

**SENATE JOURNAL
68TH LEGISLATURE
FORTIETH LEGISLATIVE DAY**

Helena, Montana
February 24, 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 93, SB 213, SB 245, SB 264, SB 269, SB 274, SB 275, SB 276, SB 277, SB 278, SB 279, SB 280, SB 285, SB 302, SB 310, SB 311, SB 318, SB 338, SB 339, SB 340, SB 355, SB 359, SB 377, SB 396, SB 405, SB 429, SB 463, SB 464, SB 465, SB 466, SB 467, SB 468, SB 469, SB 470, SB 471, SB 472, SB 473, SB 474, SB 475, SB 476, SB 477, SB 478, SB 479, SB 480, SB 481, SB 482, SB 483, SB 484, SB 485, SB 486, SB 487, SR 55.**

Correctly engrossed: **SB 178, SB 180, SB 232, SB 246, SB 250, SB 253, SB 282, SB 283, SB 284, SB 289, SB 373.**

Transmitted to the House: **SB 94, SB 240, SB 279, SB 293.**

Signed by the Secretary of the Senate at 4:15 p.m., February 23, 2023: **SB 191.**

Signed by the President at 4:35 p.m., February 23, 2023: **SB 191**

Signed by the Speaker at 12:35 p.m., February 24, 2023: **SB 191.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK AND IRRIGATION (Lang, Chair) 02/23/2023
SR 52, be adopted.

ENERGY AND TELECOMMUNICATIONS (Sales, Chair) 02/23/2023
SB 208, do pass.

FINANCE AND CLAIMS (Esp, Chair) 02/23/2023

SB 28, introduced bill, be amended with [SB0028.001.001](#) and, as amended, do pass.

SB 93, do pass.

SB 224, introduced bill, be amended with [SB0224.003.002](#) and, as amended, do pass.

SB 417, introduced bill, be amended with [SB0417.001.001](#) and, as amended, do pass.

HB 192, be concurred in.

HB 212, be concurred in.

HB 221, be concurred in.

HB 222, be concurred in.

HB 251, be concurred in.

HB 267, be concurred in.

FISH AND GAME (Hinebauch, Chair) 02/23/2023

SB 280, introduced bill, be amended with [SB0280.001.001](#) and, as amended, do pass.

SB 324, do pass.

SB 356, do pass.

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HIGHWAYS AND TRANSPORTATION (Manzella, Chair)

02/23/2023

SB 288, do pass.

SB 452, do pass.

HB 320, be amended with [HB0320.002.002](#) and, as amended, be concurred in.

JUDICIARY (Regier, Chair)

02/22/2023

SB 172, introduced bill, be amended with [SB0172.001.001](#) and, as amended, do pass.

SB 256, introduced bill, be amended with [SB0256.001.002](#) and, as amended, do pass.

SB 307, introduced bill, be amended with [SB0307.001.001](#) and, as amended, do pass.

SB 313, introduced bill, be amended with [SB0313.001.001](#) and, as amended, do pass.

SB 325, introduced bill, be amended with [SB0325.001.003](#) and, as amended, do pass.

SB 326, do pass.

SB 400, do pass.

SJ 11, introduced bill, be amended with [SJ0011.001.001](#) and, as amended, do pass.

LOCAL GOVERNMENT (Friedel, Chair)

02/23/2023

SB 301, introduced bill, be amended with [SB0301.001.001](#) and, as amended, do pass.

SB 317, do pass.

SB 319, do pass.

SB 323, introduced bill, be amended with [SB0323.001.001](#) and, as amended, do pass.

SB 327, do pass.

SB 331, introduced bill, be amended with [SB0331.001.001](#) and, as amended, do pass.

SB 332, do pass.

MESSAGES FROM THE GOVERNOR

February 23, 2023

The Honorable Jason Ellsworth
President of the Senate
State Capitol
Helena, MT 59601

Dear President Ellsworth:

On Thursday, February 23, 2023, I signed the following bills:

Senate Bill 45 – McKamey

Senate Bill 62 – Zolnikov

Senate Bill 80 – Fox

Senate Bill 102 - Cuffe

The bills have been delivered to the Secretary of State's Office.

Sincerely,

Greg Gianforte
Governor

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MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 02/23/2023

HB 409, introduced by A. Regier
HB 410, introduced by B. Ler
HB 412, introduced by D. Bedey
HB 417, introduced by J. Cohenour
HB 419, introduced by J. Hinkle
HB 422, introduced by T. Falk
HB 433, introduced by T. Welch
HB 436, introduced by L. Sheldon-Galloway
HB 437, introduced by K. Zolnikov

House joint resolution passed and transmitted to the Senate for concurrence: 02/23/2023

HJ 7, introduced by M. Malone

FIRST READING AND COMMITMENT OF BILLS

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

SB 491, introduced by S. Fitzpatrick, referred to Judiciary.
SB 492, introduced by S. Fitzpatrick, referred to Business, Labor, and Economic Affairs.
SB 493, introduced by J. Gross, A. Olsen, J. Small, referred to Business, Labor, and Economic Affairs.
SB 494, introduced by M. Dunwell, referred to Finance and Claims.
SB 495, introduced by M. Cuffe, referred to Highways and Transportation.
SB 496, introduced by S. O'Brien, referred to Business, Labor, and Economic Affairs.
SB 497, introduced by S. Fitzpatrick, referred to Judiciary.
SB 498, introduced by S. Morigeau, C. Glimm, T. Manzella, J. Ellsworth, T. Running Wolf, P. Flowers, B. Phalen, S. Galloway, E. Stafman (by request of the (S) Joint Select Committee on Election Security), referred to State Administration.
SB 499, introduced by T. McGillvray, K. Bogner, referred to Local Government.
SB 500, introduced by J. Trebas, F. Mandeville, E. Boldman, referred to Local Government.

The following Senate bill was introduced and read first time:

SB 501, introduced by W. McKamey, M. Cuffe, S. Fitzpatrick, D. Zolnikov, S. Webber, F. Anderson, J. Trebas, C. Knudsen, B. Usher, J. Fuller, B. Gillespie, B. Mercer, T. Moore, L. Brewster, M. Bertoglio, M. Binkley, T. Vermeire, B. Barker.

The following Senate bills, previously introduced, were referred to committee:

SB 451, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SB 487, introduced by S. Vance, referred to Finance and Claims.
SB 488, introduced by D. Zolnikov, referred to Judiciary.
SB 489, introduced by S. O'Brien, P. Flowers, referred to Finance and Claims.

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SB 490, introduced by G. Hertz, S. Fitzpatrick, referred to Judiciary.

The following House bills were introduced and read first time:

HB 409, introduced by A. Regier.

HB 410, introduced by B. Ler, C. Knudsen, A. Regier, T. Smith.

HB 412, introduced by D. Bedey.

HB 417, introduced by J. Cohenour, F. Smith, J. Windy Boy, S. Stewart Peregoy, M. Lang, B. Brown, M. Dunwell, D. Hayman, T. Manzella, C. Pope, S. Webber, S. Hinebauch, D. Fern, D. Loge, R. Fitzgerald, J. Trebas, B. Usher, J. Hamilton, B. Beard, J. Small, J. Ellsworth, N. Duram, R. Knudsen, J. Dooling, D. Harvey, E. Kerr-Carpenter, M. Marler, C. Keogh, K. Sullivan, K. Zolnikov, L. Reksten, E. Stafman, K. Kortum, M. Bertoglio, D. Hawk, M. Binkley, T. France, M. Thane, C. Friedel, S. Essmann, R. Miner, E. Matthews, D. Emrich, C. Sprunger, P. Tuss, J. Bergstrom, G. Kmetz, D. Baum, J. Lynch, M. Romano, S. Howell, J. Karlen, B. Carter, Z. Zephyr.

HB 419, introduced by J. Hinkle, E. Buttrey, L. Jones, D. Lenz, B. Brown, T. Manzella, S. Hinebauch, M. Hopkins, J. Ellsworth, B. Ler, B. Phalen, P. Fielder, M. Binkley, R. Miner.

HB 422, introduced by T. Falk, L. Sheldon-Galloway, S. Gist, T. Brockman, D. Emrich, G. Kmetz.

HB 433, introduced by T. Welch, W. Sales.

HB 436, introduced by L. Sheldon-Galloway.

HB 437, introduced by K. Zolnikov.

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

HJ 7, introduced by M. Malone, J. Esp, C. Knudsen, L. Bishop, T. Running Wolf, B. Phalen, L. Brewster, B. Mitchell, A. Buckley, S. Essmann, T. Smith, R. Miner.

**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 Friedel in the chair.

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

SB 295 - Majority Leader Fitzpatrick moved consideration of **SB 295** be moved to the bottom of the board. Without objection, so ordered.

SB 311 - Majority Leader Fitzpatrick moved consideration of **SB 311** be moved to the bottom of the board. Without objection, so ordered.

SB 286 - Majority Leader Fitzpatrick moved **SB 286** do pass.

SB 286 - Majority Leader Fitzpatrick moved **SB 286**, second reading copy, be amended with [SB0286.001.001](#). Amendment **adopted** as follows:

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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 286, as amended, 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 150 - Senator Lenz moved **SB 150** 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

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Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 203 – Senator Bogner moved **SB 203** do pass.

SB 203 - Senator Molnar moved **SB 203**, second reading copy, be amended with [SB0203.002.001](#).

SB 203 - Senator Hertz moved that NEW SECTION 1 be segregated from the amendment and that **SB 203** be amended with the segregated NEW SECTION 1. Amendment **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

SB 203 – The Senate returned to the balance of amendment [SB0203.002.001](#) (excluding NEW SECTION 1). The amendment was **not adopted** as follows:

Yeas: Boldman, Fox, Gillespie, Gross, Lang, Lynch, McClafferty, McKamey, Molnar, Morigeau, Olsen, Pope, Salomon, Tempel, Vermeire, Webber, Zolnikov.
Total 17

Nays: Bartel, Beard, Bogner, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Friedel, Fuller, Glimm, Hayman, Hertz, Hinebauch, Kelker, Lenz, Mandeville, Manzella,

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McGillvray, Mr. President, Noland, O'Brien, Regier K, Sales, Small, Trebas, Usher, Vance, Welborn.

Total 33

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 203, as amended, 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, 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: None.

Total 0

Absent or not voting: Molnar.

Total 1

SB 255 - Senator Pope moved **SB 255** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Boldman, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Hertz, Kelker, Lynch, Mandeville, McClafferty, McKamey, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Vermeire, Webber, Welborn, Zolnikov.

Total 33

Nays: Bogner, Brown, Emrich, Esp, Fuller, Glimm, Hinebauch, Lang, Lenz, Manzella, McGillvray, Molnar, Mr. President, Noland, Regier K, Usher, Vance.

Total 17

Voted absentee: None.

Total 0

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 299 - Senator Usher moved **SB 299** do pass. Motion **failed** as follows:

Yeas: Bartel, Brown, Dunwell, Emrich, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Noland, Regier K, Sales, Trebas, Usher, Vermeire, Zolnikov.
Total 25

Nays: Beard, Bogner, Boldman, Cuffe, Curdy, Ellis, Esp, Flowers, Fox, Gross, Hayman, Kelker, Lang, Lenz, Morigeau, Mr. President, O'Brien, Olsen, Pope, Salomon, Small, Tempel, Vance, Webber, Welborn.
Total 25

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 299 - Majority Leader Fitzpatrick moved **SB 299** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Kelker, Lang, Lenz, Lynch, Mandeville, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 40

Nays: Boldman, Brown, Fuller, Glimm, Hertz, Hinebauch, Manzella, Noland, Regier K, Usher.
Total 10

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 300 - Senator McClafferty moved **SB 300** 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 320 - Senator Boldman moved **SB 320** do pass. Senator Boldman disclosed that she and her husband are landlords and would benefit from this bill. Motion carried as follows:

Yeas: Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Hertz, Kelker, Lang, Lynch, Mandeville, McClafferty, McKamey, Morigeau, Mr. President, O'Brien, Olsen, Pope, Salomon, Small, Tempel, Trebas, Vermeire, Webber, Welborn, Zolnikov.
Total 35

Nays: Bartel, Beard, Fitzpatrick, Fuller, Glimm, Hinebauch, Lenz, Manzella, McGillvray, Molnar, Noland, Regier K, Sales, Usher, Vance.
Total 15

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 321 - Senator Boldman moved **SB 321** 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,

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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

SB 342 - Senator Hertz moved **SB 342** do pass.

SB 342 - Senator Dunwell moved **SB 342**, second reading copy, be amended with [SB0342.002.001](#). Amendment **not adopted** as follows:

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

Total 19

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

Total 31

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 342 - Thereupon, the Senate reverted to the original motion of Senator Hertz which passed as follows:

Yeas: Bartel, Beard, Boldman, Brown, Cuffe, Emrich, Fitzpatrick, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Small, Tempel, Trebas, Usher, Zolnikov.

Total 27

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Nays: Bogner, Curdy, Dunwell, Ellis, Esp, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lang, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Salomon, Vance, Vermeire, Webber, Welborn.

Total 23

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 344 - Senator Usher moved **SB 344** 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, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 49

Nays: Olsen.

Total 1

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 363 - Senator Usher moved **SB 363** 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, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 47

Nays: Gross, McClafferty, Olsen.

Total 3

Voted absentee: None.

Total 0

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJ 10 - Senator Cuffe moved **SJ 10** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Kelker, 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 43

Nays: Dunwell, Ellis, Gross, Hayman, O'Brien, Olsen, Webber.
Total 7

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 3 - Senator Hinebauch moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 3**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Kelker, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 36

Nays: Boldman, Curdy, Dunwell, Ellis, Gross, Hayman, Lynch, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Webber.
Total 14

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 167 - Senator Lang moved **HB 167** 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

SB 295 - Senator Gillespie moved **SB 295** do pass.

SB 295 - Senator Gillespie moved **SB 295**, second reading copy, be amended with [SB0295.002.001](#). Amendment **adopted** as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Mr. President, Noland, O'Brien, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 44

Nays: Curdy, Gross, Hayman, Morigeau, Olsen, Webber.
Total 6

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 295, as amended, passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Flowers, Fox, 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 37

Nays: Boldman, Curdy, Dunwell, Ellis, Gross, Hayman, Lynch, 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

SB 311 - Senator Usher moved **SB 311** do pass. Motion **failed** as follows:

Yeas: Bartel, Beard, Bogner, Brown, Emrich, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, Mr. President, Noland, Regier K, Trebas, Usher, Vance, Vermeire, Zolnikov.

Total 24

Nays: Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, McKamey, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Webber, Welborn.

Total 26

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 311 - Majority Leader Fitzpatrick moved **SB 311** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Beard, Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gross, Hayman, Kelker, Lynch, Mandeville, McClafferty, McGillvray, McKamey, Molnar,

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Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Welborn.

Total 35

Nays: Bogner, Brown, Emrich, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Manzella, Noland, Regier K, Usher, Zolnikov.

Total 15

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 Friedel 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

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THIRD READING OF BILLS

SB 72 passed as follows:

Yeas: Bartel, Boldman, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lang, Lynch, McClafferty, McKamey, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vance, Vermeire, Webber, Welborn.
Total 29

Nays: Beard, Bogner, Brown, Emrich, Esp, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lenz, Mandeville, Manzella, McGillvray, Molnar, Mr. President, Noland, Regier K, Trebas, Usher, Zolnikov.
Total 21

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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

SB 213 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

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SB 245 passed as follows:

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

Total 40

Nays: Curdy, Ellis, Gross, Hayman, Kelker, Molnar, Olsen, Pope, Tempel, Webber.

Total 10

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 264 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, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 46

Nays: Lang, Lenz, O'Brien, Olsen.

Total 4

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 269 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

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Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 275 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Regier K, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Zolnikov.
Total 36

Nays: Dunwell, Ellis, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lynch, Olsen, Pope, Sales, Webber, Welborn.
Total 14

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 278 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

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 285 passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, Molnar, Mr. President, Noland, Regier K, Salomon, Trebas, Usher, Vance, Zolnikov.
Total 27

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lynch, McClafferty, McKamey, Morigeau, O'Brien, Olsen, Pope, Sales, Small, Tempel, Vermeire, Webber, Welborn.
Total 23

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 318 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Kelker, Lang, Lenz, Mandeville, 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 45

Nays: Gross, Hayman, Lynch, Manzella, McClafferty.
Total 5

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 229 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Kelker, Lang, Lenz, 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 46

Nays: Dunwell, Gross, Hayman, Lynch.
Total 4

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Fitzpatrick moved that **SB 485** be taken from the State Administration Committee and re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved that **SB 460** be taken from the State Administration Committee and re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved that **SJ 15** be taken from the State Administration Committee and re-referred to the Judiciary Committee. Without objection, so ordered.

Senator Friedel moved to change his third reading vote this date on **SB 72** from Yes to No. Without objection, so ordered.

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Small, Chair) 02/24/2023
SB 351, introduced bill, be amended with [SB0351.001.001](#) and, as amended, do pass.
SB 378, do pass.
SB 392, introduced bill, be amended with [SB0392.001.001](#) and, as amended, do pass.

JUDICIARY (Regier, Chair) 02/24/2023
SB 294, introduced bill, be amended with [SB0294.001.001](#) and, as amended, do pass.
SB 333, introduced bill, be amended with [SB0333.001.001](#) and, as amended, do pass.
SB 368, introduced bill, be amended with [SB0368.001.001](#) and, as amended, do pass.
SB 423, do pass.

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Without objection, the committee reports were adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

Committee meetings were announced by the committee chairs.

Senator Small thanked the Pages for their service this week.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 02/27/2023, the 41st legislative day. Motion carried.

Senate adjourned at 3:41 p.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate