

STATE OF UTAH
SENATE JOURNAL
FOURTH 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 Fourth Extraordinary Session at 4:00 p.m. on Wednesday, October 11, 2023.

The Senate was called to order at 4:20 p.m. with President J. Stuart Adams presiding.

Prayer – Senator Jake Anderegg

Pledge – Senator Lincoln Fillmore

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

PROCLAMATION

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 Fourth Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 11th day of October 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 10th day of October 2023.

Spencer J. Cox
Governor

Deidre M. Henderson
Lieutenant Governor

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Roll call – All Senators present

President Adams appointed Senator Chris Wilson to notify the Governor’s representative that the Senate is convened in the Fourth Extraordinary Session.

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

On motion of Senator Buxton, the Senate voted to adopt the Senate Rules of the 2023 Third Extraordinary Session as the rules for the Fourth Extraordinary Session of the Sixty–fifth Legislature.

COMMUNICATIONS FROM THE GOVERNOR

Mr. President: August 14, 2023

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

Securities Commission:

Melanie Vartabedian is appointed to replace Peggy Hunt as a member of the securities section of the Utah State Bar for the Securities Commission, the remainder of the term to expire October 19, 2026. See Utah Code 61–1–18.5(3)(a)(ii).

Dan DeBry is appointed to replace Lyle White as a member of the securities brokerage community for the Securities Commission, a term to expire August 1, 2027. See Utah Code 61–1–18.5(3)(a)(ii).

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Mr. President: September 11, 2023

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

Board of Water Resources:

Brian Steed is appointed as a member who represents the interests of the Great Salt Lake for the Board of Water Resources, a term to expire June 30, 2027. See Utah Code 73–10–2(2)(b).

Grand County Water Conservancy District Board of Trustees:

Kevin Clyde is appointed to replace Rex Tanner as a member representing a resident of the water district for the Grand County Water Conservancy District Board of Trustees, the remainder of the term to expire January 31, 2026. See Utah Code 17B-2a-1005(2)(c)(i).

Securities Commission:

Lyndon Ricks is reappointed as a corporate member for the Securities Commission, a term to expire August 1, 2027. See Utah Code 61-1-18.5(3)(a)(iii).

Waste Management and Radiation Control Board:

Brett Mickelson is reappointed as a member who is a non-industry professional engineer for the Waste Management and Radiation Control Board, a term to expire September 30, 2027. See Utah Code 19-6-103(1)(b)(i).

Danielle Endres is reappointed as a public representative of an environmental nongovernmental organization that represents community interests for the Waste Management and Radiation Control Board, a term to expire September 30, 2027. See Utah Code 19-6-103(1)(b)(viii).

Nathan Rich is reappointed as a government representative who does not represent the federal government for the Waste Management and Radiation Control Board, a term to expire September 30, 2027. See Utah Code 19-6-103(1)(b)(ii).

Richard Codell is reappointed as a member who is a representative from the uranium milling industry for the Waste Management and Radiation Control Board, a term to expire September 30, 2027. See Utah Code 19-6-103(1)(b)(vii).

Shane Whitney is reappointed as a member who represents private hazardous waste recovery for the Waste Management and Radiation Control Board, a term to expire September 30, 2027. See Utah Code 19-6-103(1)(b)(v).

Vern Rogers is reappointed as a member who represents the radioactive waste management industry for the Waste Management and Radiation Control Board, a term to expire September 30, 2027. See Utah Code 19-6-103(1)(b)(vi).

Dixie Technical College Board of Trustees:

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

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Mr. President: September 29, 2023

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

Board of Pardons and Parole:

Scott Stephenson is appointed to replace Marshall Thompson as a full-time member for the Board of Pardons and Parole, the remainder of the term to expire February 28, 2025. See Utah Code 77-27-2(1)(b).

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

Spencer J. Cox
Governor

CONFIRMATION COMMITTEE REPORTS

Mr. President: October 6, 2023

The Senate Business and Labor Confirmation Committee held a meeting on October 6, 2023, and reports a favorable recommendation for the appointment of Dan DeBry as a member of the Securities Commission; and

The Senate Business and Labor Confirmation Committee held a meeting on October 6, 2023, and reports a favorable recommendation for the appointment of Lyndon Ricks as a member of the Securities Commission; and

The Senate Business and Labor Confirmation Committee held a meeting on October 6, 2023, and reports a favorable recommendation for the appointment of Melanie Vartabedian as a member of the Securities Commission.

Curtis S. Bramble, Chair

Mr. President: October 4, 2023

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on October 4, 2023, and reports a favorable recommendation of Vern Rogers as a member of the Waste Management and Radiation Control Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on October 4, 2023, and reports a favorable recommendation of Shane Whitney as a member of the Waste Management and Radiation Control Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on October 4, 2023, and reports a favorable recommendation of Richard Codell as a member of the Waste Management and Radiation Control Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on October 4, 2023, and reports a favorable recommendation of Nathan Rich as a member of the Waste Management and Radiation Control Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on October 4, 2023, and reports a favorable recommendation of Danielle Endres as a member of the Waste Management and Radiation Control Board; and

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on October 4, 2023, and reports a favorable recommendation of Brett Mickelson as a member of the Waste Management and Radiation Control Board.

Scott D. Sandall, Chair

Mr. President:

October 5, 2023

The Senate Law Enforcement and Criminal Justice Confirmation Committee held a meeting on October 5, 2023, and reports a favorable recommendation for the appointment of Scott Stephenson as a full-time member of the Board of Pardons and Parole.

Derrin Owens, Chair

President Adams stated that a majority of the Senate President, Majority Leader, and Minority Leader voted to waive the 30-day requirement for the appointment of Scott Stephenson to the Board of Pardons and Parole.

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

Yeas, 27; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Senators

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|-----------|-----------|----------|---------|
| Anderegg | Blouin | Bramble | Buxton |
| Cullimore | Escamilla | Fillmore | Harper |
| Hinkins | Ipson | Johnson | Kennedy |

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|-----------|-----------|---------|---------|
| Kwan | McCay | McKell | Millner |
| Owens | Plumb | Riebe | Sandall |
| Stevenson | Thatcher | Vickers | Weiler |
| Wilson | Winterton | Adams | |

Absent or not voting were: Senators
Grover Pitcher

SPECIAL ORDER OF BUSINESS

A citation was read supporting the State of Israel.

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The Senate paid tribute to Senator Jake Anderegg and his 11 years of service in the Legislature and on his retirement from the Senate.

MISCELLANEOUS BUSINESS

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

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

On motion of Senator Vickers, and at 4:51 p.m., the Senate adjourned sine die.