

1 **JOINT RESOLUTION REAFFIRMING THE**
2 **STATE OF UTAH'S COMMITMENT TO THE**
3 **CONSTITUTION AND THE BILL OF RIGHTS**

4 2004 GENERAL SESSION

5 STATE OF UTAH

6 **Sponsor: Sheryl L. Allen**

7
8 **LONG TITLE**

9 **General Description:**

10 This joint resolution of the Legislature requests that government intelligence and
11 counter-terrorism efforts be reviewed to ensure that civil liberties are being
12 safeguarded.

13 **Highlighted Provisions:**

14 This resolution:

- 15 ▶ urges that any pending and future security measures of federal, state, and local
16 governments be carefully designed and employed to enhance public safety without
17 infringing on civil liberties guaranteed in the Constitution and the Bill of Rights;
- 18 ▶ requests that the United States Congress further study the intelligence and
19 counter-terrorism efforts of the federal government to determine whether they
20 safeguard civil liberties; and
- 21 ▶ requests that Utah's congressional delegation periodically advise the people of Utah,
22 including the Legislature and the Governor, regarding their efforts to preserve the
23 civil liberties guaranteed in the Constitution and the Bill of Rights.

24 **Special Clauses:**

25 None

26
27 *Be it resolved by the Legislature of the state of Utah:*



28 WHEREAS, the United States was, without provocation or warning, attacked by
29 terrorists on September 11, 2001, resulting in the deaths of thousands of our citizens;

30 WHEREAS, terrorists continue to threaten and plot attacks against our Nation;

31 WHEREAS, the state of Utah expresses its appreciation and support for those men and
32 women serving in the armed forces and in law enforcement agencies who protect and defend
33 Americans from terrorist attack;

34 ~~WHEREAS, the state of Utah has a long tradition of protecting human rights and civil~~
35 ~~liberties both in times of threat and in times of peace;]~~ ~~h~~

36 WHEREAS, the preservation of civil rights and liberties is essential to the well-being
37 of a democratic society;

38 WHEREAS, the state of Utah is concerned that policies and legislation which have
39 been enacted in connection with the war on terrorism, including provisions of the USA Patriot
40 Act and related counter-terrorism measures may gradually erode the freedoms they are meant to
41 protect;

42 WHEREAS, in a time of concern over terrorism, our country must find a balance
43 between the need for national security and the need to protect the nation's basic civil rights and
44 liberties; and

45 WHEREAS, Utah's congressional delegation has been, and should continue to be,
46 committed to evaluating all existing or proposed terrorism legislation, and the use of any such
47 legislation, to ensure that the legislation appropriately balances the federal, state, and local
48 interests in safeguarding America's national security and the interests of citizens in retaining
49 their individual civil liberties:

50 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
51 urges that any pending and future security measures and legislation of federal, state, and local
52 governments should be carefully designed and employed to enhance public safety without
53 infringing on the civil liberties that are guaranteed by the United States Constitution and the
54 Bill of Rights.

55 BE IT FURTHER RESOLVED that the Legislature of the state of Utah requests that
56 the United States Congress continue to study the intelligence and counter-terrorism activities of
57 the federal government to determine whether civil liberties guaranteed by the United States
58 Constitution are being adequately safeguarded while combating terrorism.

59 BE IT FURTHER RESOLVED that the Legislature of the state of Utah requests that
60 members of Utah's congressional delegation periodically advise the people of the state of Utah,
61 including the Legislature and the Governor, of their work to ensure that the civil liberties
62 guaranteed by the United States Constitution and the Bill of Rights are being adequately
63 safeguarded.

64 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
65 the United States Senate, the Speaker of the United States House of Representatives, to each
66 municipality in the state of Utah, and to the members of Utah's congressional delegation.

Legislative Review Note
as of 12-19-03 2:28 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel