

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

Helena, Montana
March 18, 2023

Senate Chambers
State Capitol

Senate convened at 8:00 a.m. President Pro Tempore Bogner presiding. Invocation by Pastor Bostrom. Pledge of Allegiance to the Flag.

Roll Call. Forty-nine members present. Senator Zolnikov excused. Quorum present.

BILLS AND JOURNALS (Lang, Chair)

Correctly printed: **SB 104, SB 513, SB 514, SR 58, HB 26, HB 27, HB 42, HB 74, HB 75, HB 89, HB 105, HB 106, HB 127, HB 129, HB 144, HB 146, HB 155, HB 181, HB 187, HB 254, HB 263, HB 281, HB 301, HB 356, HB 381, HB 397, HB 401, HB 426, HB 450, HB 480, HJ 10.**

REPORTS OF STANDING COMMITTEES

JUDICIARY (Regier, Chair)

03/17/2023

HB 161, be amended with [HB0161.002.001](#) and, as amended, be concurred in.

Without objection, the committee report was adopted.

MESSAGES FROM THE GOVERNOR

February 1, 2023

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

By Hand and Electronic Delivery

Dear President Ellsworth:

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

State Compensation Insurance Fund Board of Directors

MCA § 2-15-1019

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

SENATE JOURNAL
FIFTY-FOURTH LEGISLATIVE DAY - March 18, 2023

- **Nancy Butler**, 2000 5th Ave, Helena MT 59602, who was appointed to serve a term starting April 1, 2023 and through March 31, 2027. Ms. Butler fulfills the requirements as having executive management experience. I support the confirmation of Ms. Butler.
- **Wylie Galt**, 106 71 Ranch Rd, Martinsdale MT 59053, who was appointed to serve a term starting April 1, 2023 and through March 31, 2027. Mr. Galt fulfills the requirements as a policy holder and private enterprise representative. I support the confirmation of Mr. Galt.
- **Dexter Thiel**, 1807 South Central Ave., Sidney MT 59220, who was appointed to serve a term starting April 1, 2023 and through March 31, 2027. Mr. Thiel fulfills the qualifications as a policy holder. I support the confirmation of Mr. Thiel.

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

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

Thank you for your consideration and service.

Sincerely,

Greg Gianforte
GOVERNOR

March 16, 2023

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

By Hand and Electronic Delivery

Dear President Ellsworth:

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

Board of Real Estate Appraisers
MCA § 2-15-1758

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

- **Peter T. Christensen**, 82 Robert Court, Bozeman, MT 59718, who was appointed to serve a term starting March 20, 2023, and through April 1, 2025. Mr. Christensen fulfills the requirements as a member of the public who is not engaged in the occupation of real estate appraisers. I support the confirmation of Mr. Christensen.

SENATE JOURNAL
FIFTY-FOURTH LEGISLATIVE DAY - March 18, 2023

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

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

Thank you for your consideration and service.

Sincerely,

Greg Gianforte
GOVERNOR

March 16, 2023

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

By Hand and Electronic Delivery

Dear President Ellsworth:

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

State Parks and Recreation Board
MCA § 2-25-3406

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

- **John Marancik**, 902 3rd Ave., Laurel, MT 59044, who was appointed on March 20, 2023, and whose term expires January 1, 2027. Mr. Marancik fulfills the requirements as a representative of District 5. I support the confirmation of Mr. Marancik.

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

I have asked Hannah Slusser, my Boards and Appointments Director, to coordinate with your office and Legislative Services as these appointments move through the confirmation process.

SENATE JOURNAL
FIFTY-FOURTH LEGISLATIVE DAY - March 18, 2023

Ms. Slusser can be reached at 444-5665 or by email at Hannah.Slusser@mt.gov.
Thank you for your consideration and service.

Sincerely,

Greg Gianforte
GOVERNOR

March 16, 2023

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

By Hand and Electronic Delivery

Dear President Ellsworth:

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

In my letter to you dated January 2, 2023, there was a mistake in the term for Liz Whiting. Please use the information below to amend SR 2.

State Parks and Recreation Board
MCA § 2-25-3406

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

- **Liz Whiting**, 2105 23rd St A., Apt 210, Great Falls, MT 59405, who was appointed on March 20, 2023, and whose term expires January 1, 2027. Ms. Whiting fulfills the requirements as a representative of District 3. I support the confirmation of Ms. Whiting.

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

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

Thank you for your consideration and service.

Sincerely,

Greg Gianforte
GOVERNOR

SENATE JOURNAL
FIFTY-FOURTH LEGISLATIVE DAY - March 18, 2023

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate Bills concurred in and returned to the Senate: 03/17/2023

SB 1, introduced by D. Salomon
SB 69, introduced by S. O'Brien

Senate amendments to House bill concurred: 03/17/2023

HB 320, introduced by N. Duram

House bills passed and transmitted to the Senate for concurrence: 03/17/2023

HB 346, introduced by J. Windy Boy
HB 481, introduced by R. Fitzgerald
HB 482, introduced by J. Gillette
HB 612, introduced by M. Bertoglio

FIRST READING AND COMMITMENT OF BILLS

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

SB 515, introduced by S. Fitzpatrick, D. Salomon, J. Esp, T. McGillvray, G. Hertz, D. Lenz, J. Hinkle, W. McKamey, S. Hinebauch, M. Regier, J. Small, J. Ellsworth, R. Knudsen, K. Bogner, J. Kassmier, J. Carlson, C. Friedel, referred to State Administration.

SB 516, introduced by J. Gross, F. Smith, D. Salomon, S. Fitzpatrick, E. McClafferty, J. Welborn, B. Molnar, M. Lang, D. Zolnikov, R. Lynch, A. Olsen, W. Curdy, M. Dunwell, J. Ellis, D. Hayman, C. Pope, S. Webber, D. Loge, R. Fitzgerald, B. Usher, E. Boldman, S. Morigeau, J. Small, L. Bishop, J. Ellsworth, D. Harvey, K. Bogner, B. Gillespie, J. Kassmier, P. Flowers, M. Fox, L. Brewster, A. Buckley, M. Thane, C. Friedel, S. O'Brien, G. Parry, L. Smith, referred to Business, Labor, and Economic Affairs.

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

HB 346, introduced by J. Windy Boy, S. Stewart Peregoy, A. Olsen, W. Curdy, M. Weatherwax, T. Running Wolf, D. Hawk, referred to Education and Cultural Resources.

HB 481, introduced by R. Fitzgerald, referred to Taxation.

HB 482, introduced by J. Gillette, J. Carlson, referred to Education and Cultural Resources.

HB 612, introduced by M. Bertoglio, referred to Business, Labor, and Economic Affairs.

THIRD READING OF BILLS

SB 5, as amended by the House, 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,

SENATE JOURNAL
FIFTY-FOURTH LEGISLATIVE DAY - March 18, 2023

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

Total 49

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Zolnikov.

Total 1

Absent or not voting: None.

Total 0

HB 89, concurred in 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: None.

Total 0

Voted absentee: None.

Total 0

Excused: Zolnikov.

Total 1

Absent or not voting: None.

Total 0

HB 106, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, 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 48

Nays: Beard.

Total 1

SENATE JOURNAL
FIFTY-FOURTH LEGISLATIVE DAY - March 18, 2023

Voted absentee: None.
Total 0

Excused: Zolnikov.
Total 1

Absent or not voting: None.
Total 0

HB 144, concurred in 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, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn.
Total 46

Nays: Hinebauch, Lenz, McGillvray.
Total 3

Voted absentee: None.
Total 0

Excused: Zolnikov.
Total 1

Absent or not voting: None.
Total 0

HB 155, concurred in 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, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Trebas, Usher, Vance, Vermeire, Webber, Welborn.
Total 47

Nays: McGillvray, Tempel.
Total 2

Voted absentee: None.
Total 0

Excused: Zolnikov.
Total 1

SENATE JOURNAL
FIFTY-FOURTH LEGISLATIVE DAY - March 18, 2023

Absent or not voting: None.
Total 0

HB 187, concurred in 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: None.
Total 0

Voted absentee: None.
Total 0

Excused: Zolnikov.
Total 1

Absent or not voting: None.
Total 0

HB 263, concurred in 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: None.
Total 0

Voted absentee: None.
Total 0

Excused: Zolnikov.
Total 1

Absent or not voting: None.
Total 0

HB 281, concurred in 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,

SENATE JOURNAL
FIFTY-FOURTH LEGISLATIVE DAY - March 18, 2023

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: None.
Total 0

Voted absentee: None.
Total 0

Excused: Zolnikov.
Total 1

Absent or not voting: None.
Total 0

ANNOUNCEMENT OF COMMITTEE MEETINGS

Committee meetings were announced by the committee chairs.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 03/20/2023, the 55th legislative day. Motion carried.

Senate adjourned at 8:16 a.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate