

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

Helena, Montana
February 07, 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. All members present. Quorum present.

BILLS AND JOURNALS (Lang, Chair)

Correctly printed: **SB 83, SB 174, SB 182, SB 188, SB 201, SB 202, SB 214, SB 230, SB 272, SB 273, SB 274, SB 275, SB 276, SB 277, SB 278, SB 279, SR 7, SR 12, SR 14, SR 17, SR 18, SR 19, SR 20, HB 15, HB 22, HB 123, HB 138, HB 139, HB 145, HB 157, HB 160.**

Correctly engrossed: **SB 209.**

Transmitted to the House: **HB 24, HB 59, HB 70, HB 71, HB 73, HB 98, HB 99, HB 113, HB 120, HB 153.**

Signed by the Secretary of the Senate at 3:40 p.m., February 6, 2023: **SB 18.**

Signed by the President at 4:50 p.m., February 06, 2023: **SB 18.**

Signed by the Speaker at 9:52 a.m., February 07, 2023: **SB 18.**

Delivered to the Governor at 11:30 a.m., February 7, 2023: **SB 18.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Lang, Chair) 01/31/2023
HB 85, be concurred in.

LOCAL GOVERNMENT (Friedel, Chair) 02/06/2023
SB 206, do pass.
SB 215, introduced bill, be amended with [SB0215.001.001](#) and, as amended, do pass.
SB 220, introduced bill, be amended with [SB0220.001.001](#) and, as amended, do pass.
SB 225, do pass.

NATURAL RESOURCES (Welborn, Chair) 02/06/2023
SB 219, introduced bill, be amended with [SB0219.001.001](#) and, as amended, do pass.

PUBLIC HEALTH, WELFARE AND SAFETY (McGillvray, Chair) 02/06/2023
SB 186, introduced bill, be amended with [SB0186.001.001](#) and, as amended, do pass.
SR 21, be adopted.
SR 22, be adopted.
SR 23, be adopted.
SR 24, be adopted.

STATE ADMINISTRATION (Cuffe, Chair) 02/03/2023
SB 153, do pass.
SB 176, introduced bill, be amended with [SB0176.001.002](#) and, as amended, do pass.
SB 190, do pass.

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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.

Judicial Standards Commission
MCA § 3-1-1101

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:

- **Seth Berglee**, 12291 Halversen Dr, Bigfork, MT 59911, who was appointed on November 9, 2022, and whose term expires July 1, 2023. Mr. Berglee fulfills the requirements as a citizen who is not an attorney or judge of any court, active or retired. I support the confirmation of Mr. Berglee.
- **Roger Webb**, 8 Voss Lane, Park City, MT 59063, who was appointed on July 1, 2021, and whose term expires July 1, 2025. Mr. Webb fulfills the requirements as a citizen who is not an attorney or judge of any court, active or retired. I support the confirmation of Mr. Webb.

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 Investments

MCA § 2-15-1808

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:

- **Porter Bennett**, PO Box 588, Pony, MT, 59747, who was appointed on January 9, 2023, and whose term expires January 1, 2026. Mr. Bennet fulfills the requirements as a Representative of Agriculture. I support the confirmation of Mr. Bennett.
- **Tim Kober**, 1300 W Park St, Butte, MT 59701, who was appointed on January 9, 2023, and whose term expires January 1, 2026. Mr. Kober fulfills the requirements as a representative of labor. I support the confirmation of Mr. Kober.
- **Daniel Trost**, 9 Mueller Ct., Helena, MT 59601, who was appointed on April 28, 2022, and whose term expires January 5, 2025. Mr. Trost fulfills the requirements as a Member of the Teachers' Retirement Board. I support the confirmation of Mr. Trost.
- **Cindy Younkin**, PO Box 213, McAllister, MT 59740, who was appointed on January 9, 2023, and whose term expires January 1, 2026. Ms. Younkin fulfills the requirements as an Attorney. I support the confirmation of Ms. Younkin.

