

**SENATE JOURNAL  
68TH LEGISLATURE  
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
March 27, 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 505, SB 506, SB 536, SB 537, SB 538, SB 539, SB 540, SB 541, HB 131, HB 247, HB 256, HB 290, HB 292, HB 296, HB 297, HB 505, HB 524, HB 525, HB 560, HB 579, HB 593, HB 596, HB 639, HB 665, HB 710, HB 777.**

Correctly engrossed: **SB 402, SB 507, SB 510, HB 47, HB 161, HB 217, HB 243, HB 302, HB 518, HB 805.**

Transmitted to the House: **HB 26, HB 34, HB 116, HB 129, HB 151, HB 310, HB 343, HB 399, HB 555, HB 795, HJ 7, HJ 11.**

**SPECIAL ORDERS OF THE DAY**

Senator Hertz introduced the Port Polson Players who presented a portion of "*No Coward's Epitaph, the Story of Thomas Francis Meagher*," a musical based on the life of Montana's first Acting Territorial Governor.

Born in Ireland, educated in England, Meagher was sentenced to death for sedition against England before being sent to Van Diemen's Land (Tasmania). Meagher escaped Van Diemen's Land and ended up in New York City where he became an American citizen. As Montana's first Acting Territorial Governor, he laid the groundwork for Montana statehood and was the first public official to recommend that the Yellowstone region should be protected. Meagher died in 1867 when he disappeared off a riverboat in Fort Benton, Montana.

**REPORTS OF STANDING COMMITTEES**

**FINANCE AND CLAIMS** (Esp, Chair) 03/24/2023

**SB 47**, introduced bill, be amended with [SB0047.002.003](#) and, as amended, do pass.

**SB 250**, introduced bill, be amended with [SB0250.003.001](#) and, as amended, do pass.

**HB 117**, be concurred in.

**HB 171**, be concurred in.

**HB 367**, be amended with [HB0367.002.003](#) and, as amended, be concurred in.

**JUDICIARY** (Regier, Chair) 03/24/2023

**HB 513**, be amended with [HB0513.002.001](#) and, as amended, be concurred in.

**HB 525**, be concurred in.

**HB 560**, be concurred in.

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**PUBLIC HEALTH, WELFARE AND SAFETY** (McGillvray, Chair) 03/24/2023  
HB 227, be concurred in.  
HB 313, be concurred in.  
HB 385, be amended with [HB0385.002.001](#) and, as amended, be concurred in.  
HB 392, be concurred in.  
HB 417, be concurred in.

**STATE ADMINISTRATION** (Cuffe, Chair) 03/24/2023  
HB 400, be concurred in.  
HB 510, be concurred in.  
HB 536, be concurred in.

**TAXATION** (Hertz, Chair) 03/21/2023  
SB 253, introduced bill, be amended with [SB0253.002.001](#) and, as amended, do pass.

Without objection, committee reports were adopted.

**MESSAGES FROM THE GOVERNOR**

March 24, 2023

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

The Honorable Matt Regier  
Speaker of the House  
State Capitol  
Helena, MT 59601

Dear President Ellsworth and Speaker Regier:

Like you and members of the Legislature, I am committed to ensuring that Montanans facing mental health challenges receive the treatment they need. The Montana Department of Public Health and Human Services (DPHHS) takes very seriously its responsibility for addressing the behavioral health needs of vulnerable individuals in its care. Specifically, for those who are placed in the custody of DPHHS after being adjudicated Not Guilty because of Mental Illness (NGMI) at the end of a criminal proceeding, the department provides quality behavioral health treatment to enable such individuals to successfully reenter society, if possible.

While I appreciate the Legislature's work to fill the statutory gap of ensuring the supervision of NGMI individuals as they transition back into their communities, **Senate Bill 6** is incomplete and can be strengthened.

Therefore, in accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments **Senate Bill 6: "AN ACT**

**GENERALLY REVISING LAWS RELATED TO CONDITIONAL RELEASE OF A PERSON CRIMINALLY COMMITTED TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; AND AMENDING SECTION 46-14-304, MCA.”**

SB 6 inappropriately adds to DPHHS' role as behavioral health treatment provider for NGMI individuals, the role of parole officer for those who are conditionally released from its custody. Nevertheless, the department stands ready to undertake this new supervisory role. In its current form, however, SB 6 fails to provide DPHHS with sufficient authority to carry out the intent of the legislation to protect public safety and operate a supervisory system for individuals who had been adjudicated NGMI but have been conditionally released. SB 6 currently does not provide the department with the appropriate tools necessary to protect both the NGMI individual and the community into which he or she is conditionally released.

