

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

Helena, Montana
February 02, 2023

Senate Chambers
State Capitol

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

Roll Call. Forty-nine members present. Senator Emrich, excused. Quorum Present.

BILLS AND JOURNALS (Lang, Chair)

Correctly printed: **SB 49, SB 51, SB 73, SB 77, SB 86, SB 136, SB 168, SB 171, SB 177, SB 182, SB 207, SB 243, SB 244, SB 245, SB 246, SB 247, SB 248, SB 249, SB 250, SB 251, SB 252, SB 253, SB 254, SR 6, SR 8, SR 9, SR 10, SR 26, SR 27, SR 28, SR 34, SR 36, SR 37, SR 39, SR 41, SR 42, HB 25, HB 28, HB 56, HB 92, HB 93, HB 94.**

Correctly engrossed: **SB 99, SB 187, HB 183, HB 260.**

Transmitted to the House: **SB 54, SB 57, SB 89, SB 108, SB 184, SB 191, SB 195.**

Signed by the Secretary of the Senate at 3:15 p.m., February 1, 2023 : **SJ 1, SJ 8.**

Signed by the President at 4:00 p.m., February 01, 2023: **SJ 1, SJ 8.**

Signed by the Speaker at 8:45 a.m., February 02, 2023: **SJ 1, SJ 8.**

Delivered to the Secretary of State at 10:22 a.m., February 02, 2023: **SJ 1, SJ 8.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR AND ECONOMIC AFFAIRS (Small, Chair) 02/01/2023

SB 174, introduced bill, be amended with [SB0174.001.001](#) and, as amended, do pass.

SB 214, introduced bill, be amended with [SB0214.001.001](#) and, as amended, do pass.

HB 50, be concurred in.

HB 68, be concurred in.

HB 178, be concurred in.

EDUCATION AND CULTURAL RESOURCES (Salomon, Chair) 02/01/2023

HB 15, be concurred in.

FINANCE AND CLAIMS (Esp, Chair) 02/01/2023

SB 132, introduced bill, be amended with [SB0132.001.001](#) and, as amended, do pass.

JUDICIARY (Regier, Chair) 02/01/2023

HB 169, be concurred in.

NATURAL RESOURCES (Welborn, Chair) 01/27/2023

SB 83, introduced bill, be amended with [SB0083.001.003](#) and, as amended, do pass.

PUBLIC HEALTH, WELFARE AND SAFETY (McGillvray, Chair) 02/01/2023

SB 188, do pass.

SB 202, do pass.

SR 12, be adopted.

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SR 14, be adopted.
HB 65, be concurred in.
HB 102, be concurred in.

Without objection, 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.

Regents of Higher Education, Board of
MCA § 2-15-1508

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:

- **Jeff Southworth**, 5415 East Fork Road, Lewistown, MT 59457, who was appointed on February 1, 2022 and whose term expires February 1, 2029. Mr. Southworth fulfills the requirements as a Republican from District 1. I support the confirmation of Mr. Southworth.

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 Sections 5-5-301 and 5-5-302, I submit to you and the Montana Senate the following board appointments for confirmation.

Board of Public Accountants
MCA § 2-15-1756

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:

- **Sarah Ann Hamlen**, 118 Smith River Rd, White Sulphur Springs MT 59645, is appointed to serve a term starting September 14, 2022, and through July 1, 2026. Sarah Ann Hamlen fulfills the qualifications of being Public Member. Ms. Hamlen replaces Kathleen Vandyke whose term expired July 1, 2022. I support the confirmation of Ms. Hamlen.
- **Mike Huotte**, 535 Foster Creek Road, Anaconda, MT 59711, is appointed to serve a term starting July 1, 2022, and through July 1, 2026. Mike Huotte fulfills the qualifications of being a Certified Public Accountants. Mr. Huotte is serving his third term on this board. I support the confirmation of Mr. Huotte.
- **John Jacobsen**, PO Box 513, Billings, MT 59102, is appointed to serve a term starting July 1, 2022, and through July 1, 2026. John Jacobsen fulfills the qualification of a being a Certified Public Accountant. Mr. Jacobsen is serving his second term on this board. I support the confirmation of Mr. Jacobsen.
- **Mike Johns**, 3923 Yellowstone Trail, Deer Lodge, MT 59722, is appointed to serve a term starting July 21, 2021, and through June 30, 2025. Mr. Johns fulfills the qualifications of being a Certified Public Accountant and replaces Linda Harris whose term expired July 1, 2021. I support the confirmation of Mr. Johns.
- **Dan Vuckovich**, P.O. Box 1605, Great Falls, MT 59404, is appointed to serve a term starting July 21, 2021, and through June 30, 2025. Mr. Vuckovich fulfills the qualifications of being a Certified Public Accountant and is serving his third term on the board. I support the confirmation of Mr. Vuckovich.

I have included the appointees' resumes, biography. 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.

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Sincerely,

Greg Gianforte
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 Sections 5-5-301 and 5-5-302, I submit to you and the Montana Senate the following board appointments for confirmation.

Board of Barbers and Cosmetologists
MCA § 2-15-1747

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:

- **Paula Evans**, 1995 Belleauwood Rd, Missoula MT 59808, is appointed to serve a term starting March 1, 2022, and through March 1, 2025. Paula Evans fulfills the qualifications of being a licensed cosmetologist.
- **Angela Printz**, 901 West Montana Street, Livingston MT 59047, is appointed to serve a term starting March 1, 2022, and through March 1, 2026. Angela Printz fulfills the qualifications of being a licensed cosmetologist.
- **Lauren Hansen**, 326 Blaine Street, Missoula MT 59801, is appointed to serve a term starting March 1, 2022, and through March 1, 2025. Lauren Hansen fulfills the qualifications of being a licensed esthetician.
- **Bryan Kirkland**, 3971 Bosal St, Bozeman MT 59718, is appointed to serve a term starting March 1, 2022, and through March 1, 2027. Bryan Kirkland fulfills the qualifications of being a licensed barber.
- **Tucker Landerman**, 425 Spruce Meadows Loop, Kalispell MT 59901, is appointed to serve a term starting March 1, 2022, and through March 1, 2026. Tucker Landerman fulfills the qualifications of being a licensed barber.
- **Katie Fontana**, 1120 24th Ave SW, Great Falls MT 59404, is appointed to serve a term starting March 1, 2022, and through March 1, 2024. Katie Fontana fulfills the qualifications of being a public member.
- **Kelli Dirks**, 917 14th St SE, Sidney, MT 59270, is appointed to serve a term starting October 12, 2022, and through March 1, 2025. Kelli Dirks fulfills the qualifications of a licensed nail technician.

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

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I have asked Hannah Slusser, my Boards and Appointments Advisor, 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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence:

02/01/2023

HB 173, introduced by D. Bedey
HB 186, introduced by A. Buckley
HB 188, introduced by G. Parry
HB 213, introduced by B. Mitchell
HB 218, introduced by L. Smith
HB 236, introduced by P. Green
HB 239, introduced by B. Ler
HB 240, introduced by M. Thane
HB 244, introduced by D. Fern
HB 247, introduced by S. Vinton
HB 254, introduced by K. Zolnikov
HB 272, introduced by S. Kerns
HB 273, introduced by S. Kerns
HB 290, introduced by G. Parry

FIRST READING AND COMMITMENT OF BILLS

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

SB 255, introduced by C. Pope, referred to Energy and Telecommunications.
SB 256, introduced by C. Glimm, M. Noland, B. Usher, referred to Judiciary.
SB 257, introduced by B. Usher, K. Regier, J. Welborn, C. Glimm, D. Lenz, R. Lynch, B. Brown, M. Noland, J. Trebas, D. Bartel, J. Ellsworth, K. Bogner, F. Nave, J. Carlson, J. Schillinger, J. Gillette, D. Emrich, referred to Judiciary.

The following Senate bills were introduced and read first time:

SB 258, introduced by M. Dunwell, E. McClafferty, A. Olsen, D. Hayman, C. Pope, J. Gross, M. Fox, S. O'Brien.
SB 259, introduced by M. Dunwell, E. McClafferty, A. Olsen, D. Hayman, C. Pope, M. Fox, S. O'Brien.
SB 260, introduced by D. Salomon, E. Buttrey.

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The following House bills were introduced and read first time:

HB 173, introduced by D. Bedey.

HB 186, introduced by A. Buckley, E. Kerr-Carpenter.

HB 188, introduced by G. Parry, K. Regier, F. Anderson, B. Usher, J. Small, N. Nicol, G. Kmetz, P. Green.

HB 213, introduced by B. Mitchell, E. Buttrey, M. Cuffe, J. Read, J. Windy Boy, L. Jones, M. Lang, B. Brown, J. Hinkle, F. Mandeville, S. Gunderson, D. Fern, D. Loge, R. Fitzgerald, F. Anderson, J. Trebas, C. Knudsen, B. Beard, M. Hopkins, J. Fuller, R. Knudsen, J. Kassmier, T. Moore, B. Ler, B. Phalen, F. Nave, L. Brewster, K. Zolnikov, A. Regier, L. Reksten, P. Fielder, S. Kerns, S. Gist, J. Schillinger, K. Seekins-Crowe, C. Hinkle, M. Bertoglio, G. Frazer, M. Binkley, R. Marshall, S. Essmann, M. Yakawich, T. Smith, R. Miner, G. Parry, N. Nicol, L. Deming, C. Sprunger, T. Falk, G. Nikolakakos, J. Bergstrom, G. Kmetz, P. Green, J. Etchart, W. Rusk, L. Hellegaard, J. Fitzpatrick, Z. Wirth.

HB 218, introduced by L. Smith, M. Caferro, B. Keenan, D. Loge, C. Knudsen, B. Usher.

HB 236, introduced by P. Green, A. Regier, B. Barker.

HB 239, introduced by B. Ler, C. Knudsen, R. Knudsen, J. Kassmier, P. Tuss, G. Kmetz.

HB 240, introduced by M. Thane, D. Bedey.

HB 244, introduced by D. Fern.

HB 247, introduced by S. Vinton, G. Hertz, C. Knudsen.

HB 254, introduced by K. Zolnikov, D. Zolnikov.

HB 272, introduced by S. Kerns, E. Buttrey, D. Zolnikov, W. McKamey, C. Hinkle, T. Smith, J. Bergstrom.

HB 273, introduced by S. Kerns, D. Salomon, S. Fitzpatrick, E. Butcher, W. McKamey, M. Hopkins, B. Ler, R. Marshall, T. Smith, L. Deming, J. Bergstrom.

HB 290, introduced by G. Parry.

Senator Emrich present at this time.

**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 Glimm in the chair.

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

SB 55 - Senator Hinebauch moved **SB 55** do pass. Motion carried as follows:

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

Total 41

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Nays: Boldman, Curdy, Dunwell, Ellis, Hayman, Kelker, O'Brien, Olsen, Webber.
Total 9

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 70 - Senator O'Brien moved **SB 70** do pass. Motion carried as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, 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, Zolnikov.
Total 43

Nays: Beard, Emrich, Esp, Fuller, Hinebauch, Lenz, McGillvray.
Total 7

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 164 - Senator Usher moved **SB 164** 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

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Absent or not voting: None.
Total 0

SB 199 - Senator Hertz moved **SB 199** do pass. Motion **failed** as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Esp, Fitzpatrick, Flowers, Friedel, Gillespie, Hertz, Lang, Mandeville, McKamey, Morigeau, Mr. President, Olsen, Regier K, Sales, Salomon, Trebas, Vance, Vermeire, Zolnikov.
Total 24

Nays: Beard, Curdy, Dunwell, Ellis, Emrich, Fox, Fuller, Glimm, Gross, Hayman, Hinebauch, Kelker, Lenz, Lynch, Manzella, McClafferty, McGillvray, Molnar, Noland, O'Brien, Pope, Small, Tempel, Usher, Webber, Welborn.
Total 26

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 199 - Majority Leader Fitzpatrick moved **SB 199** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Beard, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Fuller, Gillespie, Glimm, Gross, Hayman, Hinebauch, Kelker, Lenz, Manzella, McClafferty, McGillvray, Molnar, Noland, O'Brien, Pope, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn.
Total 33

Nays: Bogner, Boldman, Esp, Flowers, Fox, Friedel, Hertz, Lang, Lynch, Mandeville, McKamey, Morigeau, Mr. President, Olsen, Regier K, Webber, Zolnikov.
Total 17

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SJ 6 - Senator Webber moved **SJ 6** do pass. Motion carried as follows:

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

Total 45

Nays: Beard, Lang, Trebas, Usher, Zolnikov.

Total 5

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 34 - Senator Lynch moved **House amendments to SB 34** be concurred in. 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

HB 30 - Senator Noland moved **HB 30** be concurred in. 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,

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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

HB 39 - Senator Lenz moved **HB 39** be concurred in. 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

HB 43 - Senator Small moved **HB 43** be concurred in. 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

HB 44 - Senator Welborn moved **HB 44** be concurred in. 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

HB 61 - Senator Salomon moved **HB 61** be concurred in. 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

HB 67 - Senator Dunwell moved **HB 67** be concurred in. 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

HB 77 - Senator Friedel moved **HB 77** be concurred in. 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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HB 78 - Senator Friedel moved **HB 78** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, 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: Esp.

Total 1

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 Glimm 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 49 passed 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, 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 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

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 73 passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hayman, Hertz, Hinebauch, Lang, Lenz, Manzella, McGillvray, McKamey,

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Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Zolnikov.

Total 34

Nays: Boldman, Curdy, Dunwell, Ellis, Gross, Kelker, Lynch, Mandeville, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Webber, Welborn.

Total 16

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 77 passed as follows:

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

Total 39

Nays: Bartel, Emrich, Esp, Fitzpatrick, Fuller, Hertz, Hinebauch, Lang, Lenz, McKamey, Usher.

Total 11

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 86 passed as follows:

Yeas: Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, 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, Vance, Vermeire, Webber.

Total 44

Nays: Bartel, Beard, Esp, Usher, Welborn, Zolnikov.

Total 6

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 136 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

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 171 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Flowers, Friedel, Fuller, Gillespie, Glimm, Hayman, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 40

Nays: Dunwell, Ellis, Fox, Gross, Kelker, McClafferty, O'Brien, Olsen, Pope, Webber.
Total 10

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 177 passed as follows:

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

Total 36

Nays: Boldman, Curdy, Dunwell, Ellis, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, Olsen, Pope, Webber.

Total 14

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 207 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

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 55**, 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 to reverse his earlier action re-referring **SB 55** to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 02/03/2023, the 25th legislative day. Motion carried.

Senate adjourned at 2:23 p.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate