

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

Helena, Montana
April 05, 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: **SJ 19, HB 72, HB 154, HB 231, HB 298, HB 335, HB 371, HB 379, HB 384, HB 385, HB 387, HB 427, HB 550, HB 557, HB 598, HB 622, HB 661, HB 695, HB 764, HB 797.**

Correctly engrossed: **HB 255.**

Examined by the sponsor and found to be correct: **SB 4, SB 49, SB 56, SB 58, SB 66, SB 81, SB 100, SB 101, SB 159, SR 62, SR 63, SR 64.**

Correctly enrolled: **SB 4, SB 49, SB 56, SB 58, SB 66, SB 81, SB 100, SB 101, SB 159, SR 62, SR 63, SR 64.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Small, Chair)

04/04/2023

HB 115, be concurred in.

HB 358, be amended with [HB0358.002.001](#) and, as amended, be concurred in.

HB 573, be concurred in.

HB 636, be concurred in.

HB 682, be concurred in.

HB 751, be concurred in.

ENERGY AND TELECOMMUNICATIONS (Sales, Chair)

04/04/2023

HB 729, be concurred in.

HJ 6, be concurred in.

FISH AND GAME (Hinebauch, Chair)

04/04/2023

HB 438, be concurred in.

HB 440, be amended with [HB0440.003.001](#) and, as amended, be concurred in.

HIGHWAYS AND TRANSPORTATION (Manzella, Chair)

04/04/2023

HB 327, be concurred in.

HB 331, be concurred in.

HB 333, be amended with [HB0333.003.001](#) and, as amended, be concurred in.

HB 519, be concurred in.

HB 365, be amended with [HB0365.001.001](#) and, as amended, be concurred in.

HB 439, be amended with [HB0439.002.001](#) and, as amended, be concurred in.

HB 470, be amended with [HB0470.002.001](#) and, as amended, be concurred in.

HB 491, be amended with [HB0491.003.001](#) and, as amended, be concurred in.

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JUDICIARY (Regier, Chair) 04/04/2023
HB 575, be amended with [HB0575.001.001](#) and, as amended, be concurred in.
HB 625, be amended with [HB0625.001.001](#) and, as amended, be concurred in.
HB 659, be concurred in.
HB 676, be amended with [HB0676.001.003](#) and, as amended, be concurred in.

LEGISLATIVE ADMINISTRATION (Lang, Chair) 04/05/2023
HB 140, be amended with [HB0140.001.002](#) and, as amended, be concurred in.
HB 493, be concurred in.
HB 739, be concurred in.

TAXATION (Hertz, Chair) 04/05/2023
HB 189, be concurred in.
HB 225, be concurred in.
HB 325, be amended with [HB0325.001.004](#) and, as amended, be concurred in.
HB 601, be concurred in.
HB 823, be concurred in.

Without objection, committee reports were adopted.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence: 04/04/2023

HB 87, introduced by B. Mercer
HB 193, introduced by F. Anderson
HB 332, introduced by D. Bedey
HB 372, introduced by P. Fielder
HB 485, introduced by J. Kassmier
HB 517, introduced by M. Hopkins
HB 551, introduced by C. Knudsen
HB 648, introduced by A. Buckley
HB 649, introduced by M. Caferro
HB 774, introduced by M. Hopkins
HB 816, introduced by J. Kassmier
HB 819, introduced by P. Green
HB 821, introduced by M. Malone
HB 828, introduced by E. Buttrey
HB 833, introduced by B. Barker
HB 840, introduced by R. Marshall
HB 846, introduced by T. France
HB 855, introduced by L. Smith
HB 856, introduced by M. Regier
HB 861, introduced by B. Phalen
HB 867, introduced by E. Buttrey
HB 870, introduced by B. Ler
HB 872, introduced by B. Keenan
HB 874, introduced by L. Brewster

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HB 881, introduced by E. Buttrey
HB 883, introduced by L. Jones
HB 886, introduced by R. Fitzgerald
HB 889, introduced by J. Karlen
HB 898, introduced by P. Tuss
HB 904, introduced by C. Knudsen
HB 906, introduced by C. Knudsen
HB 913, introduced by B. Barker
HB 915, introduced by B. Mercer
HB 918, introduced by A. Buckley
HB 920, introduced by D. Bedey
HB 927, introduced by M. Regier
HB 928, introduced by J. Fitzpatrick
HB 929, introduced by S. Gunderson
HB 937, introduced by L. Sheldon-Galloway
HB 941, introduced by G. Frazer
HB 943, introduced by D. Fern
HB 944, introduced by P. Tuss
HB 948, introduced by S. Galloway
HB 949, introduced by D. Bedey
HB 950, introduced by M. Hopkins
HB 952, introduced by C. Sprunger
HB 963, introduced by M. Regier
HB 969, introduced by K. Zolnikov

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced and read first time:

HB 87, introduced by B. Mercer
HB 193, introduced by F. Anderson
HB 332, introduced by D. Bedey
HB 372, introduced by P. Fielder
HB 485, introduced by J. Kassmier
HB 517, introduced by M. Hopkins
HB 551, introduced by C. Knudsen
HB 648, introduced by A. Buckley
HB 649, introduced by M. Caferro
HB 774, introduced by M. Hopkins
HB 816, introduced by J. Kassmier
HB 819, introduced by P. Green
HB 821, introduced by M. Malone
HB 828, introduced by E. Buttrey
HB 833, introduced by B. Barker
HB 840, introduced by R. Marshall
HB 846, introduced by T. France
HB 855, introduced by L. Smith
HB 856, introduced by M. Regier

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HB 861, introduced by B. Phalen
HB 867, introduced by E. Buttrey
HB 870, introduced by B. Ler
HB 872, introduced by B. Keenan
HB 874, introduced by L. Brewster
HB 881, introduced by E. Buttrey
HB 883, introduced by L. Jones
HB 886, introduced by R. Fitzgerald
HB 889, introduced by J. Karlen
HB 898, introduced by P. Tuss
HB 904, introduced by C. Knudsen
HB 906, introduced by C. Knudsen
HB 913, introduced by B. Barker
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HB 918, introduced by A. Buckley
HB 920, introduced by D. Bedey
HB 927, introduced by M. Regier
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HB 929, introduced by S. Gunderson
HB 937, introduced by L. Sheldon-Galloway
HB 941, introduced by G. Frazer
HB 943, introduced by D. Fern
HB 944, introduced by P. Tuss
HB 948, introduced by S. Galloway
HB 949, introduced by D. Bedey
HB 950, introduced by M. Hopkins
HB 952, introduced by C. Sprunger
HB 963, introduced by M. Regier
HB 969, introduced by K. Zolnikov

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

HB 128, introduced by J.Kassmier, referred to Business, Labor and Economic Affairs.
HB 288, introduced by J.Windy Boy, referred to Education and Cultural Resources.
HB 321, introduced by L.Reksten, referred to Education and Cultural Resources.
HB 382, introduced by G.Oblander, referred to Education and Cultural Resources.
HB 424, introduced by L.Jones, referred to Finance and Claims.
HB 479, introduced by J.Read, referred to Judiciary.
HB 669, introduced by B.Mercer, referred to Finance and Claims.
HB 749, introduced by L.Jones, referred to Education and Cultural Resources.
HB 822, introduced by B.Keenan, Public Health, Welfare, and Safety.
HB 830, introduced by G.Nikolakakos, referred to Taxation.
HB 835, introduced by B.Keenan, referred to Finance and Claims.
HB 836, introduced by K.Zolnikov, referred to Business, Labor and Economic Affairs.
HB 839, introduced by K.Seekins-Crowe, referred to Finance and Claims.
HB 852, introduced by J.Cohenour, referred to State Administration.
HB 864, introduced by T.Moore, referred to Finance and Claims.
HB 868, introduced by J.Schillinger, referred to Finance and Claims.
HB 880, introduced by L.Sheldon-Galloway, referred to Agriculture, Livestock and Irrigation.
HB 890, introduced by B.Barker, referred to Local Government.

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HB 891, introduced by J.Carlson, referred to Finance and Claims.
HB 892, introduced by L.Hellegaard, referred to State Administration.
HB 902, introduced by R.Fitzgerald, referred to Highways and Transportation.
HB 903, introduced by M.Hopkins, referred to Business, Labor and Economic Affairs.
HB 914, introduced by K.Zolnikov, referred to Local Government.
HB 916, introduced by B.Mercer, referred to Finance and Claims.
HB 917, introduced by B.Keenan, referred to Finance and Claims.
HB 922, introduced by B.Keenan, referred to Finance and Claims.
HB 924, introduced by M.Regier, referred to Natural Resources.
HB 925, introduced by L.Brewster, referred to Taxation.
HB 938, introduced by J.Kassmier, referred to Local Government.
HB 946, introduced by D.Bedey, referred to Finance and Claims.
HB 947, introduced by G.Nikolakakos, referred to State Administration.
HB 968, introduced by A.Regier, referred to Judiciary.

THIRD READING OF BILLS

HB 72, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lynch, Mandeville, Manzella, McClafferty, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Trebas, Usher, Vance, Vermeire, Webber, Zolnikov.
Total 43

Nays: Esp, Lang, Lenz, McGillvray, McKamey, Tempel, Welborn.
Total 7

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 154, 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

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 231, 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 298, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Lynch, 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, Fox, Gross, Hayman, Kelker, 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

HB 335, 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 371, concurred in as follows:

Yeas: Boldman, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Gross, Hayman, Kelker, Lynch, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Pope, Sales, Salomon, Small, Tempel, Trebas, Usher, Vermeire, Webber, Welborn, Zolnikov.
Total 34

Nays: Bartel, Beard, Bogner, Brown, Esp, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McClafferty, Olsen, Regier K, Vance.
Total 16

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 379, concurred in as follows:

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

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

Total 47

Nays: Bartel, Emrich, Lenz.

Total 3

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 384, 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 385, concurred in as follows:

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

Total 41

Nays: Ellis, Gross, Hayman, Kelker, McClafferty, 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

HB 387, 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 427, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Kelker, 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, Zolnikov.
Total 42

Nays: Beard, Emrich, Esp, Hinebauch, Lang, Lenz, Manzella, Welborn.
Total 8

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 550, concurred in as follows:

Yeas: 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, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 45

Nays: Bartel, Hinebauch, Lenz, McGillvray, Olsen.

Total 5

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 557, 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 598, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Manzella, McClafferty, McGillvray, Molnar, Mr. President, Noland, Regier K, Sales, Usher, Vance, Vermeire.

Total 27

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Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, Mandeville, McKamey, Morigeau, O'Brien, Olsen, Pope, Salomon, Small, Tempel, Trebas, Webber, Welborn, Zolnikov.

Total 23

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 622, 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, 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: Lang, Lenz.

Total 2

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 661, 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

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 695, 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 764, concurred in as follows:

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

Nays: Bogner, Hertz, Lynch, Mandeville, Molnar.
Total 5

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 797, 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

**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 Lang in the chair.

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

HB 614 - Majority Leader Fitzpatrick moved consideration of **HB 614** be passed for the day. Without objection, so ordered.

HB 758 - Majority Leader Fitzpatrick moved consideration of **HB 758** be passed for the day. Without objection, so ordered.

HB 664 - Senator Trebas moved **HB 664** be concurred in. Motion carried as follows:

Yeas: Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Flowers, Fox, Gross, Hertz, Hinebauch, Kelker, Lang, Manzella, McClafferty, McGillvray, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Trebas, Usher, Vermeire, Webber, Zolnikov.
Total 31

Nays: Bartel, Beard, Esp, Friedel, Fuller, Gillespie, Glimm, Hayman, Lenz, Lynch, Mandeville, McKamey, Molnar, Morigeau, Noland, Regier K, Tempel, Vance, Welborn.
Total 19

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 675 - Senator Friedel moved **HB 675** 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 703 - Senator Trebas moved **HB 703** be concurred in. Motion carried as follows:

Yeas: Beard, Bogner, Boldman, Brown, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Fox, Friedel, Fuller, Gross, Hayman, Hertz, Kelker, Mandeville, Manzella, McClafferty, Molnar, Morigeau, Mr. President, O'Brien, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 36

Nays: Bartel, Cuffe, Esp, Flowers, Gillespie, Glimm, Hinebauch, Lang, Lenz, Lynch, McGillvray, McKamey, Noland, Olsen.
Total 14

Voted absentee: None.
Total 0

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 578 - Senator Vermeire moved **HB 578** be concurred in. 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, 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, Zolnikov.
Total 44

Nays: Esp, Hinebauch, Lang, Lenz, McGillvray, Welborn.
Total 6

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 615 - Senator Noland moved **HB 615** 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 245 - Senator Fuller moved **HB 245** be concurred in. Motion carried as follows:

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

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Manzella, McClafferty, McKamey, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Zolnikov.
Total 42

Nays: Cuffe, Emrich, Esp, Hinebauch, Lynch, McGillvray, Molnar, Welborn.
Total 8

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 47 - Senator Zolnikov moved **HB 47** 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 284 - Senator Small moved **HB 284** be concurred in. Motion carried as follows:

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

Nays: Curdy, Dunwell, Ellis, Gross, Hayman, McClafferty, Olsen.
Total 7

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 582 - Senator Webber moved **HB 582** 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 610 - Senator Lenz moved **HB 610** 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, 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: Lang.
Total 1

Voted absentee: None.
Total 0

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 655 - Senator Gross moved **HB 655** 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 684 - Senator McGillvray moved **HB 684** be concurred in. 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

HB 400 - Senator Cuffe moved **HB 400** be concurred in. Motion carried as follows:

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

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Lynch, 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: Fitzpatrick, Mandeville.

Total 2

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 63 - Majority Leader Fitzpatrick moved **HB 63** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Cuffe, Curdy, Dunwell, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hertz, Hinebauch, Kelker, 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 44

Nays: Brown, Ellis, Hayman, Lang, Lenz, Olsen.

Total 6

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 306 - Senator Noland moved **HB 306** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Ellis, Emrich, Esp, 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.

Total 32

Nays: Boldman, Curdy, Dunwell, Fitzpatrick, Flowers, Fox, Friedel, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber, Zolnikov.

Total 18

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 107 - Senator Fox moved **HB 107** 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, 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, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 46

Nays: Emrich, Hayman, Olsen, Trebas.
Total 4

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 Lang moved the Committee of the Whole report be adopted. Report **adopted** 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

SPECIAL ORDERS OF THE DAY

President Ellsworth welcomed Congressman Matt Rosendale to the Senate. Also present were Witt Williams and Jack Racicot, both of Helena, and both employees of the Montana Senate during the current 68th Legislative Session.

On Wednesday, March 29, 2023, Representative Rosendale recognized and commended both Mr. Williams and Mr. Racicot in the U.S. House of Representatives for their outstanding public service completed in spite of serious physical disabilities.

Today Representative Rosendale presented a plaque to each man which contained a signed copy of the commendation printed in the Congressional Record of the 118th Congress.

MOTIONS

Majority Leader Fitzpatrick moved to re-refer **HB 245** to the Finance and Claims Committee. Without objection, so ordered.

Legislative Calendar

Majority Leader Fitzpatrick moved the Senate **suspend Joint Rule 40-200** related to transmittal deadlines. Motion carried as follows:

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

Total 46

Nays: Gross, Hayman, Olsen, Webber.

Total 4

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Majority Leader Fitzpatrick informed the Senate the legislative calendar will change as follows: Day 73 deadline moved to Day 76; Day 80 deadline moved to Day 82; Day 82 deadline moved to Day 83; Day 85 deadline moved to Day 84.

Vote Change

SB 534 – Senator McGillvray arose on a point of order regarding **Senate rule 50-200** which discusses requirements to change a vote. A vote change is not allowed if it would change the outcome of the legislation.

Senator McGillvray stated he believes a vote change made by Senator McClafferty the previous day on **SB 534** could affect the outcome of the legislation, a bill requiring a 2/3 vote of the entire legislature to pass. President Ellsworth ruled the change of vote on **SB 534** could affect the outcome of the legislation.

Senator McGillvray moved the Senate reconsider its action and object to Senator McClafferty's motion to change her third reading vote on **SB 534**. The motion carried as follows:

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

Total 35

Nays: Curdy, Dunwell, Ellis, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, Olsen, Pope, Small, Tempel, Webber, Welborn.

Total 15

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

The vote change is nullified by the passage of the motion to reconsider. Senator McClafferty moved to change her third reading vote on **SB 534** from Yes to No. Senator Bogner objected to the motion and the vote went to the board. The motion **failed** as follows:

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

Total 22

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

Total 28

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Corrected vote total is 31 Yes, 19 No.

ANNOUNCEMENT OF COMMITTEE MEETINGS

Committee meetings were announced by the committee chairs.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 04/06/2023, the 69th legislative day. Motion carried.

Senate adjourned at 3:02 p.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate