

**SENATE JOURNAL
68TH LEGISLATURE
TWENTY-THIRD LEGISLATIVE DAY**

Helena, Montana
February 01, 2023

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Ellsworth presiding. Invocation by Pastor Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Lang, Chair)

Correctly printed: **SB 55, SB 57, SB 160, SB 164, SB 180, SB 183, SB 184, SB 191, SB 237, SB 238, SB 239, SB 240, SB 241, SB 242, SJ 2.**

Correctly engrossed: **SB 199, SJ 6, HB 21.**

Examined by the sponsor and found to be correct: **SJ 1, SJ 8.**

Correctly enrolled: **SJ 1, SJ 8.**

Transmitted to the House: **SB 59, SB 61, SB 66, SB 123, SB 133, SB 138, SB 170, SB 181.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Lang, Chair) 01/31/2023

SR 26, be adopted.

SR 27, be adopted.

HB 93, be concurred in.

HB 94, be concurred in.

JUDICIARY (Regier, Chair) 01/31/2023

SB 99, introduced bill, be amended with [SB0099.001.001](#) and, as amended, do pass.

SB 182, do pass.

SB 187, introduced bill, be amended with [SB0187.001.001](#) and, as amended, do pass.

SR 8, be adopted.

SR 10, be adopted.

HB 92, be concurred in.

HB 183, be amended with [HB0183.001.001](#) and, as amended, be concurred in.

LEGISLATIVE ADMINISTRATION (Lang, Chair) 02/01/2023

HB 28, be concurred in.

HB 260, be amended with [HB0260.001.004](#) and, as amended, be concurred in.

TAXATION (Hertz, Chair) 02/01/2023

HB 25, be concurred in.

HB 56, be concurred in.

Without objection, the committee reports were adopted.

MESSAGES FROM THE GOVERNOR

January 2, 2023

The Honorable Jason Ellsworth
Senate President
Montana State Senate
Helena, MT 59620

By Hand and Electronic Delivery

Dear President Ellsworth:

In accordance with Montana Code Annotated §§ 5-5-301 and 5-5-302, I submit to you and the Montana Senate the following board appointments for confirmation.

State Electrical Board
MCA § 2-15-1764

As required by MCA § 5-5-302, I am submitting to the Senate for confirmation the following persons who were appointed during the recess of the legislature:

- **Staci Knuths**, 348 Road 328, Glendive MT 59330, who was appointed July 1, 2021 and whose term expires July 1, 2026. Ms. Knuths fulfills the requirements as a Public Member. I support the confirmation of Ms. Knuths.
- **Clay Ledbetter**, 3015 Putter Court, Missoula, MT 59803, who was appointed October, 12, 2021 and whose term expires July 1, 2024. Mr. Ledbetter fulfills the requirements as a Master Licensed Electrician. I support the confirmation of Mr. Ledbetter.
- **Merna Terry**, 7 Meridian Court, Kalispell, MT 59901, who was appointed on July 1, 2022 and whose term expires July 1, 2025. Ms. Terry fulfills the requirements as a Public Member. I support the confirmation of Ms. Terry.

I have included the appointees' resumes, biographies, or other qualification documentation for your consideration.

I have asked Hannah Slusser, my Boards and Appointments Director, to coordinate with your office and Legislative Services as these appointments move through the confirmation process. Ms. Slusser can be reached at 444-5665 or by email at Hannah.Slusser@mt.gov.

Thank you for your consideration and service.

Sincerely,



Greg Gianforte
GOVERNOR

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January 2, 2023

The Honorable Jason Ellsworth
Senate President
Montana State Senate
Helena, MT 59620

By Hand and Electronic Delivery

Dear President Ellsworth:

In accordance with Montana Code Annotated §§ 5-5-301 and 5-5-302, I submit to you and the Montana Senate the following board appointments for confirmation.

Fish and Wildlife Commission
MCA § 2-15-3402

As required by MCA § 5-5-302, I am submitting to the Senate for confirmation the following persons who were appointed during the recess of the legislature:

- **Susan Brooke**, 82 Preserve Street, Bozeman, MT 59718, who was appointed on January 1, 2023 and whose term expires January 1, 2027. Ms. Brooke fulfills the requirements as a Region 3 Commissioner. I support the confirmation of Ms. Brooke.
- **Jeff Burrows**, 205 Roaring Lion Rd, Hamilton, MT 59840, who was appointed on January 1, 2023, and whose term expires January 1, 2027. Mr. Burrows fulfills the requirements as a Region 2 Commissioner. I support the confirmation of Mr. Burrows.
- **Bill Lane**, 1611 Willard Road West, Ismay MT 59336, who was appointed on October 1, 2021, and whose term expires January 5, 2025. Mr. Lane fulfills the requirements as a Region 7 Commissioner. I support the confirmation of Mr. Lane.
- **Lesley Robinson**, 2401 Lazy JD Road, Dodson, MT 59524, who was appointed on January 1, 2023, and whose term expires January 1, 2027. Ms. Robinson fulfills the requirements of a Region 6 Commissioner. I support the confirmation of Ms. Robinson.

