

**STATE OF UTAH**  
**SENATE JOURNAL**  
**FIFTH 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 Fifth Extraordinary Session at 4:00 p.m. on Wednesday, November 15, 2023.*

The Senate was called to order at 4:13 p.m. with President J. Stuart Adams presiding.

**Prayer** – Senator David Buxton

**Pledge** – Senator Wayne Harper

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 Fifth Extraordinary Session at the Utah State Capitol in Salt Lake City, Utah, on the 15th day of November 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 14th day of November 2023.

Spencer J. Cox  
Governor

Deidre M. Henderson  
Lieutenant Governor

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**Roll call** – All Senators present except Senator Fillmore, excused

President Adams appointed Senator Balderree to notify the Governor’s representative that the Senate is convened in the Fifth Extraordinary Session.

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

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

### **COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: October 17, 2023

I am pleased to inform you that I have appointed Ryan Peters as a Judge of the Fourth 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. Peters.

Spencer J. Cox  
Governor

### **CONFIRMATION COMMITTEE REPORTS**

Mr. President: November 6, 2023

The Senate Judicial Confirmation Committee met on November 6, 2023, and reports a favorable recommendation for Ryan Peters to be confirmed to the position of Judge in the Utah Fourth District Juvenile Court.

Todd Weiler, Chair

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

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

**Voting in the affirmative were:** Senators

Balderree	Blouin	Bramble	Buxton
Cullimore	Harper	Hinkins	Ipson
Johnson	Kennedy	Kwan	McKell
Millner	Owens	Plumb	Riebe
Sandall	Stevenson	Thatcher	Vickers
Weiler	Wilson	Winterton	Adams

**Absent or not voting were:** Senators

Escamilla	Fillmore	Grover	McCay
Pitcher			

**COMMITTEE OF THE WHOLE**

On motion of Senator Vickers, Judge Ryan Peters spoke in Committee of the Whole.

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

**COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: October 16, 2023

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

**Board of State History:**

Spencer Hall is reappointed as a public member for the Board of State History, a term to expire October 31, 2027. See Utah Code 9-8-204(2).

Margaret Olson is reappointed as a public member for the Board of State History, a term to expire October 31, 2027. See Utah Code 9-8-204(2).

Ignacio Garcia is reappointed as a public member for the Board of State History, a term to expire October 31, 2027. See Utah Code 9-8-204(2).

Emily Larsen is appointed to replace David Lewis as a public member for the Board of State History, a term to expire October 31, 2027. See Utah Code 9-8-204(2).

Mike Brenchley is appointed to replace David Richardson as a public member for the Board of State History, a term to expire October 31, 2027. See Utah Code 9-8-204(2).

**Commission on Criminal and Juvenile Justice:**

Thomas Kay is appointed to replace Judith Atherton as the citizen member for the Commission on Criminal and Juvenile Justice, a term to expire January 1, 2027. See Utah Code 63M-7-202(2)(d).

**Drinking Water Board:**

David Pitcher (U) is reappointed as a member representing a water district for the Drinking Water Board, a term to expire May 8, 2027. See Utah Code 19-4-103(1)(b)(iii).

Blake Tullis (R) is reappointed as a member from an institution of higher education with expertise in water research for the Drinking Water Board, the remainder of the term to expire May 8, 2027. See Utah Code 19-4-103(1)(b)(v)(B).

**Great Salt Lake Advisory Council:**

Ryan Doherty is appointed to replace Daniel Tuttle as a member representing Tooele County for the Great Salt Lake Advisory Council, a term to expire June 1, 2027. See Utah Code 73-32-302(2)(a)(vi)(D).

**Jordan Valley Water Conservancy District Board of Trustees:**

Andy Pierucci is appointed to replace Sherrie Ohrn as a member for the Jordan Valley Water Conservancy District Board of Trustees, a term to expire January 31, 2028. See Utah Code 17B-2a-1005.

Corey Rushton is reappointed as a member who represents investing experience for the Jordan Valley Water Conservancy District Board of Trustees, a term to expire January 31, 2028. See Utah Code 17B-2a-1005.

Karen Lang is reappointed as a member who represents investing experience for the Jordan Valley Water Conservancy District Board of Trustees, a term to expire January 31, 2028. See Utah Code 17B-2a-1005.

**State Money Management Council:**

Scott Burnett (R) is reappointed as a member who represents investing experience for the State Money Management Council, a term to expire June 30, 2027. See Utah Code 51-7-16(1)(b)(iv).

**Board of Financial Institutions:**

Andrea Moss is appointed to replace Ronald Ostler as a member who represents the Industrial Bank Industry for the Board of Financial Institutions, a term to expire July 1, 2027. See Utah Code 7-1-203(1)(c).

