

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

Helena, Montana  
April 20, 2023

Senate Chambers  
State Capitol

Senate convened at 1:00 p.m. President Ellsworth presiding. Invocation by Pastor Bostrom. Pledge of Allegiance to the Flag.

Roll Call. Forty-seven members present. Senators Beard, Emrich and Friedel, excused. Quorum present.

**BILLS AND JOURNALS** (Lang, Chair)

Correctly printed: **SJ 19, SJ 25, SJ 29, HB 136, HB 137, HB 163, HB 220, HB 223, HB 372, HB 449, HB 485, HB 487, HB 520, HB 521, HB 544, HB 648, HB 652, HB 828, HB 836, HB 862, HB 872, HB 881, HB 898, HB 902, HB 918, HB 920, HB 922, HB 928, HB 937, HB 949, HB 952.**

Correctly engrossed: **SJ 21, HB 87, HB 101, HB 321, HB 382, HB 469, HB 517, HB 867, HB 927, HB 941, HB 948.**

Examined by the sponsor and found to be correct: **SB 99, SB 109, SB 197, SB 218, SB 224, SB 410, SB 453.**

Transmitted to the House: **HB 220, HB 325, HB 346, HB 449, HB 601, HB 724, HB 808, HB 823, HB 828, HB 889.**

Correctly enrolled: **SB 99, SB 109, SB 218, SB 224, SB 410, SB 453.**

Signed by the Secretary of the Senate at 4:45 p.m., April 18, 2023: **SR 60, SR 61, SR 66, SR 67.**

Signed by the President at 10:00 a.m., April 19, 2023: **SR 60, SR 61, SR 66, SR 67.**

Delivered to the Secretary of State at 3:40 p.m., April 20, 2023: **SR 60, SR 61, SR 66, SR 67.**

**REPORTS OF STANDING COMMITTEES**

**EDUCATION AND CULTURAL RESOURCES** (Salomon, Chair) 04/19/2023

**HB 288**, be concurred in.

**HB 321**, be amended with [HB0321.002.002](#) and, as amended, be concurred in.

**HB 352**, be concurred in.

**HB 393**, be concurred in.

**HB 549**, be concurred in.

**HB 562**, be concurred in.

**HB 833**, be concurred in.

**FINANCE AND CLAIMS** (Esp, Chair) 04/13/2023

**HB 2**, be concurred in as amended.

**LOCAL GOVERNMENT** (Friedel, Chair) 04/19/2023

**SJ 21**, introduced bill, be amended with [SJ0021.001.001](#) and, as amended, do pass.

**HB 469**, be amended with [HB0469.001.005](#) and, as amended, be concurred in.

**HB 927**, be amended with [HB0927.002.002](#) and, as amended, be concurred in.

**HB 938**, be concurred in.

**HB 948**, be amended with [HB0948.002.002](#) and, as amended, be concurred in.

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**NATURAL RESOURCES** (Welborn, Chair) 04/19/2023  
**HB 928**, be concurred in.

**PUBLIC HEALTH, WELFARE AND SAFETY** (McGillvray, Chair) 04/19/2023  
**SJ 25**, do pass.

Without objection, committee reports were adopted.

**MESSAGES FROM THE GOVERNOR**

April 19, 2023

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

Dear President Ellsworth:

On Wednesday, April 19, 2023, I signed the following bills:

**Senate Bill 1** - Salomon  
**Senate Bill 13** - Regier  
**Senate Bill 67** - McGillvray  
**Senate Bill 69** - O'Brien  
**Senate Bill 98** - Regier  
**Senate Bill 111** - Glimm

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

Sincerely,

Greg Gianforte  
Governor

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

Senate bills concurred in and returned to the Senate: 04/19/2023

**SB 332**, introduced by G. Hertz  
**SB 362**, introduced by S. Morigeau  
**SB 521**, introduced by S. Vance

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Senate bills concurred in as amended, returned to the Senate for concurrence in House amendments: 04/19/2023

**SB 47**, introduced by T. Manzella  
**SB 229**, introduced by B. Usher  
**SB 531**, introduced by D. Salomon  
**SB 558**, introduced by S. Morigeau  
**SB 561**, introduced by S. Hinebauch  
**SB 564**, introduced by T. McGillvray

Governor's amendments to Senate bill concurred: 04/19/2023

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

Senate amendments to House bills concurred: 04/19/2023

**HB 296**, introduced by K. Seekins-Crowe  
**HB 385**, introduced by J. Carlson  
**HB 443**, introduced by K. Seekins-Crowe  
**HB 513**, introduced by J. Carlson  
**HB 625**, introduced by K. Seekins-Crowe

The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on House amendments to **Senate Bill 6**. The Speaker appointed Representatives Nicol, Welch, and Caferro.

The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on House amendments to **Senate Bill 247**. The Speaker appointed Representatives Sheldon-Galloway, Kmetz, and Buckley.

The House failed to concur in Senate amendments to **House Bill 738**, authorized the Speaker to appoint the following Conference Committee, and requested the Senate appoint a like committee to confer on Senate amendments to **House Bill 738**. The Speaker appointed Representatives Fitzgerald, Green and Sullivan.

**FIRST READING AND COMMITMENT OF BILLS**

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

**SR 72**, introduced by W. Sales, referred to Energy and Telecommunications.  
**SR 73**, introduced by K. Regier, referred to Judiciary.  
**SR 74**, introduced by T. Manzella, referred to Highways and Transportation.

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

**SJ 30**, introduced by B. Gillespie, W. Curdy, referred to Business, Labor, and Economic Affairs.

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**SJ 31**, introduced by B. Usher, referred to Judiciary.

**SJ 32**, introduced by E. McClafferty, K. Bogner, W. Curdy, M. Dunwell, J. Ellis, P. Flowers, M. Fox, T. France, J. Gross, D. Hayman, G. Hertz, D. Loge, R. Lynch, S. Morigeau, S. O'Brien, A. Olsen, C. Pope, S. Webber, referred to Fish and Game.

**SJ 33**, introduced by C. Friedel, referred to Judiciary.

**SJ 34**, introduced by C. Friedel, referred to Judiciary.

**THIRD READING OF BILLS**

**SJ 17, as amended by the House**, passed as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, 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 47

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

Absent or not voting: None.

Total 0

**SJ 19, as amended by the House**, passed as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, 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 47

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Absent or not voting: None.  
Total 0

**SB 38, as amended by the House**, passed as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, 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 47

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

**SB 51, as amended by the House**, passed as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, 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, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 46

Nays: Small.  
Total 1

Voted absentee: None.  
Total 0

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

**SB 73, as amended by the House**, passed as follows:

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

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

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

Total 47

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

Absent or not voting: None.

Total 0

**HB 136**, concurred in as follows:

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

Total 3

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

Absent or not voting: None.

Total 0

**HB 137**, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, 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 47

Nays: None.

Total 0

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Voted absentee: None.  
Total 0

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

**HB 163**, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, 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 45

Nays: Esp, Hinebauch.  
Total 2

Voted absentee: None.  
Total 0

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

**SB 280, as amended by the House**, passed as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, 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 47

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**SB 295, as amended by the House**, passed as follows:

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

Total 35

Nays: Boldman, Curdy, Dunwell, Ellis, Hayman, Kelker, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.

Total 12

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

Absent or not voting: None.

Total 0

**SB 322, as amended by the House**, passed as follows:

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

Total 42

Nays: Bogner, Cuffe, Mandeville, Manzella, Trebas.

Total 5

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

Absent or not voting: None.

Total 0

**HB 372** proposes to amend the Montana Constitution and requires a 2/3 vote of the entire Legislature to pass. Third reading Senate vote as follows:

Yeas: Bartel, Bogner, Brown, Cuffe, Esp, Fitzpatrick, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Tempel, Trebas, Usher, Vance, Zolnikov.

Total 26



SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

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

Total 21

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

Absent or not voting: None.

Total 0

**SB 380, as amended by the House**, passed as follows:

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

Total 44

Nays: Hinebauch, McGillvray, Trebas.

Total 3

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

Absent or not voting: None.

Total 0

**SB 393, as amended by the House**, passed as follows:

Yeas: Bartel, Bogner, Brown, Cuffe, Esp, Fitzpatrick, Fox, 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 32

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

Total 15

Voted absentee: None.

Total 0

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

**HB 485**, concurred in as follows:

Yeas: Bartel, Bogner, Brown, Cuffe, Esp, Fitzpatrick, 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 31

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: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

**HB 487**, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Gross, Hayman, Hertz, Kelker, Lang, Lynch, Mandeville, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 41

Nays: Esp, Glimm, Hinebauch, Lenz, Manzella, Noland.  
Total 6

Voted absentee: None.  
Total 0

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

**HB 597**, concurred in as follows:

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

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

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: None.

Total 0

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

Absent or not voting: None.

Total 0

**HB 836**, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, 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 47

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

Absent or not voting: None.

Total 0

**HB 902**, concurred in as follows:

Yeas: Bartel, Bogner, Brown, Cuffe, Curdy, Dunwell, Esp, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Glimm, Kelker, Lang, Lenz, Lynch, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Sales, Salomon, Small, Tempel, Usher, Vance, Vermeire, Welborn.

Total 31

Nays: Boldman, Ellis, Gross, Hayman, Hertz, Hinebauch, Mandeville, Manzella, McClafferty, O'Brien, Olsen, Pope, Regier K, Trebas, Webber, Zolnikov.

Total 16

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Voted absentee: None.  
Total 0

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

**HB 918**, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, 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 46

Nays: McGillvray.  
Total 1

Voted absentee: None.  
Total 0

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

**HB 922**, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, 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 47

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: Beard, Emrich, Friedel.  
Total 3

Absent or not voting: None.  
Total 0

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**HB 937**, concurred in as follows:

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

Total 27

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

Total 20

Voted absentee: None.

Total 0

Excused: Beard, Emrich, Friedel.

Total 3

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 Mandeville in the chair.

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

**SR 53** - President Ellsworth moved **SR 53** be adopted. Motion carried as follows:

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

Total 40

Nays: Emrich, Esp, Fuller, Glimm, Hinebauch, Noland, Regier K, Usher.

Total 8

Voted absentee: None.

Total 0

Excused: Beard.

Total 1

Absent or not voting: Molnar.

Total 1

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**HB 7** - Senator Lang moved **HB 7** be concurred in. Motion carried 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, Zolnikov.  
Total 49

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: Beard.  
Total 1

Absent or not voting: None.  
Total 0

**HB 9** - Senator Cuffe moved **HB 9** be concurred in. Motion carried as follows:

Yeas: Bartel, Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Gross, Hayman, Hertz, Kelker, Lang, Lynch, Mandeville, McClafferty, McGillvray, McKamey, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vance, Vermeire, Webber, Welborn.  
Total 37

Nays: Brown, Emrich, Glimm, Hinebauch, Lenz, Manzella, Molnar, Noland, Regier K, Trebas, Usher, Zolnikov.  
Total 12

Voted absentee: None.  
Total 0

Excused: Beard.  
Total 1

Absent or not voting: None.  
Total 0

**HB 925** - Majority Leader Fitzpatrick moved consideration of **HB 925** be passed for the day. Without objection, so ordered.

**HB 11** - Senator Cuffe moved **HB 11** be concurred in. Motion carried as follows:

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

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, Zolnikov.

Total 49

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: Beard.

Total 1

Absent or not voting: None.

Total 0

**HB 12** - Senator Cuffe moved **HB 12** be concurred in. Motion carried as follows:

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

Total 45

Nays: Emrich, Hinebauch, Manzella, Trebas.

Total 4

Voted absentee: None.

Total 0

Excused: Beard.

Total 1

Absent or not voting: None.

Total 0

**HB 845** - Senator Ellis moved **HB 845** be concurred in. Motion carried 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, Zolnikov.

Total 49

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: Beard.  
Total 1

Absent or not voting: None.  
Total 0

**HB 855** - Senator Cuffe moved **HB 855** be concurred in. Motion carried as follows:

Yeas: Bartel, Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Hertz, Kelker, Lang, Lynch, Mandeville, McClafferty, McKamey, Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 36

Nays: Bogner, Brown, Emrich, Fitzpatrick, Fuller, Glimm, Hinebauch, Lenz, Manzella, McGillvray, Noland, Regier K, Usher.  
Total 13

Voted absentee: None.  
Total 0

Excused: Beard.  
Total 1

Absent or not voting: None.  
Total 0

**HB 852** - Senator Fox moved **HB 852** be concurred in. Motion carried 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, Zolnikov.  
Total 49

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: Beard.  
Total 1



SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Absent or not voting: None.

Total 0

**HB 840** - Senator Trebas moved **HB 840** be concurred in. Motion carried 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, 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: McGillvray.

Total 1

Voted absentee: None.

Total 0

Excused: Beard.

Total 1

Absent or not voting: None.

Total 0

**HB 915** – Senator Hinebauch moved **HB 915** be concurred in. The bill proposes to amend the Montana Constitution and requires a 2/3 vote of the entire Legislature to pass. The bill will continue to third reading with the mathematical possibility of obtaining the necessary 2/3 vote. Second reading vote follows:

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

Total 24

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

Total 25

Voted absentee: None.

Total 0

Excused: Beard.

Total 1

Absent or not voting: None.

Total 0

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**SB 144 - House Amendments** - Senator Tempel moved do concur in House amendments to **SB 144**. Motion carried as follows:

Yeas: Bartel, 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, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 48

Nays: Hayman.  
Total 1

Voted absentee: None.  
Total 0

Excused: Beard.  
Total 1

Absent or not voting: None.  
Total 0

**SB 149 - House Amendments** - Senator Lenz moved do not concur in House amendments to **SB 149**. Motion carried as follows:

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

Nays: Curdy, Dunwell, Ellis, Flowers, Fox, Friedel, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Sales, Small, Webber.  
Total 18

Voted absentee: None.  
Total 0

Excused: Beard.  
Total 1

Absent or not voting: None.  
Total 0

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**SB 151 - House Amendments** - Senator Lenz moved do concur in House amendments to **SB 151**. Motion carried as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hertz, Hinebauch, 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 45

Nays: Dunwell, Hayman, Kelker, Olsen.

Total 4

Voted absentee: None.

Total 0

Excused: Beard.

Total 1

Absent or not voting: None.

Total 0

**SB 195 - House Amendments** - Senator Trebas moved do concur in House amendments to **SB 195**. Motion carried as follows:

Yeas: Bartel, 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 33

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: Beard.

Total 1

Absent or not voting: None.

Total 0

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**SB 219 - House Amendments** - Senator Curdy moved do concur in House amendments to **SB 219**. Motion carried as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, 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 48

Nays: Friedel.  
Total 1

Voted absentee: None.  
Total 0

Excused: Beard.  
Total 1

Absent or not voting: None.  
Total 0

**SB 169 - House Amendments** - Senator Hertz moved do concur in House amendments to **SB 169**. Motion carried as follows:

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

Nays: Dunwell, Ellis, Flowers, Gross, Hayman, Kelker, Lynch, McClafferty, Molnar, Olsen, Webber.  
Total 11

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 278 - House Amendments** - Majority Leader Fitzpatrick moved do concur in House amendments to **SB 278**. 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,

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

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 328 - House Amendments** - Senator Lenz moved do concur in House amendments to **SB 328**. Motion carried as follows:

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

Total 41

Nays: Dunwell, Ellis, Emrich, Fuller, Hayman, Hinebauch, McClafferty, O'Brien, Olsen.

Total 9

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 351 - House Amendments** - Senator Zolnikov moved do not concur in House amendments to **SB 351**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, 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

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Nays: Friedel.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 359 - House Amendments** - Senator Vermeire moved do concur in House amendments to **SB 359**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, 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, Welborn, Zolnikov.  
Total 44

Nays: Dunwell, Gross, Hayman, Kelker, Olsen, Webber.  
Total 6

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 370 - House Amendments** - Majority Leader Fitzpatrick moved do concur in House amendments to **SB 370**. 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

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SJ 9 - House Amendments** - Senator Gillespie moved do concur in House amendments to  
**SJ 9**. 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 384 - House Amendments** - Senator Zolnikov moved do concur in House amendments to  
**SB 384**. 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

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**SB 443**- Majority Leader Fitzpatrick moved consideration of **SB 443** be passed for the day. Without objection, so ordered.

**SB 487 - House Amendments** - Senator Vance moved do concur in House amendments to **SB 487**. 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 490 - House Amendments** - Senator Hertz moved do concur in House amendments to **SB 490**. 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



SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**SB 375 - House Amendments** - Senator Lang moved do concur in House amendments to **SB 375**. Motion carried as follows:

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

Total 33

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Glimm, Hayman, Kelker, Lynch, McClafferty, Morigeau, Noland, O'Brien, Olsen, Pope, Webber.