I have included the appointees' resumes, biographies, or other qualification documentation for your consideration.

I have asked Hannah Slusser, my Boards and Appointments Director, to coordinate with your office and Legislative Services as these appointments move through the confirmation process. Ms. Slusser can be reached at 444-5665 or by email at Hannah.Slusser@mt.gov.

Thank you for your consideration and service.

Sincerely,



Greg Gianforte
GOVERNOR

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January 2, 2023

The Honorable Jason Ellsworth
Senate President
Montana State Senate
Helena, MT 59620

By Hand and Electronic Delivery

Dear President Ellsworth

In accordance with Montana Code Annotated §§ 5-5-301 and 5-5-302, I submit to you and the Montana Senate the following board appointments for confirmation.

Board of Funeral Service
MCA § 2-15-1743

As required by MCA § 2-15-1743, I am submitting to the Senate for confirmation the following persons who were appointed during the recess of the legislature:

- **Jim Axelson**, 3006 Atherton Lane, Butte MT 59701, is reappointed to serve a term starting September 14, 2022, and through July 1, 2027. Jim Axelson fulfills the qualifications of being Representative of a Cemetary Company. I support the confirmation of Mr. Axelson.
- **Daniel McGrath**, 4030 Elizabeth Warren Ave., Apt. 241, Butte MT 59701, is appointed to serve a term starting September 14, 2022, and through July 1, 2027. Daniel McGrath fulfills the qualifications of being Public Member. I support the confirmation of Mr. McGrath.
- **Jayson Watkins**, PO Box 10353, Kalispell MT 59904, is reappointed to serve a term starting September 14, 2022, and through July 1, 2027. Jayson Watkins fulfills the qualifications of being Licensed Mortician. I support the confirmation of Mr. Watkins.

I have included the appointees' resumes, biographies, or other qualification documentation for your consideration.

I have asked Hannah Slusser, my Boards and Appointments Director, to coordinate with your office and Legislative Services as these appointments move through the confirmation process. Ms. Slusser can be reached at 444-5665 or by email at Hannah.Slusser@mt.gov.

Thank you for your consideration and service.

Sincerely,



Greg Gianforte
GOVERNOR

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MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate Bill concurred in and returned to the Senate: 01/31/2023

SB 18, introduced by M. Cuffe

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 01/31/2023

SB 34, introduced by R. Lynch

House bills passed and transmitted to the Senate for concurrence: 01/31/2023

HB 156, introduced by E. Buttrey

HB 163, introduced by T. Running Wolf

HB 167, introduced by J. Cohenour

HB 203, introduced by D. Bedey

HB 210, introduced by R. Marshall

HB 211, introduced by L. Brewster

HB 214, introduced by M. Bertoglio

HB 215, introduced by D. Bedey

HB 224, introduced by D. Harvey

HB 227, introduced by T. Moore

HB 228, introduced by T. Moore

HB 231, introduced by B. Ler

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committee:

SB 243, introduced by K. Regier, referred to Business, Labor, and Economic Affairs.

SB 244, introduced by M. Cuffe, referred to Business, Labor, and Economic Affairs.

SB 245, introduced by D. Zolnikov, J. Ellsworth, K. Bogner, C. Friedel, referred to Local Government.

SB 246, introduced by D. Zolnikov, J. Ellsworth, referred to Taxation.

SB 247, introduced by S. Fitzpatrick, referred to Judiciary.

SB 248, introduced by T. Manzella, referred to State Administration.

SB 249, introduced by T. Manzella, referred to Judiciary.

SB 250, introduced by T. Manzella, referred to Judiciary.

SB 251, introduced by G. Hertz, referred to Taxation.

SB 252, introduced by G. Hertz, referred to Judiciary.

SB 253, introduced by G. Hertz, referred to Taxation.

SB 254, introduced by K. Bogner, referred to State Administration.

The following House bills were introduced, read first time:

HB 156, introduced by E. Buttrey (by request of the Economic Affairs Interim Committee).

HB 163, introduced by T. Running Wolf (by request of the State-Tribal Relations Committee).

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HB 167, introduced by J. Cohenour (by request of the Legislative Council).

HB 203, introduced by D. Bedey.

HB 210, introduced by R. Marshall.

HB 211, introduced by L. Brewster, C. Knudsen, S. Vinton, J. Kassmier, B. Phalen, S. Kerns, J. Schillinger, K. Seekins-Crowe, M. Malone, M. Yakawich, J. Etchart, J. Fitzpatrick.

HB 214, introduced by M. Bertoglio, J. Kassmier, D. Bedey.

HB 215, introduced by D. Bedey.

HB 224, introduced by D. Harvey.

HB 227, introduced by T. Moore, D. Lenz, N. Duram.

HB 228, introduced by T. Moore, T. McGillvray, D. Lenz, F. Mandeville, J. Trebas, S. Vinton, N. Duram, B. Mercer, L. Brewster, S. Gist, S. Essmann, C. Sprunger, T. Falk, L. Hellegaard.

