

STATE OF UTAH
SENATE JOURNAL

ELEVENTH EXTRAORDINARY SESSION
of the
SIXTY-FOURTH LEGISLATURE

The Senate of the Sixty-Fourth Legislature of the State of Utah met in the Senate Chamber at the State Capital Complex in the Eleventh Extraordinary Session at 4:00 p.m. on Wednesday, August 17, 2022.

The Senate was called to order at 4:11 p.m. with President J. Stuart Adams presiding.

Prayer – Senator Kirk Cullimore

Pledge of Allegiance – Senator Jerry Stevenson

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Jennifer Storie, Secretary of the Senate, read the following communication:

WHEREAS, since the close of the 2022 General Session of the 64th Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the governor may, by proclamation, convene the Senate into Extraordinary Session; and

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the state of Utah, do by this Proclamation call the Senate only of the 64th Legislature of the State of Utah into the Eleventh Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 17th day of August 2022, at 4:00 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the state of Utah since the close of the 2022 General Session of the Legislature of the State of Utah.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the state of Utah. Done
at the Utah State Capitol in Salt
Lake City, Utah, this 16th day
of August 2022.
Spencer J. Cox
Governor

Deidre M. Henderson
Lieutenant Governor

* * *

Roll call – All Senators present except Senators Vickers, Weiler, Davis, and Grover, excused.

On motion of Senator Buxton, the Senate voted to adopt the Senate Rules of the 2022 Tenth Extraordinary Session of the Sixty–Fourth Legislature as the rules for the Eleventh Extraordinary Session.

President Adams appointed Senator Kirk Cullimore to notify the Governor’s representative that the Senate is convened in the Eleventh Extraordinary Session.

Senator Cullimore advised the Senate that the Governor’s representative has been notified of the convening of the Eleventh Extraordinary Session.

COMMUNICATIONS FROM THE GOVERNOR

Mr. President:

June 24, 2022

I am pleased to inform you that I have appointed Utah Court of Appeals Judge Jill Pohlman as a Justice of the Utah Supreme Court, pursuant to Article VIII, Section 8 of the Utah Constitution and Utah Code Section 78A–10–101.

Thank you for your timely consideration and confirmation of Judge Pohlman.

Spencer J. Cox
Governor

Mr. President:

July 26, 2022

The Senate Judicial Confirmation Committee met on July 26, 2022, and reports a favorable recommendation for Ms. Jill Pohlman to be confirmed to the position of Justice in the Utah Supreme Court.

Todd D. Weiler, Chair

On motion of Senator Iwamoto, the Senate voted to consent to the appointment of Judge Pohlman on the following roll call vote:

Yeas, 25; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Senators

Anderegg	Bramble	Buxton	Cullimore
Escamilla	Fillmore	Harper	Hinkins
Ipson	Iwamoto	Johnson	Kennedy
Kitchen	Mayne	McCay	McKell
Millner	Owens	Riebe	Sandall
Stevenson	Thatcher	Wilson	Winterton
Adams			

Absent or not voting were: Senators

Davis	Grover	Vickers	Weiler
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COMMITTEE OF THE WHOLE

On motion of Senator Millner, Justice Jill Pohlman spoke in Committee of the Whole.

On motion of Senator Millner, the Committee of the Whole was dissolved.

* * *

Mr. President:

June 24, 2022

I am pleased to inform you that I have appointed Rick Westmoreland as a Judge of the Second District Juvenile Court, pursuant to Article VIII, Section 8 of the Utah Constitution and Utah Code Section 78A-10-101.

Thank you for your timely consideration and confirmation of Mr. Westmoreland.

Spencer J. Cox
Governor

Mr. President: July 19, 2022

The Senate Judicial Confirmation Committee met on July 19, 2022, and reports a favorable recommendation for Mr. Rick Westmoreland to be confirmed to the position of Judge in the Utah Second District Juvenile Court.

Todd D. Weiler, Chair

On motion of Senator Iwamoto, the Senate voted to consent to the appointment of Mr. Westmoreland on the following roll call vote:

Yeas, 25; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Senators

Anderegg	Bramble	Buxton	Cullimore
Escamilla	Fillmore	Harper	Hinkins
Ipson	Iwamoto	Johnson	Kennedy
Kitchen	Mayne	McCay	McKell
Millner	Owens	Riebe	Sandall
Stevenson	Thatcher	Wilson	Winterton
Adams			

Absent or not voting were: Senators

Davis	Grover	Vickers	Weiler
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COMMITTEE OF THE WHOLE

On motion of Senator Millner, Judge Rick Westmoreland spoke in Committee of the Whole.

On motion of Senator Cullimore, the Committee of the Whole was dissolved.

ADVISE AND CONSENT

Mr. President: June 2, 2022

In accordance with Utah Code 67-1-1 and 67-1-2, I propose and transmit the following appointments:

Alcoholic Beverage Services Commission:

Jacquelyn Orton is reappointed as a member of the Alcoholic Beverage Services Commission, the term to expire May 15, 2026. See Utah Code 32B-2-201(2)(a).

Real Estate Commission:

Richard Southwick is reappointed as a member of the Real Estate Commission, the term to expire June 30, 2026. See Utah Code 61-2f-103(4)(b)(i)(ii).

Real Estate Appraiser Licensing and Certification Board:

Richard Sloan is reappointed as a member of the Real Estate Appraiser Licensing and Certification Board, the term to expire July 1, 2026. See Utah Code 61-2g-204(1)(a)(iii).

Securities Commission:

Dawn Dachenhausen is appointed to replace Brent Cochran as a member of the Securities Commission, the term to expire June 21, 2026. See Utah Code 61-1-18.5(3)(a)(i).

Utah Board of Higher Education:

Grace Acosta is appointed to replace Alan Hall as a member of the Utah Board of Higher Education, the term to expire June 30, 2028. See Utah Code 53B-1-501(2)(a)

Richard Wheeler is appointed to replace Aaron Osmond as a member of the Utah Board of Higher Education, the term to expire June 30, 2028. See Utah Code 53B-1-501(2)(a).

Xitlalli Villanueva is appointed to replace Tanner Marcum as the student member for the Utah Board of Higher Education, the term to expire June 30, 2028. See Utah Code 53B-1-501(1)(a)(iii).

Board of Tourism Development:

Jordan Smith (R) is appointed to replace Elaine Gizler as a member representing Carbon, Emery, Grand, Duchesne, Daggett and Uintah Counties for the Board of Tourism Development, the term to expire June 30, 2026. See Utah Code 63N-7-201(4)(a)(iv).

Bridgerland Technical College Board of Trustees:

Jack Draxler (R) is reappointed as a business representative member for the Bridgerland Technical College Board of Trustees, the term to expire June 30, 2026. See Utah Code 53B-2a-108(3)(a).

Karina Brown (D) is appointed to replace Jeff Packer, as a business representative member for the Bridgerland Technical College Board of Trustees, the term to expire June 30, 2026. See Utah Code 53B-2a-108(3)(a).

Mark Smoote (R) is appointed to replace Mike Madsen as a business representative member of the Bridgerland Technical College Board of Trustees, the term to expire June 30, 2026. See Utah Code 53B-2a-108(3)(a).

Child Care Center Licensing Committee:

Bree Murphy (D) is appointed to replace Dale Smith as a member representing a child development expert from the state system of higher education for the Child Care Center Licensing Committee, the term to expire June 30, 2026. See Utah Code 26-39-200(c)(i)(B).

Monica Gailey (R) is appointed to replace Melissa Monsivais as a member who represents a parent with a child in center-based child care for the Child Care Center Licensing Committee, the remainder of the term to expire June 30, 2024. See Utah Code 26-39-200(c)(i)(A).

Tamara Thomas (R) is appointed to replace Bree Murphy as a member who has at least five years of experience as an owner in or director of a for-profit or not-for-profit center based child care for the Child Care Center Licensing Committee, the term to expire June 30, 2026. See Utah Code 26-39-200(1)(b)(i).

Drinking Water Board:

Robert Rolfs (U) is reappointed as a member representing a water district for the Drinking Water Board, the term to expire March 17, 2026. See Utah Code 19-4-103(b)(iii).

Great Salt Lake Advisory Council:

Don Leonard is reappointed as a member representing aquaculture for the Great Salt Lake Advisory Council, the term to expire June 1, 2026. See Utah Code 73-30-201(2)(a)(ii).

Leland Meyers is reappointed as a member representing a publicly owned treatment works for the Great Salt Lake Advisory Council, the term to expire June 1, 2026. See Utah Code 73-30-201(2)(a)(vii).

Jeffrey Scott is reappointed as a member representing Box Elder County for the Great Salt Lake Advisory Council, the term to expire June 1, 2026. See Utah Code 73-30-201(2)(a)(vi)(A).

Tom Ward is reappointed as a member representing an elected official from municipal government for the Great Salt Lake Advisory Council, the term to expire June 1, 2026. See Utah Code 73-30-201(2)(a)(v).

Judicial Conduct Commission:

Mark Raymond (R) is reappointed as a member appointed by the Governor for the Judicial Conduct Commission, the term to expire June 30, 2025. See Utah Code 78A-11-103(1)(d).

Real Estate Commission:

Maria McClelland (R) is reappointed as a member representing the general public for the Real Estate Commission, the term to expire June 30, 2026. See Utah Code 61-2f-103(4)(c).

Salt Lake Community College's Board of Trustees:

Silvia Castro (I) is appointed to replace Maria Farrington as a member appointed by the Governor for the Salt Lake Community College's Board of Trustees, the remainder of the term to expire June 30, 2023. See Utah Code 53B-2-104(2)(i).

Utah State Retirement Board:

Christie Behunin (U) is appointed to replace Laura Houston as a member representing a person experienced in banking and investments for the Utah State Retirement Board, the term to expire July 1, 2026. See Utah Code 49-11-202(1)(a).

Utah Tax Commission:

John Valentine is reappointed as the commissioner for the Utah Tax Commission, the term to expire June 30, 2026. See Utah Code 59-1-201(6)(b)

Waste Management and Radiation Control Board:

Dennis Riding (I) is reappointed as a member representing the manufacturing, mining, or fuel industry for the Waste Management and Radiation Control Board, the term to expire August 31, 2026. See Utah Code 19-6-103(1)(b)(iii).

Mark Franc (I) is reappointed as a member representing a private solid or hazardous waste recovery industry for the Waste Management and Radiation Control Board, the term to expire August 31, 2026 See Utah Code 19-6-103(1)(b)(iv).

Steven Mciff (R) is reappointed as a member representing someone trained and experienced in public health and is a medical doctor or dentist for the Waste Management and Radiation Control Board, the term to expire August 31, 2026 See Utah Code 19-6-103(1)(b)(ix).

I hereby certify that the individuals listed in this letter meet the legal requirements for the respective positions. Thank you for your timely consideration and confirmation of the above appointments.

Spencer J. Cox
Governor

Mr. President: August 11, 2022

The Senate Business and Labor Confirmation Committee held a meeting on August 11, 2022, and reports a favorable recommendation for the reappointment of Richard Southwick as a member of the Real Estate Commission; and

The Senate Business and Labor Confirmation Committee held a meeting on August 11, 2022, and reports a favorable recommendation for the reappointment of Marie McClelland as a member of the Real Estate Commission; and

The Senate Business and Labor Confirmation Committee held a meeting on August 11, 2022, and reports a favorable recommendation for the reappointment of Jacquelyn Orton as a member of the Alcoholic Beverage Services Commission; and

The Senate Business and Labor Confirmation Committee held a meeting on August 11, 2022, and reports a favorable recommendation for the appointment of Dawn Dachenhausen as a member of the Security Commission; and

The Senate Business and Labor Confirmation Committee held a meeting on August 11, 2022, and reports a favorable recommendation for the reappointment of Richard Sloan as a member of the Real Estate Appraiser Licensing and Certification Board.

Curtis S. Bramble, Chair

Mr. President: August 4, 2022

At its August 4, 2022, meeting, the Senate Economic Development and Workforce Services Confirmation Committee voted to recommend that the Utah

Senate approve the appointment of Jordan Smith as a member of the Board of Tourism Development.

Michael K. McKell, Chair

Mr. President: August 12, 2022

The Senate Education Confirmation Committee held a meeting on August 12, 2022, and reports a favorable recommendation for the appointment of Richard Wheeler as a member of the Utah Board of Higher Education; and

The Senate Education Confirmation Committee held a meeting on August 12, 2022, and reports a favorable recommendation for the appointment of Grace Acosta as a member of the Utah Board of Higher Education; and

The Senate Education Confirmation Committee held a meeting on August 12, 2022, and reports a favorable recommendation for the appointment of Xitlalli Villanueva as a student member of the Utah Board of Higher Education.

Lincoln Fillmore, Chair

Mr. President: August 10, 2022

The Senate Health and Human Services Confirmation Committee held a meeting on August 10, 2022, and reports a favorable recommendation for the appointment of Monica Gailey as a member of the Child Care Center Licensing Committee; and

The Senate Health and Human Services Confirmation Committee held a meeting on August 10, 2022, and reports a favorable recommendation for the appointment of Bree Murphy as a member of the Child Care Center Licensing Committee; and

The Senate Health and Human Services Confirmation Committee held a meeting on August 10, 2022, and reports a favorable recommendation for the appointment of Tamara Thomas as a member of the Child Care Center Licensing Committee.

Michael Kennedy, Chair

Mr. President: August 15, 2022

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee met on August 15, 2022, and reports a favorable recommendation for Mr. Dennis Riding to be reappointed as a member of the Waste Management and Radiation Control Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee met on August 15, 2022, and reports a favorable recommendation for Mr. Steven Mciff to be reappointed as a member of the Waste Management and Radiation Control Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee met on August 15, 2022, and reports a favorable recommendation for Mr. Mark Franc to be reappointed as a member of the Waste Management and Radiation Control Board.

Scott D. Sandall, Chair

Mr. President: August 11, 2022

The Senate Retirement and Independent Entities Confirmation Committee held a meeting on August 11, 2022, and reports a favorable recommendation for the appointment of Christie Behunin as a member experienced in banking and investments for the Utah State Retirement Board.

Wayne A. Harper, Chair

Mr. President: August 10, 2022

The Senate Revenue and Taxation Confirmation Committee held a meeting on August 10, 2022, and reports a favorable recommendation for the reappointment of John Valentine as a commissioner for the Utah Tax Commission.

Daniel McCay, Chair

On motion of Senator Hinkins, the Senate vote to consent to the Governor's appointments on the following roll call vote:

Yeas, 24; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Senators

Anderegg	Bramble	Buxton	Cullimore
Escamilla	Fillmore	Harper	Hinkins
Ipson	Iwamoto	Johnson	Kennedy
Kitchen	Mayne	McCay	McKell
Owens	Riebe	Sandall	Stevenson
Thatcher	Wilson	Winterton	Adams

Absent or not voting were: Senators

Davis	Grover	Millner	Vickers
Weiler			

SPECIAL RECOGNITION

A citation was read honoring K9 Arros and honored him on his passing. Senators Ipson and Adams commented.

A citation was read honoring the Lowell Bennion Center for 35 years of service.

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President Adams directed Senator Cullimore to notify the Governor's representative that the Senate has concluded its business.

Senator Cullimore reported that Governor's representative had been notified and that the Senate has concluded its business.

On motion of Senator Cullimore, and at 5:04 p.m., the Senate adjourned sine die.