Therefore, I offer an amendment that strengthens SB 6 and promotes its proper implementation. Specifically, my amendment authorizes DPHHS, in its best judgment, to seek the return of individuals to its custody to promote public safety and protect the safety and well-being of these individuals if they fail to observe the conditions of their release or otherwise need the level of behavioral health treatment that only it can provide.

Further, the amendment I offer recognizes the unique needs of this patient population, while also ensuring there is an obligation on the part of such individuals who have been conditionally released into their communities to comply with their treatment plan or any other requirements imposed on them as a condition of their release, and to avoid further interaction with the criminal justice system.

Finally, the amendment I offer honors the good work of the Law and Justice Interim Committee by returning the bill largely to what the committee originally recommended and adopted.

SB 6 can be improved to provide DPHHS with appropriate authority to promote the well-being and safety of NGMI individuals and Montana communities alike, and I respectfully ask for your support of this amendment.

Sincerely,

Greg Gianforte  
Governor

Enclosure

cc: Legislative Services Division  
Christi Jacobsen, Secretary of State

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**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

Senate bills concurred in and returned to the Senate: 03/24/2023

**SB 4**, introduced by J. Gross  
**SB 43**, introduced by W. Curdy  
**SB 56**, introduced by E. McClafferty  
**SB 66**, introduced by M. Fox  
**SB 81**, introduced by R. Tempel

Senate bills concurred in and returned to the Senate: 03/25/2023

**SB 24**, introduced by G. Hertz  
**SB 49**, introduced by M. Cuffe  
**SB 100**, introduced by G. Hertz  
**SB 101**, introduced by G. Hertz

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 03/24/2023

**SB 99**, introduced by J. Fuller

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 03/25/23

**SB 50**, introduced by D. Bartel

House bills passed and transmitted to the Senate for concurrence: 03/24/2023

**HB 679**, introduced by D. Loge  
**HB 817**, introduced by J. Fitzpatrick

House bills passed and transmitted to the Senate for concurrence: 03/25/2023

**HB 597**, introduced by N. Duram  
**HB 674**, introduced by K. Seekins-Crowe

**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 542**, introduced by B. Molnar, referred to State Administration.  
**SB 543**, introduced by E. Boldman, referred to Business, Labor, and Economic Affairs.  
**SB 544**, introduced by W. Curdy, C. Pope, W. Sales, J. Small, J. Ellsworth, J. Fuller, K. Bogner, B. Gillespie, P. Flowers, M. Fox, T. Smith, T. Vermeire, referred to Business, Labor, and Economic Affairs.  
**SB 545**, introduced by S. Fitzpatrick, referred to Local Government.  
**SB 546**, introduced by K. Regier, referred to Business, Labor, and Economic Affairs.

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**SB 547**, introduced by S. O'Brien, referred to Finance and Claims.  
**SB 548**, introduced by J. Trebas, E. Butcher, C. Pope, referred to Taxation.  
**SB 549**, introduced by G. Hertz, E. Boldman, referred to Local Government.  
**SB 550**, introduced by G. Hertz, referred to Taxation.

The following Senate bill was introduced and read first time:

**SB 551**, introduced by C. Pope.

The following Senate bill, previously introduced, was referred to committee:

**SB 541**, introduced by M. Dunwell, referred to Taxation.

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

**HB 597**, introduced by N. Duram, referred to Finance and Claims.  
**HB 674**, introduced by K. Seekins-Crowe, M. Hopkins, J. Kassmier, L. Brewster, K. Zolnikov, P. Fielder, S. Galloway, R. Marshall, T. Brockman, N. Nicol, referred to Judiciary.  
**HB 679**, introduced by D. Loge, referred to Highways and Transportation.  
**HB 817**, introduced by J. Fitzpatrick (by request of the (H) Appropriations), referred to Finance and Claims.

### **Announcements and Introductions**

Senator Fuller entered the following information into the record:

On March 27, 2019, a native son of Montana, born in Great Falls and later residing in Bozeman, was posthumously awarded this nation's highest recognition of valor, the Medal of Honor. Staff Sergeant Travis Atkins, Montana's sixth recipient of the Medal of Honor, on his "climb to glory" demonstrated why we as the people's representatives should conduct ourselves as worthy of his sacrifice. We thank God such men lived. He is forever young!

Senator Small introduced the Pages for the coming week:

Gavin Holmlund from Great Falls, Montana, sponsored by Senator McKamey  
Kai McDonald from Polson, Montana, sponsored by Senator Morigeau  
Abigail Meredith from Belgrade, Montana, sponsored by Senator Vance  
Thea Gillespie from Madison, Wisconsin, sponsored by Senator Gillespie

### **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 Lynch in the chair.

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

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**HB 457** - Senator Gross moved **HB 457** be concurred in.

**HB 457** - Majority Leader Fitzpatrick moved **HB 457**, second reading copy, be amended with [HB0457.003.001](#). 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, Vermeire, Webber, Welborn, Zolnikov.  
Total 50

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 457**, as amended, 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, 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 298** - Senator Molnar moved **SB 298** do pass. Motion carried as follows:

Yeas: Brown, Cuffe, Emrich, Esp, Fitzpatrick, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hertz, Hinebauch, Mandeville, Manzella, McGillvray, McKamey, Molnar, Morigeau, Mr. President, O'Brien, Regier K, Salomon, Small, Trebas, Vermeire, Welborn, Zolnikov.

Total 28

Nays: Bartel, Beard, Bogner, Boldman, Curdy, Dunwell, Ellis, Flowers, Hayman, Kelker, Lang, Lenz, Lynch, McClafferty, Noland, Olsen, Pope, Sales, Tempel, Usher, Vance, Webber.

Total 22

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 635** - Senator Brown moved **HB 635** be concurred in. Motion carried as follows:

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

Total 27

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

Total 23

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 246** - Senator Bogner moved **HB 246** 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

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Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 291** - Senator Mandeville moved **HB 291** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 50

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 299** - Senator Bogner moved **HB 299** be concurred in. 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



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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 316** - Senator Bogner moved **HB 316** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 50

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 134** - Senator Fox moved **HB 134** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 50

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**HB 186** - Senator Vance moved **HB 186** be concurred in. Motion carried as follows:

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

Total 4

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 224** - Senator Hayman moved **HB 224** 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, 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: McGillvray.

Total 1

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 295** - Senator Bartel moved **HB 295** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar,

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

Total 50

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 188** - Senator Trebas moved **HB 188** 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 122** - Senator Hertz moved **SB 122** do pass. Motion carried as follows:

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

Total 40

Nays: Dunwell, Ellis, Hayman, Kelker, Lynch, Olsen, Pope, Sales, Salomon, Tempel.

Total 10

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 176 – House Amendments** - Senator Regier moved do concur in House amendments to **SB 176**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, 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: Esp, Hinebauch.  
Total 2

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 145** - Senator Regier moved **SB 145** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Brown, Emrich, Flowers, Fuller, Gillespie, Glimm, Gross, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Noland, Olsen, Pope, Regier K, Sales, Trebas, Usher, Vance, Welborn.

Total 29

Nays: Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Fox, Friedel, Hayman, Kelker, Morigeau, Mr. President, O'Brien, Salomon, Small, Tempel, Vermeire, Webber, Zolnikov.  
Total 21

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

Vote totals reflect a vote change by Senator Gross from No to Yes, and a vote change by Senator Olsen from No to Yes. Both changes were made under Order of Business 9, Motions.

**HB 274** - Senator McGillvray moved **HB 274** 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

Majority Leader Fitzpatrick moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Ellsworth presiding.

Senator Lynch 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

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Absent or not voting: None.  
Total 0

**MOTIONS**

Senator Gross moved to change her second reading vote on **SB 145** from No to Yes. Without objection, so ordered.

Senator Olsen moved to change her second reading vote on **SB 145** from No to Yes. Without objection, so ordered.

**THIRD READING OF BILLS**

**SB 505** 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

**HB 131**, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, 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 39

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

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 247**, 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, Zolnikov.  
Total 50

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 256**, concurred in as follows:

Yeas: Beard, Bogner, Brown, Cuffe, Emrich, Fitzpatrick, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Lang, Manzella, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Regier K, Sales, Small, Tempel, Trebas, Usher, Vance, Vermeire, Zolnikov.  
Total 29

Nays: Bartel, Boldman, Curdy, Dunwell, Ellis, Esp, Flowers, Gross, Hayman, Hinebauch, Kelker, Lenz, Lynch, Mandeville, McClafferty, O'Brien, Olsen, Pope, Salomon, Webber, Welborn.  
Total 21

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**HB 296**, concurred in as follows:

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

Total 40

Nays: Ellis, Emrich, Esp, Gross, Hayman, Hinebauch, Manzella, Olsen, Pope, Webber.

Total 10

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 579**, concurred in as follows:

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

Total 45

Nays: Glimm, Hinebauch, Lang, Lenz, McGillvray.

Total 5

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

## MOTIONS

Majority Leader Fitzpatrick moved to re-refer **HB 457**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **SB 298**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.



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Majority Leader Fitzpatrick moved to re-refer **HB 188**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **SB 122**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **SB 145**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

**UNFINISHED BUSINESS**

Senator McGillvray moved the following undersigned name be **ADDED** as sponsor to **SB 534**:  
Representative M. Hinkle

Without objection, so ordered.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

Committee meetings were announced by the committee chairs.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 03/28/2023, the 62nd legislative day. Motion carried.

Senate adjourned at 3:13 p.m.

MARILYN MILLER  
Secretary of the Senate

JASON ELLSWORTH  
President of the Senate