

**HOUSE JOURNAL  
68TH LEGISLATURE  
FORTY-NINTH LEGISLATIVE DAY**

Helena, Montana  
March 13, 2023

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Seekins-Crowe. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives F. Smith and Weatherwax, absent. Quorum present.

**BILLS** (C. Hinkle, Chair): 03/13/2023  
Correctly printed: **HB 55, HB 447, HB 449.**  
Correctly engrossed: **HB 189, HB 380, HB 382.**  
Transmitted to the Senate: **HB 55, HB 297, HB 355, HB 362, HB 375, HB 377, HB 447.**  
Delivered to the Governor for approval at 8:25 a.m., March 13, 2023: **HB 192, HB 212, HB 221, HB 222, HB 251, HB 267.**

**LEGISLATIVE ADMINISTRATION** (C. Hinkle, Chair): 03/13/2023  
Mr. Speaker:

We, your committee on Legislative Administration recommend employment of the following pages of the House cease as of 5:00 p.m., Friday, March 10, 2023:

John Goodwin, Helena  
Vanessa Wheeler, East Helena

and recommend the following pages of the House employed as of 1:00 p.m., Monday, March 13, 2023:

Ethan Andersch, Butte  
Giovannie Alvarez, Havre  
Chloe Hartman, Billings  
Ava Malone, Livingston  
Zane Wendt, Lima

Report Adopted.

**REPORTS OF STANDING COMMITTEES**

**EDUCATION** (Anderson, Chair): 03/13/2023  
**HB 445**, do pass. Report adopted.  
**SB 1**, be concurred in. Report adopted.  
**SB 69**, be concurred in. Report adopted.  
**SB 70**, be concurred in. Report adopted.

**MESSAGES FROM THE SENATE**

**House bills** concurred in and returned to the House: 03/13/2023

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**HB 52**, introduced by K. Zolnikov

**HB 76**, introduced by J. Schillinger

**House bill** concurred in as amended and returned to the House for concurrence in Senate amendments: 03/13/2023

**HB 320**, introduced by N. Duram

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 821**, introduced by M. Malone, referred to Agriculture.

**HB 822**, introduced by B. Keenan, L. Jones, J. Esp, referred to Appropriations.

The following Senate bill was introduced, read first time, and referred to committees:

**SB 99**, introduced by J. Fuller, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Vinton moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Parry in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HR 2** - Majority Leader Vinton moved consideration of **HR 2** be passed for the day. Without objection, so ordered.

**HR 3** - Majority Leader Vinton moved consideration of **HR 3** be passed for the day. Without objection, so ordered.

**SB 57** - Majority Leader Vinton moved consideration of **SB 57** be passed for the day. Without objection, so ordered.

**HB 18 - Senate Amendments** - Representative Running Wolf moved Senate amendments to **HB 18** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer,

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Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Smith F, Weatherwax.

Total 2

**HB 403** - Representative Bedey moved **HB 403** do pass. Motion carried as follows:

Yeas: Anderson, Barker, Bedey, Bergstrom, Bertoglio, Binkley, Brewster, Brockman, Butcher, Buttrey, Caferro, Carlson, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fielder, Fitzgerald, Fitzpatrick, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hastings, Hellegaard, Hinkle C, Hinkle J, Hopkins, Jones, Kassmier, Keenan, Kerns, Kmetz, Knudsen C, Knudsen R, Ler, Loge, Malone, Marshall, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith T, Sprunger, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zolnikov, Mr. Speaker.

Total 70

Nays: Abbott, Baum, Bishop, Buckley, Carter, Cohenour, Fern, France, Hamilton, Harvey, Hawk, Howell, Karlen, Keogh, Kerr-Carpenter, Kortum, Lynch, Marler, Matthews, Romano, Running Wolf, Smith L, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Zephyr.

Total 28

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Smith F, Weatherwax.

Total 2

**HB 407** - Representative Fern moved **HB 407** do pass.

**HB 407** – Representative Gunderson moved for cloture. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Harvey, Hastings, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen,

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Kassmier, Keenan, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Sheldon-Galloway, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Wirth, Yakawich, Zolnikov, Mr. Speaker.

Total 87

Nays: Baum, Carter, Cohenour, Hamilton, Hawk, Keogh, Kortum, Ler, Windy Boy, Zephyr.

Total 10

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Seekins-Crowe, Smith F, Weatherwax.

Total 3

**HB 407** - Representative Fern moved **HB 407** do pass. Motion **failed** as follows:

Yeas: Abbott, Barker, Baum, Bedey, Bishop, Buckley, Caferro, Carter, Cohenour, Essmann, Fern, Fitzgerald, France, Frazer, Gist, Green, Hamilton, Harvey, Hawk, Hopkins, Howell, Karlen, Kassmier, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Loge, Lynch, Marler, Matthews, Miner, Nikolakakos, Oblander, Romano, Running Wolf, Smith L, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Welch, Windy Boy, Yakawich, Zephyr, Zolnikov.

Total 49

Nays: Anderson, Bergstrom, Bertoglio, Binkley, Brewster, Brockman, Butcher, Buttrey, Carlson, Deming, Dooling, Duram, Etchart, Falk, Fielder, Fitzpatrick, Galloway, Gillette, Gunderson, Hastings, Hellegaard, Hinkle C, Hinkle J, Jones, Keenan, Kerns, Kmetz, Ler, Malone, Marshall, Mercer, Mitchell, Moore T, Nave, Nicol, Parry, Phalen, Read, Regier A, Reksten, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith T, Vinton, Walsh, Wirth, Mr. Speaker.

Total 49

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Smith F, Weatherwax.

Total 2

Representative Seekins-Crowe rose for a **Point of Personal Privilege**. Representative Seekins-Crowe encouraged her colleagues to respect the difficult discussions and topics on the House floor.

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Minority Leader Abbott rose for a **Point of Order**. Minority Leader Abbott requested the Committee of the Whole to refrain from assuming intentions from either side.

**HB 408** - Majority Leader Vinton moved **HB 408** do pass. Motion carried as follows:

Yeas: Anderson, Barker, Bedey, Bergstrom, Bertoglio, Binkley, Brewster, Brockman, Butcher, Buttrey, Carlson, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fielder, Fitzgerald, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hastings, Hellegaard, Hinkle C, Hinkle J, Hopkins, Jones, Kassmier, Keenan, Kerns, Kmetz, Knudsen C, Knudsen R, Ler, Loge, Malone, Marshall, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith T, Sprunger, Vinton, Walsh, Welch, Wirth, Yakawich, Zolnikov, Mr. Speaker.

Total 67

Nays: Abbott, Baum, Bishop, Buckley, Caferro, Carter, Cohenour, Fern, Fitzpatrick, France, Hamilton, Harvey, Hawk, Howell, Karlen, Keogh, Kerr-Carpenter, Kortum, Lynch, Marler, Matthews, Romano, Running Wolf, Smith L, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Windy Boy, Zephyr.

Total 31

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Smith F, Weatherwax.

Total 2

**HB 521** - Representative Loge moved **HB 521** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Essmann, Etchart, Fern, Fitzgerald, Fitzpatrick, France, Frazer, Gillette, Gist, Green, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hinkle J, Hopkins, Howell, Jones, Karlen, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Moore T, Nicol, Nikolakakos, Oblander, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich.

Total 81

Nays: Bertoglio, Duram, Falk, Fielder, Galloway, Gunderson, Hinkle C, Kassmier, Keenan, Knudsen C, Mitchell, Nave, Sheldon-Galloway, Zephyr, Zolnikov, Mr. Speaker.

Total 16

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: Parry, Smith F, Weatherwax.

Total 3

**SB 98** - Representative Kerns moved **SB 98** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Hastings, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.

Total 95

Nays: Harvey, Kortum, Nave.

Total 3

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: Smith F, Weatherwax.

Total 2

**HB 469** - Representative Brewster moved **HB 469** do pass. Motion carried as follows:

Yeas: Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith L, Smith T, Sprunger, Stafman, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zolnikov, Mr. Speaker.

Total 92

Nays: Abbott, Caferro, Howell, Kortum, Stewart Peregoy, Zephyr.

Total 6

Voted absentee: None.

Excused: None.