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 Massage Therapy
MCA § 2-15-1782

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 Carlson**, 1509 13th St. West, Billings, MT 59102, was appointed to serve a term starting July 1, 2022, and whose term ends July 1, 2026. Ms. Carlson fulfills the qualifications as a Licensed Massage Therapist. I support the confirmation of Ms. Carlson.
- **Dr. John Griffin**, 2101 Turmaline Court, Helena, MT 59601, was appointed to serve a term starting August 25, 2021, and whose term ends April 30, 2025. Dr. Griffin fulfills the requirements as a Licensed Health Care Provider. I support the confirmation of Mr. Griffin.
- **Jennifer Roth**, 611 Burlington Avenue, Billings, MT 59101, was appointed to serve a term starting August 25, 2021, and whose term ends April 30, 2025. Ms. Roth fulfills the qualifications of being a Licensed Massage Therapist. I support the confirmation of Ms. Roth.

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 bills and joint resolutions concurred and returned to the Senate: 02/06/2023

SB 45, introduced by W. McKamey
SB 102, introduced by M. Cuffe
SJ 4, introduced by W. McKamey

Senate bill concurred in as amended, and returned to the Senate for concurrence in House amendments: 02/06/2023

SB 6, introduced by J. Gross

House bills passed and transmitted to the Senate for concurrence: 02/06/2023

HB 266, introduced by T. Brockman
HB 283, introduced by S. Galloway

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced and read first time:

SB 280, introduced by M. Lang, R. Knudsen.
SB 281, introduced by P. Flowers, E. McClafferty, J. Welborn, G. Hertz, R. Lynch, A. Olsen, W. Curdy, J. Ellis, K. Kelker, C. Pope, S. Webber, R. Fitzgerald, J. Gross, B. Gillespie, M. Fox, P. Fielder, S. Gist, S. O'Brien, R. Miner, E. Matthews, G. Nikolakakos, J. Karlen.
SB 282, introduced by D. Lenz.
SB 283, introduced by M. Noland, K. Regier, C. Glimm.
SB 284, introduced by C. Glimm.
SB 285, introduced by C. Glimm.
SB 286, introduced by S. Fitzpatrick.
SB 287, introduced by S. Fitzpatrick.
SB 288, introduced by M. Cuffe.
SB 289, introduced by C. Friedel.
SB 290, introduced by D. Zolnikov.

The following Senate joint resolution was introduced and read first time:

SJ 10, introduced by M. Cuffe.

The following House bills were introduced and read first time:

HB 266, introduced by T. Brockman.
HB 283, introduced by S. Galloway.

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**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 Hinebauch in the chair.

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

Majority Leader Fitzpatrick moved consideration of **HB 54**, **HB 86**, **HB 162**, and **HJ 1** be passed for the day. Without objection, so ordered.

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

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

Total 30

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

Total 19

Voted absentee: None.

Total 0

Excused: Brown.

Total 1

Absent or not voting: None.

Total 0

HB 83 - Senator Gross moved **HB 83** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Brown.

Total 1

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Absent or not voting: None.
Total 0

SB 99 - Senator Fuller moved **SB 99** do pass. During discussion, Senator Flowers arose several times on points of order regarding the use of language and terms which he considered inappropriate or offensive. Senator Usher arose on a point of personal privilege and stated his belief that amputee is an appropriate term for the discussion. Senator Manzella requested two definitions be placed into the record: 1) Amputation is the removal of a limb by trauma, illness, or surgery; and 2) A bilateral mastectomy is a surgery in which both breasts are removed at the same time.

Senator Flowers moved to indefinitely postpone **SB 99**, then withdrew his motion following a discussion of the rule.

Senator Fuller's motion carried as follows:

Yeas: Bartel, Beard, Bogner, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, Molnar, Mr. President, Noland, Regier K, Small, Tempel, Trebas, Usher, Vance, Zolnikov.
Total 28

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, McKamey, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Vermeire, Webber, Welborn.
Total 21

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

HB 58 - Senator Hertz moved **HB 58** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

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Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

HB 111 - Senator Usher moved **HB 111** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

Vote totals include a change of vote from No to Yes, made this date by Senator Cuffe under Order of Business 9, Motions.

HB 28 - Senator Lang moved **HB 28** be concurred in. Motion carried as follows:

Yeas: Bogner, Boldman, Cuffe, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Manzella, McClafferty, McKamey, Molnar, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Trebas, Usher, Vance, Vermeire, Webber, Welborn.
Total 40

Nays: Bartel, Beard, Curdy, Lynch, Mandeville, McGillvray, Morigeau, Tempel, Zolnikov.
Total 9

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

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HB 121 - Senator McClafferty moved **HB 121** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

HB 149 - Senator Emrich moved **HB 149** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

HB 166 - Senator Sales moved **HB 166** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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,

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

Total 49

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Brown.

Total 1

Absent or not voting: None.

Total 0

HB 124 - Senator Trebas moved **HB 124** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Brown.

Total 1

Absent or not voting: None.

Total 0

HB 18 - Senator Webber moved **HB 18** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.

Total 0

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Voted absentee: None.
Total 0

Excused: Brown.
Total 1

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

Yeas: Bartel, Beard, Bogner, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Kelker, 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, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.
Total 15

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

SB 124 passed as follows:

Yeas: Bartel, Beard, Bogner, 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 32

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

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Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

SB 83 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

SB 174 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

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Absent or not voting: None.
Total 0

SB 188 passed as follows:

Yeas: Bartel, Beard, Bogner, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 32

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

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

SB 202 passed as follows:

Yeas: Bartel, Beard, Bogner, 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 33

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: Brown.
Total 1

Absent or not voting: None.
Total 0

SB 214 passed as follows:

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Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Brown.

Total 1

Absent or not voting: None.

Total 0

HB 22, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Brown.

Total 1

Absent or not voting: None.

Total 0

HB 123, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, 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

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Nays: Esp, Glimm.
Total 2

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

HB 138, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 39

Nays: Boldman, Dunwell, Ellis, Flowers, Gross, Hayman, O'Brien, Olsen, Pope, Webber.
Total 10

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

HB 139, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

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Absent or not voting: None.
Total 0

HB 145, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

HB 157, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Boldman, 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 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

HB 160, concurred in as follows:

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Yeas: Bartel, Beard, Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, 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, Welborn, Zolnikov.

Total 48

Nays: Lenz.

Total 1

Voted absentee: None.

Total 0

Excused: Brown.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Fitzpatrick moved **HB 28**, heard under second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved that **HB 171** be taken from the Public Health, Welfare and Safety Committee and re-referred to the Education and Cultural Resources Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved that **SB 28** be taken from the Taxation Committee and re-referred to the Finance and Claims Committee. Without objection, so ordered.

Senator Cuffe moved to change his second reading vote on **HB 111** from No to Yes. Without objection so ordered.

Senator Small moved that **SB 276** be taken from the Judiciary Committee and re-referred to the Business and Labor Committee. Motion carried as follows:

Yeas: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Fuller, Gillespie, Gross, Hayman, Kelker, Lynch, McClafferty, Molnar, Morigeau, Noland, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vermeire, Webber, Welborn, Zolnikov.

Total 27

Nays: Bartel, Beard, Bogner, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Regier K, Trebas, Usher, Vance, Mr. President.

Total 22

Voted absentee: None.

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Excused: Brown.
Total 1

Absent or not voting: None.
Total 0

ANNOUNCEMENT OF COMMITTEE MEETINGS

Committee meetings were announced by the committee chairs.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 02/08/2023, the 28th legislative day. Motion carried.

Senate adjourned at 3:09 p.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate