

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

Helena, Montana  
March 01, 2023

Senate Chambers  
State Capitol

Senate convened at 10:00 a.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 127, SB 203, SB 250, SB 277, SB 280, SB 281, SB 282, SB 284, SB 294, SB 319, SB 324, SB 334, SB 336, SB 339, SB 340, SB 359, SB 368, SB 378, SB 392, SB 410, SB 416, SB 417, SB 419, SB 425, SB 430, SB 436, SB 439, SB 440, SB 445, SB 450, SB 453, SB 457, SB 461, SB 464, SB 465, SB 469, SB 470, SB 480, SB 481, SB 482, SB 488, SB 490, SB 491, SB 496, SB 497, SB 498, SJ 15, SJ 16, SJ 18, HB 192, HB 222, HB 251, HB 267.**

Correctly engrossed: **SB 232, SB 268, SB 296, SB 303, SB 333, SB 352, SB 361, SB 362, SB 385, SB 376, SB 379, SB 434, SB 458, SB 479, SB 500.**

Transmitted to the House: **SB 180, SB 274, SB 286, SB 289, SB 295, SB 310, SB 338, SB 355, SB 377, SB 396, HB 3, HB 212, HB 221.**

Signed by the Secretary of the Senate at 12:05 p.m., February 28, 2023: **SB 103.**

Signed by the President at 8:35 a.m., March 01, 2023: **SB 103.**

**REPORTS OF STANDING COMMITTEES**

**PUBLIC HEALTH, WELFARE AND SAFETY** (McGillvray, Chair) 02/27/2023

**SB 352**, introduced bill, be amended with [SB0352.001.001](#) and, as amended, do pass.

**SB 422**, do pass.

**SB 458**, introduced bill, be amended with [SB0458.001.001](#) and, as amended, do pass.

**TAXATION** (Hertz, Chair) 02/28/2023

**SB 303**, introduced bill, be amended with [SB0303.001.001](#) and, as amended, do pass.

**SB 362**, introduced bill, be amended with [SB0362.001.002](#) and, as amended, do pass.

Without objection, committee reports were adopted.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

House bills passed and transmitted to the Senate for concurrence: 02/28/2023

**HB 304**, introduced by J. Hinkle

**HB 313**, introduced by J. Etchart

**HB 317**, introduced by J. Wiindy Boy

**HB 335**, introduced by D. Bedey

**HB 384**, introduced by J. Hinkle

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**HB 396**, introduced by N. Hastings  
**HB 426**, introduced by M. Yakawich  
**HB 427**, introduced by S. Kerns  
**HB 455**, introduced by B. Mitchell  
**HB 456**, introduced by B. Ler  
**HB 488**, introduced by S. Galloway  
**HB 489**, introduced by T. Brockman  
**HB 493**, introduced by J. Dooling  
**HB 499**, introduced by E. Kerr-Carpenter  
**HB 512**, introduced by B. Mercer  
**HB 518**, introduced by B. Mercer  
**HB 540**, introduced by M. Hopkins  
**HB 712**, introduced by Z. Wirth

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced and read first time:

**HB 304**, introduced by J. Hinkle  
**HB 313**, introduced by J. Etchart  
**HB 317**, introduced by J. Wiindy Boy  
**HB 335**, introduced by D. Bedey  
**HB 384**, introduced by J. Hinkle  
**HB 396**, introduced by N. Hastings  
**HB 426**, introduced by M. Yakawich  
**HB 427**, introduced by S. Kerns  
**HB 455**, introduced by B. Mitchell  
**HB 456**, introduced by B. Ler  
**HB 488**, introduced by S. Galloway  
**HB 489**, introduced by T. Brockman  
**HB 493**, introduced by J. Dooling  
**HB 499**, introduced by E. Kerr-Carpenter  
**HB 512**, introduced by B. Mercer  
**HB 518**, introduced by B. Mercer  
**HB 540**, introduced by M. Hopkins  
**HB 712**, introduced by Z. Wirth

**MOTIONS**

Majority Leader Fitzpatrick moved to re-refer **SB 474** to the Finance and Claims Committee.  
Without objection, so ordered.

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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. President Ellsworth in the chair.

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

**SB 250** - Majority Leader Fitzpatrick moved consideration of **SB 250** be moved to the bottom of the board. Without objection, so ordered.

**SB 256** - Majority Leader Fitzpatrick moved consideration of **SB 256** be moved to the bottom of the board. Without objection, so ordered.

**SB 487** - Majority Leader Fitzpatrick moved consideration of **SB 487** be moved to the bottom of the board. Without objection, so ordered.

**SB 287** - Majority Leader Fitzpatrick moved consideration of **SB 287** be moved to the bottom of the board. Without objection, so ordered.

**SB 382** - Majority Leader Fitzpatrick moved consideration of **SB 382** be moved to the bottom of the board. Without objection, so ordered.

**SB 351** - Senator Zolnikov moved **SB 351** 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, Zolnikov.  
Total 49

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Welborn.  
Total 1

**SB 384** - Senator Zolnikov moved **SB 384** 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,

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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 208** - Senator Small moved **SB 208** do pass. Motion carried 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

Absent or not voting: None.  
Total 0

**SB 370** - Majority Leader Fitzpatrick moved **SB 370** do pass. Motion carried as follows:

Yeas: Beard, Boldman, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Gross, Hertz, Kelker, Lang, Lenz, Mandeville, McGillvray, McKamey, Morigeau, Mr. President, Pope, Sales, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Zolnikov.  
Total 31

Nays: Bartel, Bogner, Brown, Dunwell, Ellis, Fuller, Glimm, Hayman, Hinebauch, Lynch, Manzella, McClafferty, Molnar, Noland, O'Brien, Olsen, Regier K, Usher, Welborn.  
Total 19

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 471** - Senator Trebas moved **SB 471** 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, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 48

Nays: McClafferty, Olsen.  
Total 2

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 373** - Senator Salomon moved **SB 373** do pass. Motion carried as follows:

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

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

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

**SB 28** - Senator Lang moved **SB 28** 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, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 49

Nays: Molnar.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 356** - Senator Hinebauch moved **SB 356** 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

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**SB 405** - Senator Trebas moved **SB 405** do pass. Motion **failed** as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Emrich, Fitzpatrick, Friedel, Glimm, Hertz, Hinebauch, Lenz, Mandeville, Manzella, McGillvray, Mr. President, Noland, O'Brien, Regier K, Salomon, Small, Tempel, Trebas, Usher, Zolnikov.

Total 25

Nays: Cuffe, Curdy, Dunwell, Ellis, Esp, Flowers, Fox, Fuller, Gillespie, Gross, Hayman, Kelker, Lang, Lynch, McClafferty, McKamey, Molnar, Morigeau, Olsen, Pope, Sales, Vance, Vermeire, Webber, Welborn.

Total 25

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 405** - Majority Leader Fitzpatrick moved **SB 405** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Beard, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Gross, Hayman, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Mr. President, Noland, Olsen, Pope, Regier K, Sales, Salomon, Small, Trebas, Vance, Vermeire, Webber, Welborn.

Total 40

Nays: Bogner, Emrich, Friedel, Glimm, Hertz, Morigeau, O'Brien, Tempel, Usher, Zolnikov.

Total 10

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 452** - Senator Usher moved **SB 452** do pass. Motion carried 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, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.

Total 33

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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: None.

Total 0

Absent or not voting: None.

Total 0

**SB 11** - Senator Usher moved **SB 11** do pass. Motion carried as follows:

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

Total 1

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 288** - Senator Cuffe moved **SB 288** 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



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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 333** - Senator Hertz moved **SB 333** do pass.

**SB 333** - Senator Hertz moved **SB 333**, second reading copy, be amended with [SB0333.002.001](#).

Amendment **adopted** as follows:

Yeas: Beard, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, 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.

Total 45

Nays: Bartel, Bogner, Emrich, Fox, Zolnikov.  
Total 5

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 333**, as amended, passed as follows:

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

Total 38

Nays: Bartel, Boldman, Dunwell, Ellis, Fox, Gross, Lynch, McClafferty, O'Brien, Olsen, Pope, Webber.

Total 12

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

**SB 325** - Senator Friedel moved **SB 325** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Regier K, Salomon, Small, Trebas, Usher, Vance, Vermeire, Zolnikov.  
Total 31

Nays: Boldman, Curdy, Dunwell, Ellis, Esp, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, O'Brien, Olsen, Pope, Sales, Tempel, Webber, Welborn.  
Total 19

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 326** - Senator Friedel moved **SB 326** do pass. Motion carried 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 400** - Senator Fuller moved **SB 400** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella,

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

Total 40

Nays: Boldman, Dunwell, Ellis, Gross, Hayman, Kelker, O'Brien, Olsen, Pope, Webber.

Total 10

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 423** - Senator Bogner moved **SB 423** 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 420** - Senator Friedel moved **SB 420** do pass. Motion carried as follows:

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

Total 31

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

Total 19

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 406** - Senator Trebas moved **SB 406** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Salomon, Small, Trebas, Usher, Vance, Vermeire, Zolnikov.  
Total 30

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Sales, Tempel, Webber, Welborn.  
Total 20

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 301** - Senator Hertz moved **SB 301** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lenz, Lynch, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Salomon, Small, Trebas, Usher, Vance, Vermeire, Zolnikov.  
Total 31

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lang, McClafferty, Morigeau, O'Brien, Olsen, Pope, Sales, Tempel, Webber, Welborn.  
Total 19

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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Majority Leader Fitzpatrick moved the committee **rise and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Ellsworth presiding. Senate recessed at 11:50 a.m.

Senate reconvened at 1:02 p.m., President Ellsworth presiding.

**MOTIONS**

Majority Leader Fitzpatrick moved the Senate **suspend rule S50-90** and reconsider action on **SB 47**, and that **SB 47** be placed on second reading this date. Motion carried as follows:

Yeas: Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Hayman, Hertz, Kelker, Lang, Mandeville, Manzella, McKamey, Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Trebas, Vance, Vermeire, Webber, Zolnikov.

Total 36

Nays: Bartel, Emrich, Esp, Glimm, Gross, Hinebauch, Lenz, Lynch, McClafferty, McGillvray, Noland, Tempel, Usher, Welborn.

Total 14

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Fitzpatrick moved the Senate **suspend rule S50-90** and reconsider action on **SB 342**, and that **SB 342** be placed on second reading this date. Motion **failed** as follows:

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

Total 25

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

Total 25

Voted absentee: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: None.  
Total

**THIRD READING OF BILLS**

**SB 284** 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 319** 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, 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: Lynch.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**SB 324** 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 336**, which requires a 2/3 vote, **failed** as follows:

Yeas: Beard, Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Gross, Hayman, Kelker, Lenz, Mandeville, McClafferty, McGillvray, McKamey, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Zolnikov.  
Total 32

Nays: Bartel, Brown, Emrich, Esp, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lynch, Manzella, Molnar, Mr. President, Noland, Regier K, Usher, Welborn.  
Total 18

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 339** 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

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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

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

**SB 340** 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, Kelker, Lang, 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, Welborn, Zolnikov.

Total 47

Nays: Hinebauch, Lenz, Usher.

Total 3

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 359** passed as follows:

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

Total 41

Nays: Boldman, Dunwell, Ellis, Hayman, Lynch, O'Brien, Olsen, Pope, Webber.

Total 9



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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 368** passed as follows:

Yeas: Bartel, Beard, Bogner, 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 48

Nays: Boldman, Olsen.  
Total 2

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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

**SB 378** passed as follows:

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

Nays: Boldman, Dunwell, Ellis, Flowers, Gross, Hayman, Lynch, McClafferty, O'Brien, Olsen, Webber.  
Total 11

Voted absentee: None.  
Total 0

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 392 failed** as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lenz, Mandeville, Manzella, McGillvray, Mr. President, Noland, Regier K, Small, Trebas, Usher, Vance, Zolnikov.  
Total 25

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lang, Lynch, McClafferty, McKamey, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Tempel, Vermeire, Webber, Welborn.  
Total 25

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 417 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 430** passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, 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: Cuffe.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 192**, concurred in as follows:

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

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, McKamey, Morigeau, O'Brien, Olsen, Pope, Tempel, Webber.  
Total 18

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 222**, concurred in 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

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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

**HB 251**, concurred in 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

**HB 267**, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, 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, Emrich, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.

Total 17

Voted absentee: None.

Total 0

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**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. President Ellsworth in the chair.

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

**SB 348** - Senator McGillvray moved **SB 348** do pass. Senators Flowers, Lenz and Vance disclosed they are members of state retirement plans.

Motion **failed** as follows:

Yeas: Bartel, Beard, Bogner, Brown, Emrich, Esp, Fitzpatrick, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Manzella, McGillvray, Mr. President, Noland, Regier K, Trebas, Welborn, Zolnikov.  
Total 22

Nays: Boldman, Cuffe, Curdy, Dunwell, Ellis, Flowers, Fox, Friedel, Gross, Hayman, Kelker, Lynch, Mandeville, McClafferty, McKamey, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Usher, Vance, Vermeire, Webber.  
Total 28

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 348** - Majority Leader Fitzpatrick moved **SB 348** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Flowers, Fox, Gross, Hayman, Kelker, Lynch, Mandeville, Manzella, McClafferty, McKamey, Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 34

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Nays: Beard, Bogner, Brown, Emrich, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, McGillvray, Noland, Regier K.

Total 16

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 393** – Majority Leader Fitzpatrick moved **SB 393** do pass. Motion carried as follows:

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

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.

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

**SB 432** - Senator Manzella moved **SB 432** 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

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 483** - Senator Pope moved **SB 483** do pass. Motion carried as follows:

Yeas: Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Kelker, Lynch, McClafferty, McKamey, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Welborn.  
Total 30

Nays: Bartel, Beard, Bogner, Brown, Emrich, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, Molnar, Mr. President, Noland, Regier K, Usher, Zolnikov.  
Total 20

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 391** - Senator Usher moved **SB 391** do pass. Motion carried as follows:

Yeas: Beard, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Gross, Hayman, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McKamey, Morigeau, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber.  
Total 38

Nays: Bartel, Bogner, Emrich, Esp, Glimm, Hertz, Hinebauch, McGillvray, Molnar, Mr. President, Welborn, Zolnikov.  
Total 12

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**SB 385** - Senator Zolnikov moved **SB 385** do pass.

**SB 385** - Senator Zolnikov moved **SB 385**, second reading copy, be amended with [SB0385.001.001](#). 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, Salomon, Small, Tempel, Trebas, Usher, Vermeire, Webber, Welborn, Zolnikov.

Total 48

Nays: Sales, Vance.

Total 2

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 385**, 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, Pope, Regier K, Salomon, Small, Tempel, Trebas, Usher, Vermeire, Webber, Welborn, Zolnikov.

Total 47

Nays: Olsen, Sales, Vance.

Total 3

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 322** - Majority Leader Fitzpatrick moved **SB 322** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Cuffe, Curdy, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Glimm, Gross, Hayman, Hertz, Kelker, Lang, Lenz, McClafferty, McGillvray,



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McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Regier K, Sales, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 39

Nays: Brown, Dunwell, Emrich, Fuller, Hinebauch, Lynch, Mandeville, Manzella, Olsen, Pope, Usher.

Total 11

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 345** - Senator Noland moved **SB 345** 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.

Total 49

Nays: Zolnikov.

Total 1

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 369** - Senator Trebas moved **SB 369** do pass. Motion carried as follows:

Yeas: 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, Zolnikov.

Total 47

Nays: Bartel, Esp, Welborn.

Total 3

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 426** - Senator Small moved **SB 426** do pass. Motion carried as follows:

Yeas: 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 49

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: Bartel.  
Total 1

**SB 448** - Senator Cuffe moved **SB 448** 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 358** - Senator Hertz moved **SB 358** 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, Hertz, Hinebauch, Kelker, Lang, Lenz, 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 46

Nays: Hayman, Lynch, McClafferty, Olsen.  
Total 4

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 332** - Senator Hertz moved **SB 332** 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, 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 48

Nays: Hayman, Olsen.  
Total 2

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 331** - Senator Hertz moved **SB 331** do pass. Motion carried as follows:

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

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

Total 36

Nays: Boldman, Curdy, Ellis, Flowers, Fox, Gross, Hayman, Kelker, 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

**SB 323** - Senator Trebas moved **SB 323** do pass. Motion carried as follows:

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

Total 42

Nays: Curdy, Ellis, Hayman, Kelker, Molnar, O'Brien, Olsen, Pope.