Total 0

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Absent or not voting: Smith F, Weatherwax.  
Total 2

**HB 542** - Representative Marshall moved **HB 542** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hopkins, Howell, Jones, Karlen, Kassmier, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Reksten, Romano, Running Wolf, Rusk, Seekins-Crowe, Sheldon-Galloway, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.  
Total 90

Nays: Falk, Hellegaard, Hinkle C, Hinkle J, Keenan, Moore T, Regier A, Schillinger.  
Total 8

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: Smith F, Weatherwax.  
Total 2

**SB 5** - Representative Cohenour moved **SB 5** be concurred in. Motion carried as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fitzgerald, Fitzpatrick, France, Frazer, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hopkins, Howell, Jones, Karlen, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Loge, Lynch, Marler, Marshall, Matthews, Mercer, Miner, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Mr. Speaker.  
Total 83

Nays: Fielder, Galloway, Gillette, Hinkle C, Hinkle J, Kassmier, Keenan, Knudsen R, Kortum, Ler, Malone, Mitchell, Phalen, Sheldon-Galloway, Zolnikov.  
Total 15

Voted absentee: None.

Excused: None.  
Total 0

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Absent or not voting: Smith F, Weatherwax.  
Total 2

Majority Leader Vinton moved the Committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Parry moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hinkle C, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keenan, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Loge, Lynch, Malone, Marler, Marshall, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith L, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.  
Total 93

Nays: Kortum, Ler, Matthews, Nikolakakos, Smith T.  
Total 5

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: Smith F, Weatherwax.  
Total 2

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 55** passed as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, France, Frazer, Galloway, Gillette, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hopkins, Howell, Jones, Karlen, Kassmier, Keogh, Kerns, Kerr-Carpenter, Kmetz, Knudsen C, Knudsen R, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Mitchell, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Regier A, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith L, Smith T, Sprunger, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zolnikov, Mr. Speaker.  
Total 92



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Nays: Hinkle C, Hinkle J, Keenan, Kortum, Stafman, Zephyr.  
Total 6

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: Smith F, Weatherwax.  
Total 2

**HB 447** passed as follows:

Yeas: Abbott, Anderson, Barker, Baum, Bedey, Bergstrom, Bertoglio, Binkley, Bishop, Brewster, Brockman, Buckley, Butcher, Buttrey, Caferro, Carlson, Carter, Cohenour, Deming, Dooling, Duram, Essmann, Etchart, Falk, Fern, Fielder, Fitzgerald, Fitzpatrick, Frazer, Galloway, Gist, Green, Gunderson, Hamilton, Harvey, Hastings, Hawk, Hellegaard, Hinkle J, Hopkins, Howell, Jones, Karlen, Kassmier, Keogh, Kerns, Kerr-Carpenter, Knudsen C, Knudsen R, Kortum, Ler, Loge, Lynch, Malone, Marler, Marshall, Matthews, Mercer, Miner, Moore T, Nave, Nicol, Nikolakakos, Oblander, Parry, Phalen, Read, Reksten, Romano, Running Wolf, Rusk, Schillinger, Seekins-Crowe, Sheldon-Galloway, Smith L, Smith T, Sprunger, Stafman, Stewart Peregoy, Sullivan, Thane, Tuss, Vinton, Walsh, Welch, Windy Boy, Wirth, Yakawich, Zephyr, Zolnikov, Mr. Speaker.  
Total 91

Nays: Gillette, Hinkle C, Keenan, Mitchell.  
Total 4

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: France, Kmetz, Regier A, Smith F, Weatherwax.  
Total 5

**MOTIONS**

Majority Leader Vinton moved to re-refer **HB 403** to the Appropriations Committee. Without objection, so ordered.

Majority Leader Vinton moved to re-refer **HB 469** to the Appropriations Committee. Without objection, so ordered.

Majority Leader Vinton moved to re-refer **HB 521** to the Appropriations Committee. Without objection, so ordered.

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Majority Leader Vinton moved to re-refer **HB 542** to the Appropriations Committee. Without objection, so ordered.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Vinton moved the House adjourn until 1:00 p.m., Tuesday, March 14, 2023. Motion carried.

House adjourned at 2:44 p.m.

CAROLYN TSCHIDA  
Chief Clerk of the House

MATT REGIER  
Speaker of the House