HB 231, introduced by B. Ler.

Senator Fuller arose to place a memoriam on the record. On February 1, 1945, a native son of Judith Basin country in Montana was posthumously awarded the Medal of Honor for conspicuous gallantry in action during the battle at Villa Crocetta, Italy. Captain William Wylie Galt shall forever be enshrined in the hearts of grateful Montanans for his sacrifice in defense of his men, our state, and his country.

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

Majority Leader Fitzpatrick moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Gross in the chair.

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

SB 171 - Senator Regier moved **SB 171** do pass.

SB 171 - Senator Olsen moved **SB 171**, second reading copy, be amended with [SB0171.002.002](#).

Amendment **not adopted** as follows:

Yeas: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber, Zolnikov.

Total 16

Nays: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn.

Total 34

Voted absentee: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 171 - Thereupon, the Senate reverted to the original motion of Senator Regier which passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Flowers, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 37

Nays: Boldman, Dunwell, Ellis, Fox, Gross, Hayman, Kelker, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.
Total 13

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 6 - Senator Regier moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 6**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 43

Nays: Curdy, Flowers, Kelker, McClafferty, O'Brien, Olsen, Webber.
Total 7

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SR 9 - Senator Regier moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 9**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 28 - Senator Lang moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 28**. Motion carried as follows:

Yeas: Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 45

Nays: Bartel, Fuller, Manzella, Noland, Usher.
Total 5

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 49 - Senator Cuffe moved **SB 49** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau,

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Mr. President, Noland, O'Brien, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.

Total 47

Nays: Ellis, Olsen, Webber.

Total 3

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 51 - Majority Leader Fitzpatrick moved **SB 51** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 50

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 73 - Senator McGillvray moved **SB 73** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 50

Nays: None.

Total 0

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 77 - Senator Morigeau moved **SB 77** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Flowers, Fox, Friedel, Gillespie, Glimm, Gross, Hayman, Hertz, Kelker, Lang, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Zolnikov.
Total 43

Nays: Emrich, Esp, Fitzpatrick, Fuller, Hinebauch, Lenz, Welborn.
Total 7

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 86 - Senator Morigeau moved **SB 86** do pass. Motion carried as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 47

Nays: Beard, Emrich, Esp.
Total 3

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 136 - Majority Leader Fitzpatrick moved **SB 136** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 168 - Senator Hertz moved **SB 168** do pass. Motion carried as follows:

Yeas: Beard, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Kelker, Lang, Lynch, Mandeville, Manzella, McClafferty, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn.
Total 42

Nays: Bartel, Bogner, Emrich, Friedel, Hinebauch, Lenz, McGillvray, Zolnikov.
Total 8

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Hertz disclosed that three of his store locations sell lottery tickets.

SB 177 - Senator Zolnikov moved **SB 177** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella,

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McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 41

Nays: Curdy, Flowers, Fox, Gross, Hayman, Kelker, Lynch, O'Brien, Webber.
Total 9

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 207 - Senator Brown moved **SB 207** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 34 - Senator Small moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 34**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 48

Nays: Molnar, Trebas.
Total 2

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 36 - Senator Small moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 36**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 37 - Senator Small moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 37**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

SR 39 - Senator Small moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 39**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 41 - Senator Small moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 41**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SR 42 - Senator Small moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 42**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Fitzpatrick moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Ellsworth presiding.

Senator Gross moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

SB 108 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 49

Nays: Dunwell.

Total 1

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 54 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Manzella, McClafferty, McGillvray, McKamey, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 48

Nays: Mandeville, Molnar.

Total 2

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 89 passed as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Flowers, Fox, Fuller, Gillespie, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Manzella,

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Total 42

Nays: Beard, Fitzpatrick, Friedel, Glimm, Mandeville, McKamey, Noland, Trebas.

Total 8

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 195 passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Gross, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Mr. President, Noland, Regier K, Sales, Small, Tempel, Trebas, Vance, Vermeire, Welborn, Zolnikov.

Total 32

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Hayman, Kelker, Lynch, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Salomon, Usher, Webber.

Total 18

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 57 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 50

Nays: None.

Total 0

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 184 passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 34

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.
Total 16

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 191 passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 33

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Webber.
Total 17

Voted absentee: None.
Total 0

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

SJ 2 failed as follows:

Yeas: Bartel, Bogner, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Lynch, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Salomon, Small, Vermeire, Welborn, Zolnikov.
Total 25

Nays: Beard, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Mandeville, Manzella, McClafferty, Morigeau, O'Brien, Olsen, Pope, Sales, Tempel, Trebas, Usher, Vance, Webber.
Total 25

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Fitzpatrick moved to re-refer **SB 168**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

ANNOUNCEMENT OF COMMITTEE MEETINGS

Committee meetings were announced by the committee chairs.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 02/02/2023, the 24th legislative day. Motion carried.

Senate adjourned at 2:18 p.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate