direct than what they're doing now. She said Salt Lake County regularly checks their rolls against records from the DMV. Are the clerks okay with this? Is 10 days reasonable? She also asked about the fiscal note. Rep. Winder said the clerks support this. He noted that some counties have set up their own processes, but this gives us a uniform statewide procedure. It does not cost the state anything. Sen. Owens asked how they make sure the State Registrar receives a death certificate. Rep. Winder said the State Registrar receives all death certificates in the state as a matter of course from the mortuaries.

Yeas: 7

Nays: 0

N/V: 1

Outcome: Passed unanimously with a favorable recommendation.

Date: 1-29-21

Senate Natural Resources, Agriculture, and Environment Committee

Bill: SB 96 Legislative Water Development Commission Amendments

Sponsor: Sen. Iwamoto

Floor Sponsor: Rep. Ferry

UASD Position: Support

This Bill: modifies provisions related to the Legislative Water Development Commission.

Discussion: Sen. Iwamoto said this modifies the quorum requirements for the Legislative Water Development Commission to rely on the joint legislative rules. She explained that it has been difficult for this particular committee to obtain a quorum, and their legislative team learned that this is the only commission not subject to legislative joint rules. When determining a quorum, leadership will not be included. This will make that consistent across the board so it's easier to get a quorum. It also clarifies the sunset date for the commission. There were two different repeal dates; this makes it one date. Sen. Vickers asked if this commission already exists, and if it just changes how they determine what a quorum is. Sen Iwamoto confirmed both of those facts.

Yeas: 8

Nays: 0

N/V: 0

Outcome: Passed unanimously with a favorable recommendation.

Date: 1-29-21

Senate Natural Resources, Agriculture, and Environment Committee

Bill: 1st Sub HB 29 Statewide Aquatic Invasive Species Emergency Response Plan

Sponsor: Rep. Stratton

Floor Sponsor: Sen. Hinkins

UASD Position: Support

This Bill: addresses the development of a statewide aquatic invasive species emergency response plan.

Discussion: Sen. Hinkins introduced the bill. It requires the Division of Wildlife to develop a statewide aquatic invasive species emergency response plan in case of an outbreak. Rep. Stratton said mitigating early saves tremendous costs in the long run. It was discussed whether it should be put on the consent calendar and decided against that.

Yeas: 8

Nays: 0

N/V: 0

Outcome: Passed unanimously with a favorable recommendation.

Date: 1-29-21

Senate Natural Resources, Agriculture, and Environment Committee

Bill: 2nd Sub HB 60 Conceal Carry Firearms Amendments

Sponsor: Rep. Brooks

Floor Sponsor: Sen. Hinkins

UASD Position: Tracking

This Bill: modifies provisions related to carrying a concealed firearm and suicide prevention.

Discussion: Rep. Brooks explained he has been studying this for four years. It was drafted last year. He has been asking himself what the conceal carry permit really does for us. Can't you just use any form of ID to make sure someone isn't a prohibited person? This bill allows you to conceal what you are already allowed to carry. What really happens when law abiding citizens conceal their guns? If you're prohibited or committing a crime, that's already illegal. This is so law-abiding citizens can protect themselves. He shared data from other states that have

permitless carry, and said there is no statistical increase in crime in states that have permitless carry. Requiring a permit doesn't reduce accidents or crime. Some people are concerned that without the permit requirement, fewer people will seek training. It doesn't matter if you have a permit or not; you are still accountable for how you use it. In Kansas, they saw a decline in the permits given when they allowed permitless carry, but the attendance in classes went up. He noted that Rep. Eliason amended the bill to utilize some of the funds from permits to educate Utahns on suicide prevention. Sheriff Jensen with the Utah Sheriffs Association said they support the bill. Sen Hinkins explained that there is a potential amendment that would change it so that up to 50% of excess funds from the permits for suicide prevention education. Rep. Brooks said that amendment will also make the code uniform across the board. Sen. Vickers asked about the difference between conceal carry permit and constitutional carry. Rep. Brooks said they won't remove the permit because it will still be useful, but you will be able to carry a gun with no distinction from a permit-holder.

Sen. Iwamoto said she is concerned about a lack of suicide prevention education. She noted that we have a high suicide rate and said she personally knows of someone who was killed accidentally because a gun was stored incorrectly. She asked if suicide prevention education will be parallel to the education given in the conceal carry courses. Rep. Brooks said the efforts being pushed forward are no less than the education in the conceal carry course. He said in states where people aren't required to take the class, they take it anyway. Responsible people go get trained and you don't have to require them to do it. If this bill passes, there will be over two million dollars that goes into training. Sen. Iwamoto said not all people are responsible and not all are educated. Does the data show that there are increased suicides with guns or gun storage issues? Does the permitting process teach those things? Rep. Brooks said the class does teach about gun storage, but in studying the other states, there is no increase in suicide related to permitless carry. He said they are trying to remove a regulation that isn't working, and trying to implement something that has proven to be effective. Sen. Iwamoto asked if the permit still requires a background check. Rep. Brooks said yes. If an individual goes to buy a gun, you have to get a background check. If you don't have a permit, you have to pay for a background check on the spot. If you have your permit, you don't. Sen. Iwamoto asked if law enforcement on the whole supports this. Rep. Brooks said there were some concerns with the Chiefs of Police Association, so they've been working together to ensure that the safety program meets what they need. He believes they will get to a good point with the chiefs of police. Sen. Stratton said he holds a conceal carry permit and that there is value in the conceal carry course. He intends to take the course again because it makes the process of buying a gun much faster. Rep. Brooks said people can already carry a loaded gun in their vehicle and there has been no increase in violence because of that. Covering a gun with a jacket is a smaller move. The bill was replaced with the second substitute.

Clarke Aposhian, chair of the Utah Shooting Sports Council, said Utah is not a pioneer with this legislation. Many other states have it. We don't have to guess what the results will be; we can look at what has happened across the nation. The data from these states shows there is no increase in accidents or gun violence. The bill allows a non-prohibited person 21 years or older to discreetly carry a firearm. They would not bypass the fee for the background check. The bill doesn't prevent anyone from getting training, but allows them to get the level of training they desire and need. Jim Pigg said he is concerned about the bill because every law enforcement person he's spoken to across the state views this bill as unnecessary and creating the opportunity for countless people to choose not to get a permit. The conceal carry permit is a privileged document, like a driver's license. In this case, there will be no rules. Last year, there were 4,300 permits suspended, revoked, or denied because of convictions. Good citizens will do what they're supposed to do, but some won't. Lela Machado said she doesn't hate or love guns, but doesn't think there's a good reason to pass this bill. Just because other states are doing it, doesn't mean we should. Given the lack of compliance with the mask mandate, it is unlikely that our citizens will do the right thing. Dan Reid with the National Rifle Association said they support the bill. This does not change the laws regarding possession. If you're prohibited from owning or possessing a firearm, you will not be allowed to carry under this legislation. It also maintains the laws around misuse of a firearm. Permit numbers have stayed steady in other states that have passed this legislation. Ryan Flugaur, vice president of the National Association for Gun Rights, said they support the bill. Joseph Rummel spoke on behalf of United Citizens Alarm. He said they support the bill and the 2nd Amendment. Taryn Hiatt said she wants to reiterate the need for education. She said she is concerned to have more folks without gun safety education. 86% of firearm deaths in our state are by suicide. Currently suicide prevention education is part of the conceal carry class. Leif Ernst spoke with the Utah Firearms Association in support of the bill. The data shows that this does not impact suicide, crime, or negligence. He asks, who does this impact? This impacts law abiding citizens who normally don't feel the need to conceal carry, who come under extreme circumstances and do not have the luxury of waiting two months to receive a permit. Ed Rutan said Rep. Brooks referred to two studies that are decidedly in the minority. Since 2005, 61% of studies concluded that the right to carry increased crime. The most recent that he's aware of found that right to carry laws are associated with 13-15% higher aggregate crime rates. When you look at the data, it's against this bill by 2 to 1. One of the studies Rep. Brooks referred to did not specifically discuss suicide. David Timmerman said he is a retired Salt Lake City police detective. He opposes this bill. Allowing people to carry concealed firearms without requiring training is reckless. Jeff Bailey, policy analyst with the National Association for Gun Rights, said this bill is not about suicide. It does not increase access to firearms for those who might be at risk; it merely allows them to wear a coat. There are times when open carrying brings unwanted attention to oneself. Michael Larson said he and the rural people he knows support the bill. Maurena Grossman said she opposes the bill. She said our current political climate is charged and shared experiences where she felt threatened by people in Salt Lake County. Heather said guns are important for self defense. Because of the lack of law

enforcement response time, law abiding citizens need to be able to protect themselves. Sen. Iwamoto said an instrument that can take a life needs to be taken seriously. Sen. Davis said he doesn't think this is good public policy.

Yeas: 5

Nays: 2

N/V: 1

Outcome: Passed with a favorable recommendation.