

STATE OF UTAH

SENATE JOURNAL

SECOND EXTRAORDINARY SESSION
of the
Sixty-Fifth LEGISLATURE

The Senate of the Sixty-Fifth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex and virtually in the Second Extraordinary Session at 4:00 p.m. on Wednesday, August 9, 2023.

The Senate was called to order at 4:12 p.m. with President J. Stuart Adams presiding.

Prayer – Senator Todd Weiler

Pledge of Allegiance – Senator Luz Escamilla

* * *

Phalin Flowers, Secretary of the Senate, read the following communication:

WHEREAS, since the close of the 2023 General Session of the 65th 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 65th Legislature of the State of Utah into the Second Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 9th day of August 2023, 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 2023 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 8th day of
August 2023.

Spencer J. Cox
Governor

Deidre M. Henderson
Lieutenant Governor

* * *

Roll call – All Senators present except Senator Stevenson, excused.

President Adams appointed Senator Wayne Harper to notify the Governor’s representative that the Senate is convened in the Second Extraordinary Session.

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

On motion of Senator Buxton, the Senate voted to adopt the Senate Rules of the 2023 General Session, First Special Session, and Second Special Session of the Sixty-Fifth Legislature as the rules for the Second Extraordinary Session.

COMMUNICATIONS FROM THE GOVERNOR

Mr. President:

June 10, 2023

I am pleased to inform you that I have appointed Charles Stormont as a Judge of the Third District 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. Stormont.

Spencer J. Cox
Governor

Mr. President: July 27, 2023

The Senate Judicial Confirmation Committee met on July 27, 2023, and reports a favorable recommendation for Charles Stormont to be confirmed to the position of Judge in the Utah Third District Court.

Kirk Cullimore, Acting Chair

On motion of Senator Weiler, the Senate voted to consent to the appointment of Charles Stomont on the following roll call vote:

Yeas, 23; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Senators

Anderegg	Blouin	Buxton	Cullimore
Escamilla	Harper	Hinkins	Ipson
Kennedy	Kwan	McCay	McKell
Millner	Owens	Pitcher	Plumb
Sandall	Thatcher	Vickers	Weiler
Wilson	Winterton	Adams	

Absent or not voting were: Senators

Bramble	Fillmore	Grover	Johnson
Riebe	Stevenson		

COMMITTEE OF THE WHOLE

On motion of Senator Vickers, Judge Charles Stormont spoke in Committee of the Whole.

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

* * *

Mr. President: July 12, 2023

I am pleased to inform you that I have appointed Eric Gentry as a Judge of the Fifth District 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. Gentry.

Spencer J. Cox
Governor

Mr. President:

July 27, 2023

The Senate Judicial Confirmation Committee met on July 27, 2023, and reports a favorable recommendation for Eric Gentry to be confirmed to the position of Judge in the Utah Fifth District Court.

Kirk Cullimore, Acting Chair

On motion of Senator Weiler, the Senate voted to consent to the appointment of Eric Gentry on the following roll call vote:

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

Voting in the affirmative were: Senators

Anderegg	Blouin	Buxton	Cullimore
Escamilla	Harper	Hinkins	Ipson
Kennedy	Kwan	McCay	McKell
Millner	Owens	Pitcher	Plumb
Riebe	Sandall	Thatcher	Vickers
Weiler	Wilson	Winterton	Adams

Absent or not voting were: Senators

Bramble	Fillmore	Grover	Johnson
Stevenson			

COMMITTEE OF THE WHOLE

On motion of Senator Vickers, Judge Eric Gentry spoke in Committee of the Whole.

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

COMMUNICATIONS FROM THE GOVERNOR

ADVICE AND CONSENT

Mr. President:

July 10, 2023

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

Utah Board of Higher Education:

Cyndi Tetro is appointed as a member for the Utah Board of Higher Education, a staggered term to be determined in accordance with Utah Code 53B-1-404.

Alcoholic Beverage Services Commission:

Steve Handy (R) is appointed to replace Stanley B. Parrish as a member of the Alcoholic Beverage Services Commission, a term to expire July 1, 2027. See Utah Code 32B-2-201.

Board of Aging and Adult Services:

Trista Lawrence is appointed to replace Christy Allen as a member for the Board of Aging and Adult Services, a term to expire April 1, 2027. See Utah Code 26B-1-426.

Board of Tourism Development:

Melva Sine (R) is appointed to replace Glen Overton as a member representing the Restaurant Industry for the Board of Tourism Development, a term to expire June 30, 2027. See Utah Code 63N-7-201(5)(c)(ii).

Board of Water Resources:

Michael Davis is appointed to replace G. Wayne Andersen as a member representing the Provo River District for the Board of Water Resources, a term to expire June 30, 2027. See Utah Code 73 10 2(2)(a)(iv).

Davis Technical College Board of Trustees:

Justin Atkinson is reappointed as a member of the Davis Technical College Board of Trustees, a term to expire June 30, 2027. See Utah Code 53B-2a-108(2)(c)(ii)(C).

Tucker Morgan is reappointed as a member of the Davis Technical College Board of Trustees, a term to expire June 30, 2027. See Utah Code 53B-2a-108(2)(c)(ii)(C).

Dixie Technical College Board of Trustees:

Chris Peterson is reappointed as a member of the Dixie Technical College Board of Trustees, a term to expire June 30, 2027. See Utah Code 53B-2a-108(2)(c)(i)(C).

Isaac Barlow is appointed to replace Ed Burgess as a member of the Dixie Technical College Board of Trustees, a term to expire June 30, 2027. See Utah Code 53B-2a-108(2)(c)(i)(C).

Paul Broadhead is appointed to replace Darcy Stewart as a member of the Dixie Technical College Board of Trustees, a term to expire June 30, 2027. See Utah Code 53B-2a-108(2)(c)(i)(C).

Drinking Water Board:

Corinna Harris is appointed to replace Robert Rolfs as a public member for the Drinking Water Board, the remainder of the term to expire March 17, 2026. See Utah Code 19-4-103(1)(b)(vi)(B).

Great Salt Lake Advisory Council:

Lee Perry is appointed to replace Jeffrey Scott as a member representing Box Elder County for the Great Salt Lake Advisory Council, the remainder of the term to expire June 1, 2026. See Utah Code 73-32-302(2)(a)(vi)(A).

Private Activity Bond Review Board:

Nicole Rosenberg is appointed to replace Sheri Dearden as an elected county official, for the Private Activity Bond Review Board, the remainder of the term to expire April 20, 2026. See Utah Code 35A-8-2103(1)(b)(i).

Salt Lake Community College Board of Trustees:

Starr Fowler is appointed to replace Jim Wall as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2027. See Utah Code 53B-2-104(2)(i).

Yvette Donosso is appointed to replace Silvia Castro as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2027. See Utah Code 53B-2-104(2)(i).

Southwest Technical College Board of Trustees:

Garrett Cottam is reappointed as a business representative for the Southwest Technical College Board of Trustees, a term to expire June 30, 2027. See Utah Code 53B-2a-108(2)(c)(ii)(D).

Uintah Basin Technical College Board of Trustees:

Danelle Brinkerhoff is reappointed as a member of the Uintah Basin Technical College Board of Trustees, the remainder of the term to expire June 30, 2027. See Utah Code 53B-2a-108(2)(c)(i)(B).

Utah Commission on Uniform State Laws:

Representative Jordan Teuscher is appointed to replace Representative Lowry Snow as a Member of the Utah Commission on Uniform State Laws, a term to expire June 30, 2027. See Utah Code 68-4-5(1)(B).

Utah Arts Advisory Board:

Leroy Transfield is reappointed as a member with experience in visual arts for the Utah Arts Advisory Board, a term to expire June 30, 2027. See Utah Code 9-6-301(c)(i).

Utah Communications Authority Board:

D. Lance Davenport is reappointed as a member appointed by the Governor for the Utah Communications Authority Board, a term to expire August 1, 2027. See Utah Code 63H-7a-203(2)(a)(i).

Craig Dearden is reappointed as a member representing the counties for the Utah Communications Authority Board, a term to expire August 1, 2027. See Utah Code 63H-7a-203(2)(a)(v).

Scott Jenkins is appointed to replace Dean Cox as a member representing counties for the Utah Communications Authority Board, a term to expire August 1, 2027. See Utah Code 63H-7a-203(2)(a)(v).

Shawn Guzman is appointed to replace John Park as a member representing cities and towns for the Utah Communications Authority Board, a term to expire August 1, 2027. See Utah Code 63H-7a-203(2)(a)(iv).

Utah State Parks Board:

Elaine Gizler (R) is appointed to replace Natalie Randall as a member from a judicial district for the Utah State Parks Board, a term to expire July 1, 2027. See Utah Code 79-4-302(1)(b)(i).

Lesha Coltharp (R) is reappointed as a member from a judicial district for the Utah State Parks Board, a term to expire July 1, 2027. See Utah Code 79-4-302(1)(b)(i).

Utah Tech Board of Trustees:

Pat Jones is appointed to replace Danny Ipson as a member of the Utah Tech Board of Trustees, the remainder of the term to expire June 30, 2025. See Utah Code 53B-2-104.

Weber State Board of Trustees:

Lori Belnap Pehrson is appointed to replace Amanda Covington as a member of the Weber State Board of Trustees, a term to expire June 30, 2027. Utah Code 53B-2-104.