Total 8

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 327** - Senator Glimm moved **SB 327** do pass. Motion carried 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, Salomon, Small, Trebas, Usher, Vance, Vermeire, Zolnikov.

Total 31

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

Total 19

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Fitzpatrick moved the committee **rise and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Ellsworth presiding.

Senate recessed at 3:05 p.m.

Senate reconvened at 3:23 p.m., President Ellsworth presiding.

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE, LIVESTOCK AND IRRIGATION** (Lang, Chair) 02/28/2023

**SB 375**, introduced bill, be amended with [SB0375.001.001](#) and, as amended, do pass.  
**SB 447**, introduced bill, be amended with [SB0447.001.001](#) and, as amended, do pass.  
**SB 462**, do pass.  
**SJ 13**, do pass.

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Small, Chair) 03/01/2023

**SB 380**, introduced bill, be amended with [SB0380.001.001](#) and, as amended, do pass.  
**SB 386**, do pass.  
**SB 411**, introduced bill, be amended with [SB0411.001.001](#) and, as amended, do pass.  
**SB 421**, introduced bill, be amended with [SB0421.001.001](#) and, as amended, do pass.  
**SB 444**, do pass.  
**SB 451**, do pass.  
**SB 454**, do pass.  
**SB 455**, do pass.  
**SB 456**, introduced bill, be amended with [SB0456.001.001](#) and, as amended, do pass.  
**SB 492**, do pass.

**ENERGY AND TELECOMMUNICATIONS** (Sales, Chair) 02/28/2023

**SB 109**, introduced bill, be amended with [SB0109.001.005](#) and, as amended, do pass.  
**SB 228**, introduced bill, be amended with [SB0228.001.001](#) and, as amended, do pass.

**FINANCE AND CLAIMS** (Esp, Chair) 03/01/2023

**SB 232**, do pass.  
**SB 294**, do pass.  
**SJ 18**, do pass.

**FISH AND GAME** (Hinebauch, Chair) 02/28/2023

**SB 354**, introduced bill, be amended with [SB0354.001.001](#) and, as amended, do pass.

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**SB 388**, introduced bill, be amended with [SB0388.001.001](#) and, as amended, do pass.  
**SJ 14**, do pass.

**LOCAL GOVERNMENT** (Friedel, Chair) 02/08/2023  
**SB 227**, introduced bill, be amended with [SB0227.001.001](#) and, as amended, do pass.

**LOCAL GOVERNMENT** (Friedel, Chair) 02/24/2023  
**SB 268**, introduced bill, be amended with [SB0268.001.004](#) and, as amended, do pass.

**LOCAL GOVERNMENT** (Friedel, Chair) 02/27/2023  
**SB 330**, do pass.

**SB 335**, introduced bill, be amended with [SB0335.001.001](#) and, as amended, do pass.

**SB 374**, do pass.

**SB 376**, introduced bill, be amended with [SB0376.001.002](#) and, as amended, do pass.

**SB 379**, introduced bill, be amended with [SB0379.001.002](#) and, as amended, do pass.

**SB 381**, do pass.

**SB 403**, do pass.

**SB 407**, introduced bill, be amended with [SB0407.001.001](#) and, as amended, do pass.

**SB 463**, introduced bill, be amended with [SB0463.001.003](#) and, as amended, do pass.

**SB 467**, do pass.

**SB 499**, do pass.

**SB 500**, introduced bill, be amended with [SB0500.001.001](#) and, as amended, do pass.

**SB 504**, introduced bill, be amended with [SB0504.001.001](#) and, as amended, do pass.

**LOCAL GOVERNMENT** (Friedel, Chair) 02/28/2023  
**SB 479**, introduced bill, be amended with [SB0479.001.009](#) and, as amended, do pass.

**TAXATION** (Hertz, Chair) 02/28/2023  
**SB 442**, do pass.

Without objection, committee reports were adopted.

**SECOND READING  
(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. President Ellsworth in the chair.

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

**SB 383** - Senator Hertz moved **SB 383** do pass.

**SB 383** - Senator Hertz moved **SB 383**, second reading copy, be amended with [SB0383.001.002](#).

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 383**, as amended, passed as follows:

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

Total 39

Nays: Bartel, Brown, Cuffe, Glimm, Hayman, Manzella, Molnar, Noland, Salomon, Tempel, Zolnikov.

Total 11

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 402** - Senator Curdy moved **SB 402** do pass. Motion **failed** as follows:

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

Total 24

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Nays: Bartel, Beard, Bogner, Brown, Emrich, Esp, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, Molnar, Mr. President, Noland, Regier K, Trebas, Usher, Vance, Vermeire, Zolnikov.  
Total 26

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 402** - Majority Leader Fitzpatrick moved **SB 402** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hayman, 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.  
Total 35

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Kelker, Lynch, McClafferty, Morigeau, Olsen, Pope, Webber, Zolnikov.  
Total 15

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 328** - Senator Lenz moved **SB 328** do pass.

**SB 328** - Senator Lenz moved **SB 328**, second reading copy, be amended with [SB0328.001.001](#). 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, 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



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Nays: Hinebauch.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 328**, 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 307** - Senator Noland moved **SB 307** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, 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, Gillespie, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.  
Total 17

Voted absentee: None.  
Total 0

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 429** - Majority Leader Fitzpatrick moved **SB 429** do pass.

**SB 429** - Majority Leader Fitzpatrick moved **SB 429**, second reading copy, be amended with [SB0429.001.004](#). 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 429**, 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

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Absent or not voting: None.  
Total 0

**SB 464** - Senator Trebas moved **SB 464** do pass. Motion carried as follows:

Yeas: Bogner, Boldman, Dunwell, Ellis, Emrich, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Hertz, Kelker, Lenz, Lynch, Mandeville, McClafferty, McGillvray, Molnar, Morigeau, Noland, O'Brien, Olsen, Pope, Sales, Small, Trebas, Vermeire, Webber, Zolnikov.  
Total 30

Nays: Bartel, Beard, Brown, Cuffe, Curdy, Esp, Fitzpatrick, Fuller, Glimm, Hinebauch, Lang, Manzella, McKamey, Mr. President, Regier K, Salomon, Tempel, Usher, Vance, Welborn.  
Total 20

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 Hertz moved **SB 203**, second reading copy, be amended with [SB0203.002.002](#). 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

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**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, 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 48

Nays: Gross, Molnar.  
Total 2

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 250** - Senator Manzella moved **SB 250** do pass.

**SB 250** - Senator Manzella moved **SB 250**, second reading copy, be amended with [SB0250.002.001](#). 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, Webber, Welborn, Zolnikov.  
Total 49

Nays: Vermeire.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**SB 250**, as amended, passed as follows:

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

Total 29

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

Total 21

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 256** - Senator Glimm moved **SB 256** do pass.

**SB 256** - Senator Molnar moved a substitute motion that **SB 256** do **not** pass. Motion carried as follows:

Yeas: Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Gross, Hayman, Kelker, Lynch, Mandeville, McClafferty, McGillvray, McKamey, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Small, Tempel, Trebas, Webber, Welborn, Zolnikov.

Total 30

Nays: Bartel, Beard, Brown, Emrich, Esp, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Manzella, Mr. President, Noland, Regier K, Salomon, Usher, Vance, Vermeire.

Total 20

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 487** - Majority Leader Fitzpatrick moved consideration of **SB 487** be moved to the bottom of the third agenda. Without objection, so ordered.

**SB 287** - Majority Leader Fitzpatrick moved **SB 287** do pass.

**SB 287** - Majority Leader Fitzpatrick moved **SB 287**, second reading copy, be amended with [SB0287.002.001](#). Amendment **adopted** as follows:

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Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, 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 34

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Lynch, McClafferty, Molnar, 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 287**, as amended, **failed** as follows:

Yeas: Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lang, Manzella, McKamey, Mr. President, Regier K, Sales, Trebas, Usher, Vance, Zolnikov.

Total 22

Nays: Bartel, Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lenz, Lynch, Mandeville, McClafferty, McGillvray, Molnar, Morigeau, Noland, O'Brien, Olsen, Pope, Salomon, Small, Tempel, Vermeire, Webber, Welborn.

Total 28

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

**SB 287** - Majority Leader Fitzpatrick moved **SB 287** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Gross, Hayman, Kelker, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien,

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Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 44

Nays: Emrich, Glimm, Hertz, Hinebauch, Lang, Regier K.

Total 6

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 382** - Senator Mandeville moved **SB 382** do pass. Motion carried as follows:

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

Total 44

Nays: Beard, Cuffe, Emrich, Fuller, Regier K.

Total 5

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

**SB 224** - Senator Hertz moved **SB 224** do pass. Motion carried 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

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

Majority Leader Fitzpatrick moved the committee **rise and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Ellsworth presiding.

Senate recessed at 5:08 p.m.

Senate reconvened at 5:27 p.m., President Ellsworth presiding.

**OB 07. SECOND READING  
(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. President Ellsworth in the chair.

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

**SB 459** - Senator Lynch moved **SB 459** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, 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 49

Nays: Boldman.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 497** - Majority Leader Fitzpatrick moved **SB 497** do pass.



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**SB 497** - Senator Hertz moved **SB 497**, second reading copy, be amended with [SB0497.001.002](#). Amendment **adopted** as follows:

Yeas: Bartel, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Mr. President, Noland, Regier K, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 31

Nays: Beard, Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Webber.  
Total 19

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 497**, as amended, **failed** as follows:

Yeas: Brown, Cuffe, Esp, Fitzpatrick, Fuller, Glimm, Hertz, Hinebauch, Lang, Manzella, McKamey, Regier K, Usher, Vance.  
Total 14

Nays: Bartel, Beard, Bogner, Boldman, Curdy, Dunwell, Ellis, Emrich, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Kelker, Lenz, Lynch, Mandeville, McClafferty, McGillvray, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Vermeire, Webber, Welborn, Zolnikov.  
Total 36

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 497** - Majority Leader Fitzpatrick moved **SB 497** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Gross, Hayman, Kelker, Lang, Lenz, Lynch, Mandeville,

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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: Emrich, Glimm, Hertz, Hinebauch.

Total 4

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SJ 16** - Senator Cuffe moved **SJ 16** 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 302** - Senator Emrich moved **SB 302** do pass. Motion **failed** as follows:

Yeas: Bartel, Brown, Emrich, Fitzpatrick, Gillespie, Glimm, Hertz, Hinebauch, Lenz, Manzella, McKamey, Noland, Regier K, Trebas, Usher, Zolnikov.

Total 16

Nays: Beard, Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Flowers, Fox, Friedel, Fuller, Gross, Hayman, Kelker, Lang, Lynch, Mandeville, McClafferty, McGillvray, Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vance, Vermeire, Webber, Welborn.

Total 34

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 302** - Majority Leader Fitzpatrick moved **SB 302** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Gross, Hayman, 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 45

Nays: Emrich, Friedel, Glimm, Hertz, Hinebauch.  
Total 5

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 317** - Senator Friedel moved **SB 317** do pass. Motion **failed** as follows:

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

Total 20

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

Total 30

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

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Absent or not voting: None.

Total 0

**SB 317** - Majority Leader Fitzpatrick moved **SB 317** be **indefinitely postponed**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Gillespie, Gross, Hayman, 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, Welborn, Zolnikov.

Total 43

Nays: Emrich, Friedel, Fuller, Glimm, Hertz, Hinebauch, Usher.

Total 7

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 198** - Senator Gross moved **SB 198** do pass. Motion carried as follows:

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

Total 35

Nays: Beard, Bogner, Brown, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Hertz, Hinebauch, Lang, Lenz, Mandeville, McKamey, Regier K.

Total 15

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**SB 296** - Senator Beard moved **SB 296** do pass. Motion carried as follows:

Yeas: Beard, Boldman, Brown, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Hertz, Kelker, Lang, Lynch, Mandeville, Manzella, McClafferty, McKamey, Morigeau, Mr. President, O'Brien, Olsen, Pope, Regier K, Sales, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 37

Nays: Bartel, Bogner, Cuffe, Emrich, Esp, Fuller, Glimm, Hinebauch, Lenz, McGillvray, Molnar, Noland, Salomon.

Total 13

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 308** - Senator Bogner moved **SB 308** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, 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 40

Nays: Boldman, Dunwell, Ellis, Gross, Hayman, Kelker, O'Brien, Olsen, Pope, Webber.

Total 10

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 364** - Senator Hertz moved **SB 364** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Emrich, Esp, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Regier K, Salomon, Trebas, Usher, Vance, Zolnikov.

Total 29

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Nays: Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lynch, O'Brien, Olsen, Pope, Sales, Small, Tempel, Vermeire, Webber, Welborn.

Total 21

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 425** - Senator Small moved **SB 425** do pass. Motion carried as follows:

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

Total 39

Nays: Brown, Emrich, Esp, Fitzpatrick, Fuller, Glimm, Hinebauch, Manzella, Noland, Regier K, Welborn.

Total 11

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 450** - Senator Emrich moved **SB 450** do pass. Motion carried 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, Small, Trebas, Usher, Vance, Zolnikov.

Total 29

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

Total 21

Voted absentee: None.

Total 0

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 465-** Majority Leader Fitzpatrick moved consideration of **SB 465** be passed for the day. Without objection, so ordered.

**SB 487-** Majority Leader Fitzpatrick moved consideration of **SB 487** be passed for the day. Without objection, so ordered.

**SB 416** - Senator Ellis moved **SB 416** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, 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 48

Nays: Emrich, Glimm.  
Total 2

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 47** - Senator Manzella moved **SB 47** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Gross, Hayman, Hertz, Kelker, Lang, Manzella, McClafferty, McKamey, Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Vermeire, Webber, Welborn.  
Total 35

Nays: Brown, Emrich, Esp, Friedel, Glimm, Hinebauch, Lenz, Lynch, Mandeville, McGillvray, Noland, Regier K, Usher, Vance, Zolnikov.  
Total 15

Voted absentee: None.  
Total 0

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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.

Majority Leader Fitzpatrick 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, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn.  
Total 46

Nays: Lynch, Morigeau, Webber, Zolnikov.  
Total 4

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 11, SB 47, SB 250, SB 296, and SB 383**, heard on second reading this day, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved the Senate **reconsider its action on SB 336** which failed to obtain the required 2/3 vote on third reading this date, and that **SB 336** be placed on third reading the next legislative day. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Friedel, Gillespie, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lynch, Mandeville, McClafferty, McGillvray, McKamey, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Trebas, Vermeire, Zolnikov.  
Total 32



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Nays: Cuffe, Emrich, Esp, Fox, Fuller, Glimm, Lenz, Manzella, Molnar, Regier K, Sales, Salomon, Small, Tempel, Usher, Vance, Webber, Welborn.

Total 18

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Fitzpatrick moved the Senate **reconsider its action on SB 392**, and that **SB 392** be placed on third reading the next legislative day. Motion carried as follows:

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

Total 26

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

Total 24

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Senator McGillvray moved to change his second reading vote on **SB 287** from Yes to No. Without objection, so ordered.

Senator Olsen moved to change her third reading vote on **SB 368** from Yes to No. Without objection, so ordered.

Senator Hertz moved to change his third reading vote on **SB 339** from No to Yes. Without objection, so ordered.

Senator Boldman moved to change her third reading vote on **SB 368** from Yes to No. Without objection, so ordered.

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**ANNOUNCEMENT OF COMMITTEE MEETINGS**

Majority Leader Fitzpatrick moved the Senate adjourn until 8:00 a.m., 03/02/2023, the 44th legislative day. Motion carried.

Senate adjourned at 8:03 p.m.

MARILYN MILLER  
Secretary of the Senate

JASON ELLSWORTH  
President of the Senate