William Tingey is reappointed as a public member for the Board of Financial Institutions, a term to expire July 1, 2027. See Utah Code 7-1-203(1)(e).

Paul Atkinson is reappointed as a member who represents credit union business for the Board of Financial Institutions, a term to expire July 1, 2027. See Utah Code 7-1-203(1)(d).

Brad Baldwin is reappointed as a member who represents a commercial banking business for the Board of Financial Institutions, a term to expire July 1, 2027. See Utah Code 7-1-203(1)(a).

Kip Cashmore is reappointed as a member from the deferred deposit lending industry for the Board of Financial Institutions, a term to expire July 1, 2027. See Utah Code 7-1-203(1)(b).

**Utah Housing Corporation Board of Trustees:**

Annette Lowder (D) is reappointed as a mortgage lending industry representative for the Utah Housing Corporation Board of Trustees, a term to expire May 31, 2027. See Utah Code 63H-8-201(2)(d)(i).

Jessica Norie (D) is reappointed as the home building industry representative for the Utah Housing Corporation Board of Trustees, a term to expire May 31, 2027. See Utah Code 63H-8-201(2)(d)(ii).

Spencer J. Cox  
Governor

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Mr. President:

October 27, 2023

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

**Utah State University Board of Trustees**

Clark Whitworth is appointed to replace Wayne Niederhauser as a member for the Utah State University Board of Trustees, a term to expire June 30, 2027. See Utah Code 53B-2-104.

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: November 13, 2023

The Senate Business and Labor Confirmation Committee held a meeting on November 13, 2023, and reports a favorable recommendation for the appointment of Scott Burnett as a member of the State Management Council; and

The Senate Business and Labor Confirmation Committee held a meeting on November 13, 2023, and reports a favorable recommendation for the appointment of Andrea Moss as a member of the Board of Financial Institutions; and

The Senate Business and Labor Confirmation Committee held a meeting on November 13, 2023, and reports a favorable recommendation for the appointment of William Tingey as a member of the Board of Financial Institutions; and

The Senate Business and Labor Confirmation Committee held a meeting on November 13, 2023, and reports a favorable recommendation for the appointment of Paul Atkinson as a member of the Board of Financial Institutions; and

The Senate Business and Labor Confirmation Committee held a meeting on November 13, 2023, and reports a favorable recommendation for the appointment of Brad Baldwin as a member of the Board of Financial Institutions; and

The Senate Business and Labor Confirmation Committee held a meeting on November 13, 2023, and reports a favorable recommendation for the appointment of Kip Cashmore as a member of the Board of Financial Institutions.

Curtis S. Bramble, Chair

Mr. President: November 2, 2023

The Senate Natural Resources, Agriculture, and Environment Confirmation Committee held a meeting on November 2, 2023, and reports a favorable recommendation of Ryan Doherty as a member of the Great Salt Lake Advisory Council.

Scott D. Sandall, Chair

Mr. President:

November 10, 2023

The Senate Education Confirmation Committee held a meeting on November 10, 2023, and reports a favorable recommendation for the appointment of Clark Whitworth as a member of the Utah State University Board of Trustees.

Lincoln Fillmore, 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 Clark Whitworth to the Utah State University Board of Trustees.

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On motion of Senator Escamilla, the Senate voted to take action on the Governor’s appointments in two separate roll call votes.

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

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

**Voting in the affirmative were:** Senators

Balderree	Blouin	Bramble	Buxton
Cullimore	Escamilla	Harper	Hinkins
Ipson	Johnson	Kennedy	Kwan
McCay	McKell	Millner	Owens
Plumb	Sandall	Stevenson	Thatcher
Vickers	Weiler	Wilson	Winterton
Adams			

**Absent or not voting were:** Senators

Fillmore	Grover	Pitcher	Riebe
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On motion of Senator Hinkins, the Senate voted to consent to the appointment of Kip Cashmore on the following roll call vote:

**Yeas, 21; Nays, 4; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Balderree	Bramble	Buxton	Cullimore
Harper	Hinkins	Ipson	Johnson

Kennedy	McCay	McKell	Millner
Owens	Sandall	Stevenson	Thatcher
Vickers	Weiler	Wilson	Winterton
Adams			

**Voting in the negative were:** Senators

Blouin	Escamilla	Kwan	Plumb
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**Absent or not voting were:** Senators

Fillmore	Grover	Pitcher	Riebe
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**SPECIAL ORDER OF BUSINESS**

A citation was read honoring Ted Wilson, former Salt Lake City Mayor.

**MISCELLANEOUS BUSINESS**

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

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

On motion of Senator Vickers, and at 4:49 p.m., the Senate adjourned sine die.