Casey Hill is appointed to replace Karen Fairbanks as a member of the Weber State Board of Trustees, a term to expire June 30, 2027. Utah Code 53B-2-104.

Tammy Gallegos is appointed to replace Kearston Cutrbus as a member of the Weber State Board of Trustees, a term to expire June 30, 2027. Utah Code 53B-2-104.

Monet Maggelet is appointed to replace Louenda Downs as a member of the Weber State Board of Trustees, a term to expire June 30, 2027. Utah Code 53B-2-104.

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

A majority of the Senate President, Majority Leader, and Minority Leader voted to waive 30 day notice requirement for the following appointment from the Governor:

Rep. Jordan Teuscher to the Utah Commission on Uniform State Laws.

* * *

Mr. President: July 31, 2023

The Senate Business and Labor Confirmation Committee held a meeting on July 31, 2023, and reports a favorable recommendation for the appointment of Steve Handy as a member of the Alcoholic Beverage Services Commission.

Curtis S. Bramble, Chair

Mr. President: August 1, 2023

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on August 1, 2023, and reports a favorable recommendation for the appointment of Michael Davis as a member of the Board of Water Resources; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on August 1, 2023, and reports a favorable recommendation for the appointment of Corinna Harris as a member of the Drinking Water Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on August 1, 2023, and reports a favorable recommendation for the appointment of Elaine Gizler as a member of the Utah State Parks Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on August 1, 2023, and reports a favorable recommendation for the reappointment of Lesha Coltharp as a member of the Utah State Parks Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on August 1, 2023, and reports a favorable

recommendation for the appointment of Lee Perry as a member of the Great Salt Lake Advisory Council.

Scott D. Sandall

Mr. President: August 4, 2023

The Senate Judiciary Confirmation Committee met on August 4, 2023, and reports a favorable recommendation for Representative Jordan Teuscher to be confirmed as a member of the Utah Commission of Uniform State Laws.

Michael S. Kennedy, Chair

Mr. President: August 4, 2023

The Senate Education Confirmation Committee held a meeting on August 4, 2023, and reports a favorable recommendation for the appointment of Cydni Tetro as a member of the Utah Board of Higher Education; and

The Senate Education Confirmation Committee held a meeting on August 4, 2023, and reports a favorable recommendation for the appointment of Lori Belnap Pehrson as a member of the Weber State University Board of Trustees; and

The Senate Education Confirmation Committee held a meeting on August 4, 2023, and reports a favorable recommendation for the appointment of Casey Hill as a member of the Weber State University Board of Trustees; and

The Senate Education Confirmation Committee held a meeting on August 4, 2023, and reports a favorable recommendation for the appointment of Tammy Gallegos as a member of the Weber State University Board of Trustees; and

The Senate Education Confirmation Committee held a meeting on August 4, 2023, and reports a favorable recommendation for the appointment of Monet Maggelet as a member of the Weber State University Board of Trustees.

John Johnson, Acting Chair

Mr. President: August 4, 2023

The Senate Health and Human Services Confirmation Committee held a meeting on August 4, 2023, and reports a favorable recommendation for the appointment of Trista Lawrence as a member of the Board of Aging and Adult Services.

Michael S. Kennedy, Chair

Mr. President: August 7, 2023

The Senate Retirement and Independent Entities Committee held a meeting on August 7, 2023, and reports a favorable recommendation for the appointment

of Lance Davenport as a member of the Utah Communications Authority Board; and

The Senate Retirement and Independent Entities Committee held a meeting on August 7, 2023, and reports a favorable recommendation for the appointment of Craig Dearden as a member of the Utah Communications Authority Board; and

The Senate Retirement and Independent Entities Committee held a meeting on August 7, 2023, and reports a favorable recommendation for the appointment of Scott Jenkins as a member of the Utah Communications Authority Board; and

The Senate Retirement and Independent Entities Committee held a meeting on August 7, 2023, and reports a favorable recommendation for the appointment of Shawn Guzman as a member of the Utah Communications Authority Board.

Wayne Harper, Chair

On motion of Senator Hinkins, the Senate voted 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	Blouin	Buxton	Cullimore
Escamilla	Harper	Hinkins	Ipson
Kennedy	Kwan	McCay	McKell
Millner	Owens	Pitcher	Plumb
Riebe	Sandall	Thatcher	Vickers
Weiler	Wilson	Winterton	Adams

Absent or not voting were: Senators

Bramble	Fillmore	Grover	Johnson
Stevenson			

SPECIAL ORDER OF BUSINESS

A citation was read honoring the 50th anniversary of the National Wild Turkey Federation. Senator Owens commented.

* * *

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

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

On motion of Senator Vickers, and at 4:48 p.m., the Senate adjourned sine die.