Total 17

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 91** - Senator Small moved **HB 91** be concurred in.

**HB 91** - Senator Small moved **HB 91**, second reading copy, be amended with [HB0091.004.001](#). Amendment **adopted** as follows:

Yeas: Bogner, Boldman, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lynch, Mandeville, McClafferty, McGillvray, McKamey, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vermeire, Webber, Zolnikov.

Total 29

Nays: Bartel, Beard, Brown, Cuffe, Esp, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Manzella, Molnar, Noland, Regier K, Trebas, Usher, Vance, Welborn.

Total 19

Voted absentee: None.

Total 0

Excused: Emrich, Friedel.

Total 2

Absent or not voting: None.

Total 0

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**HB 91**, as amended, concurred in as follows:

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

Total 31

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

Total 19

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 10** - Senator Lang moved **HB 10** be concurred in. Motion carried as follows:

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

Total 43

Nays: Beard, Emrich, Glimm, Hinebauch, Manzella, Molnar, Noland.

Total 7

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 276** - Senator McKamey moved **HB 276** be concurred in. Motion carried as follows:

Yeas: Bogner, Boldman, Brown, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lynch, McClafferty, McKamey, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Vermeire, Webber, Welborn, Zolnikov.

Total 28

Nays: Bartel, Beard, Cuffe, Emrich, Esp, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, Molnar, Noland, Regier K, Tempel, Trebas, Usher, Vance.

Total 22

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

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 Mandeville 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, 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 48

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: Emrich, Friedel.  
Total 2

Absent or not voting: None.  
Total 0

### MOTIONS

Majority Leader Fitzpatrick moved to re-refer **HB 276**, heard this date under second reading, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **HB 840**, heard this date under second reading, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **HB 352**, reported out of the Education and Cultural Resources Committee, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **HB 393**, reported out of the Education and Cultural Resources Committee, to the Finance and Claims Committee. Without objection, so ordered.

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

Majority Leader Fitzpatrick moved to re-refer **HB 549**, reported out of the Education and Cultural Resources Committee, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **HB 562**, reported out of the Education and Cultural Resources Committee, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **HB 833**, reported out of the Education and Cultural Resources Committee, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **HB 321**, reported out of the Education and Cultural Resources Committee, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **HB 469**, reported out of the Local Government Committee, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **HB 948**, reported out of the Local Government Committee, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **HB 856**, reported out of the Legislative Administration Committee, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved the President be authorized to appoint a Free Conference Committee, and request the House appoint a like committee, to confer on House amendments to **SB 407**. Without objection, so ordered. President Ellsworth appointed Senator Zolnikov, chair, and Senators Morigeau and Trebas.

Majority Leader Fitzpatrick moved the President be authorized to appoint a Conference Committee, and request the House appoint a like committee, to confer on House amendments to **SB 19**. Without objection, so ordered. President Ellsworth appointed Senator Regier, chair, and Senators Pope and Usher.

Majority Leader Fitzpatrick moved the President be authorized to appoint a Conference Committee, and request the House appoint a like committee, to confer on House amendments to **SB 424**. Without objection, so ordered. President Ellsworth appointed Senator Mandeville, chair, and Senators Cuffe and Fox.

Majority Leader Fitzpatrick moved the Senate accede to the request of the House and authorize the President to appoint a Conference Committee to confer on Senate amendments to **HB 738**. Without objection, so ordered. President Ellsworth appointed Senator Lang, chair, and Senators Hinebauch and Lynch.

Senator Usher moved to change his third reading vote on **HB 218** from No to Yes. Minority Leader Flowers objected, then withdrew his objection. Without objection, so ordered.

Senator Olsen moved to change her second reading vote made 2/18/2023 on **HB 245**. The President ruled the motion out of order since it exceeded 24 hours since the vote.

SENATE JOURNAL  
SEVENTY-EIGHTH LEGISLATIVE DAY - April 20, 2023

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

Committee meetings were announced by the committee chairs.

Majority Leader Fitzpatrick moved the Senate adjourn until 9:00 a.m., 04/21/2023, the 79th legislative day. Motion carried.

Senate adjourned at 2:55 p.m.

MARILYN MILLER  
Secretary of the Senate

JASON ELLSWORTH  
President of the Senate