

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

Helena, Montana  
April 21, 2023

Senate Chambers  
State Capitol

Senate convened at 9:00 a.m. President Ellsworth presiding. Invocation by Pastor Johnson. Pledge of Allegiance to the Flag.

Roll Call. Forty-six members present. Senators Beard, Boldman, Fox and Gross, excused. Quorum present.

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

Correctly printed: **SJ 30, SJ 31, SJ 32, SJ 33, SJ 34, SR 72, SR 73, SR 74, HB 7, HB 9, HB 10, HB 11, HB 12, HB 276, HB 288, HB 352, HB 393, HB 549, HB 562, HB 833, HB 840, HB 845, HB 852, HB 855, HB 856, HB 938.**

Correctly engrossed: **HB 4, HB 55, HB 91, HB 128, HB 332, HB 819, HB 864, HB 868.**

Transmitted to the House: **SJ 19, HB 136, HB 137, HB 163, HB 485, HB 487, HB 597, HB 836, HB 902, HB 918, HB 922, HB 937.**

Signed by the Secretary of the Senate at 4:30 p.m., April 20, 2023: **SB 99, SB 109, SB 218, SB 224, SB 410, SB 453.**

Signed by the President of the Senate at 4:35 p.m., April 20, 2023: **SB 99, SB 109, SB 218, SB 224, SB 410, SB 453.**

Signed by the Speaker of the House at 8:00 a.m., April 21, 2023: **SB 99, SB 109, SB 218, SB 224, SB 410, SB 453.**

Delivered to the Governor at 10:50 a.m., April 21, 2023: **SB 99, SB 109, SB 218, SB 224, SB 410, SB 453.**

Delivered to the Secretary of State at 4:00 p.m., April 21, 2023: **SJ 5, SJ 6, SJ 10, SJ 14, SJ 16, SJ 18.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Small, Chair) 04/20/2023  
**HB 128**, be amended with [HB0128.003.002](#) and, as amended, be concurred in.  
**HB 819**, be amended with [HB0819.002.006](#) and, as amended, be concurred in.

**FINANCE AND CLAIMS** (Esp, Chair) 04/20/2023  
**HB 4**, be amended with [HB0004.002.002](#) and, as amended, be concurred in.  
**HB 332**, be amended with [HB0332.004.001](#) and, as amended, be concurred in.  
**HB 482**, be concurred in.  
**HB 864**, be amended with [HB0864.001.003](#) and, as amended, be concurred in.  
**HB 868**, be amended with [HB0868.001.005](#) and, as amended, be concurred in.

**LOCAL GOVERNMENT** (Friedel, Chair) 04/19/2023  
**HB 55**, be amended with [HB0055.004.008](#) and, as amended, be concurred in.

Without objection, the committee reports were adopted.

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**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

Senate bills concurred in and returned to the Senate: 04/20/2023

**SB 27**, introduced by W. Sales  
**SB 505**, introduced by G. Hertz  
**SB 554**, introduced by G. Hertz

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 04/20/2023

**SB 123**, introduced by G. Hertz

**HB 566** - The House failed to concur in Senate amendments to **HB 566**, authorized the Speaker to appoint the following Free Conference Committee, and requested that the Senate appoint a like committee to confer on Senate amendments to **HB 566**: The Speaker appointed Representatives Anderson, J. Hinkle, and Romano.

**MOTIONS**

Majority Leader Fitzpatrick declared Senator Usher's motion to change his vote the previous legislative day was out of order since it was in excess of 24 hours after the vote was taken.

Senator Usher moved the Senate **suspend Rule S50-200(3)** to allow for a change of vote when the request is made more than 24 hours after the vote was taken. The motion carried as follows:

Yeas: Bartel, Bogner, Brown, Cuffe, Curdy, Dunwell, Esp, Fitzpatrick, Flowers, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McKamey, Morigeau, Noland, Regier K, Sales, Salomon, Trebas, Usher, Vermeire, Welborn, Zolnikov, Mr. President.  
Total 32

Nays: Ellis, Emrich, Friedel, Hayman, McClafferty, McGillvray, Molnar, O'Brien, Olsen, Pope, Small, Tempel, Vance, Webber.  
Total 14

Voted absentee: None.

Excused: Beard, Boldman, Fox, Gross.  
Total 4

Absent or not voting: None.  
Total 0

Senator Usher moved to change his third reading vote on **HB 218** from No to Yes. The motion carried as follows:

Yeas: Bartel, Bogner, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Flowers, Friedel, Fuller, Gillespie, Glimm, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville,

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

Total 43

Nays: Esp, Molnar.

Total 2

Voted absentee: None.

Excused: Beard, Boldman, Fox, Gross.

Total 4

Absent or not voting: Olsen.

Total 1

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

Committee meetings were announced by the committee chairs.

Majority Leader Fitzpatrick moved that the Senate stand in recess until 1:00 p.m. this date. Without objection so ordered. Senate recessed at 9:20 a.m.

Senate reconvened at 1:00 p.m., President Ellsworth presiding.

**REPORTS OF STANDING COMMITTEES**

**FINANCE AND CLAIMS** (Esp, Chair) 04/20/2023  
HB 872, be amended with [HB0872.003.002](#) and, as amended, be concurred in.

**FISH AND GAME** (Hinebauch, Chair) 04/20/2023  
SR 2, be adopted.  
SR 68, be adopted.  
HB 846, be amended with [HB0846.002.001](#) and, as amended, be concurred in.

**HIGHWAYS AND TRANSPORTATION** (Manzella, Chair) 04/20/2023  
SJ 20, do pass.  
HB 904, be amended with [HB0904.001.004](#) and, as amended, be concurred in.

**STATE ADMINISTRATION** (Cuffe, Chair) 04/21/2023  
SR 69, be adopted.  
HB 892, be concurred in.

Without objection, the committee reports were adopted.

**REPORTS OF SELECT COMMITTEES**

**CONFERENCE COMMITTEE**  
**On Senate amendments to House Bill 185**  
**Report No. 001, April 19, 2023**

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 185** (reference copy-salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 185** (reference copy-salmon) be amended with [HB0185.002.001](#).

For the Senate:

Senator Jeffrey Welborn, Chair  
Senator Mike Lang  
Senator Ryan Lynch

For the House:

Representative Ross Fitzgerald, Vice Chair  
Representative John Fitzpatrick  
Representative Derek Harvey

**FREE CONFERENCE COMMITTEE**  
**On Senate amendments to House Bill 260**  
**Report No. 001, April 20, 2023**

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered Senate amendments to **House Bill 260** (reference copy-salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 260** (reference copy-salmon) be amended with [HB0260.003.007](#).

For the Senate:

Senator Jason Ellsworth, Chair  
Senator Steve Fitzpatrick  
Senator Pat Flowers

For the House:

Representative Sue Vinton, Vice Chair  
Representative Matt Regier  
Representative Kim Abbott

**MESSAGES FROM THE GOVERNOR**

April 21, 2023

The Honorable Jason Ellsworth  
President of the Senate  
State Capitol  
Helena, MT 59620

The Honorable Matt Regier  
Speaker of the House  
State Capitol  
Helena, MT 59620

Dear President Ellsworth and Speaker Regier:

During this legislative session, we have successfully worked together to bring more innovation to education, expanding opportunities in personalized and work-based learning for Montana students.

As we continue working toward increasing innovation in education, I thank Representative Anderson for his thoughtful efforts with House Bill 458 to get career coaches into more schools to support students in their educational and career endeavors. Career coaches help students obtain valuable, insightful experiences through internships, apprenticeships, and other work-based learning opportunities.

House Bill 458 provides a definition for career coaches, including required education or work experience for school districts to hire them. House Bill 458 provides clarity for districts that a career coach does not have to be a licensed school counselor or educator.

I appreciate the intent of the bill. As currently written, however, the legislation can be improved to prevent an increase in regulations and red tape that will unnecessarily saddle school districts.

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 House Bill 458**: "AN ACT REVISING LAWS RELATED TO CAREER COACHES; PROVIDING A DEFINITION OF CAREER COACH; PROVIDING FOR DUTIES AND QUALIFICATIONS FOR A CAREER COACH; AND AMENDING SECTION 20-1-101, MCA."

As currently written, House Bill 458 requires the Office of Public Instruction to certify career coaches, an obstacle that does not exist under current law. A new state certification requirement will create red tape and hurdles for districts seeking to hire career coaches.

The amendment I offer proposes striking references to certification while maintaining the overall substance and intent of the bill.

For this reason, I respectfully ask for your support of this amendment.

I appreciate the sponsor's work on House Bill 458 and his support of the amendments I offer.

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Amending House Bill 458 will eliminate unnecessary red tape for our school districts and ensure districts can get career coaches more quickly and efficiently into our schools to better prepare our students for their future.

Sincerely,

GREG GIANFORTE  
Governor

Enclosure

April 21, 2023

The Honorable Jason Ellsworth  
President of the Senate  
State Capitol  
Helena, MT 59620

The Honorable Matt Regier  
Speaker of the House  
State Capitol  
Helena, MT 59620

Dear President Ellsworth and Speaker Regier:

A well-negotiated compromise among stakeholders, House Bill 635 brings together those who enjoy the benefits of elk habitat and those who provide and protect elk habitat.

I appreciate Representative Kassmier for successfully leading the charge to move this measure through the Legislature, and I am grateful for the intent of House Bill 635. The bill can be improved by making a minor adjustment to the number of licenses provided to qualifying landowners and by streamlining the implementation and administrative processes for the Department of Fish, Wildlife and Parks so the agency may provide Montanans with more efficient, effective services.

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 House Bill 635**: "A BILL FOR AN ACT ESTABLISHING A LANDOWNER PREFERENCE POOL FOR CLASS B-10 NONRESIDENT BIG GAME COMBINATION LICENSES; ALLOWING PURCHASE OF AN ADDITIONAL BONUS POINT FOR CERTAIN NONRESIDENT LANDOWNERS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 87-2-115, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

As currently written, House Bill 635 requires a landowner to own at least 2,500 contiguous acres in fee title to qualify for the preference pool. It also further provides that for each additional 2,500 contiguous acres, a landowner may receive an additional license, up to a maximum of five licenses.

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One of the amendments I offer simplifies the bill by doing away with the need for an assessment of graduated acres and licenses. Instead, it establishes the simple maximum threshold of three licenses for any landowner owning at least 2,500 acres.

Another amendment I offer requires a qualifying landowner to have owned the subject property for at least three years.

I appreciate the sponsor's support of the modest amendments I offer, and I respectfully ask for your support.

Sincerely,

GREG GIANFORTE  
Governor

Enclosure

**FIRST READING AND COMMITMENT OF BILLS**

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

**SJ 35**, introduced by B. Molnar, referred to Education and Cultural Resources.

**SJ 36**, introduced by E. Boldman, referred to Fish and Game.

The following Senate resolution was introduced, read first time, and referred to committee:

**SR 75**, introduced by A. Olsen, referred to Local Government.

**THIRD READING OF BILLS**

**SB 144, as amended by the House**, passed as follows:

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

Total 47

Nays: Hayman, Olsen.

Total 2

Voted absentee: None.

Total 0

Excused: Zolnikov.

Total 1

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Absent or not voting: None.  
Total 0

**SB 151, as amended by the House**, passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn.  
Total 43

Nays: Hayman, Kelker, McClafferty, O'Brien, Olsen, Webber.  
Total 6

Voted absentee: None.  
Total 0

Excused: Zolnikov.  
Total 1

Absent or not voting: None.  
Total 0

**SB 169, as amended by the House**, passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 34

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.  
Total 16

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 195, as amended by the House**, passed as follows:

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



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

Total 32

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

Total 18

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 219, as amended by the House**, passed 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, Manzella, McClafferty, McGillvray, McKamey, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn.

Total 46

Nays: Emrich, Mandeville, Molnar, Zolnikov.

Total 4

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 278, as amended by the House**, passed as follows:

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

Total 34

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

Total 16

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 328, as amended by the House**, passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, 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: Emrich, Fuller.  
Total 2

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 359, as amended by the House**, passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 37

Nays: Boldman, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, O'Brien, Olsen, Pope, Webber.  
Total 13

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

**SB 370, as amended by the House, failed** as follows:

Yeas: Cuffe, Fitzpatrick, McKamey, Mr. President, Salomon, Tempel.  
Total 6

Nays: Bartel, Beard, Bogner, Boldman, Brown, Curdy, Dunwell, Ellis, Emrich, Esp, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, Molnar, Morigeau, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Small, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 44

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 375, as amended by the House, passed** as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 34

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.  
Total 16

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 384, as amended by the House, passed** as follows:

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

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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

**SB 487, as amended by the House**, passed as follows:

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

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 34

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.  
Total 16

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SJ 9, as amended by the House**, passed 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, Lang, 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, Lenz.  
Total 2

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 7**, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 49

Nays: Beard.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

**HB 9**, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Hertz, Kelker, Lang, Lynch, Mandeville, McClafferty, McKamey, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vance, Vermeire, Webber, Welborn.  
Total 33

Nays: Beard, Brown, Emrich, Esp, Fuller, Glimm, Hinebauch, Lenz, Manzella, McGillvray, Molnar, Mr. President, Noland, Regier K, Trebas, Usher, Zolnikov.  
Total 17

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 10**, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, 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, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 40

Nays: Brown, Emrich, Esp, Fuller, Glimm, Hinebauch, Manzella, Molnar, Noland, Usher.  
Total 10

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 11**, concurred in as follows:

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

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

Total 49

Nays: Beard.

Total 1

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 12**, concurred in as follows:

Yeas: Bartel, Bogner, Boldman, 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, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 43

Nays: Beard, Brown, Emrich, Hinebauch, Manzella, Trebas, Usher.

Total 7

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 101**, 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 517**, a proposal to amend the Montana Constitution, **not concurred in** as follows:

Yeas: Bartel, Bogner, Brown, Cuffe, Emrich, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Trebas, Usher, Vance, Vermeire, Zolnikov.  
Total 27

Nays: Beard, Boldman, Curdy, Dunwell, Ellis, Esp, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Webber, Welborn.  
Total 23

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 845**, concurred in as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Kelker, Lang, 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: Hinebauch.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0



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**HB 852**, 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 855**, concurred in as follows:

Yeas: Beard, Boldman, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, 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 37

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

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 941**, concurred in as follows:

Yeas: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gillespie, Gross, Hayman, Hinebauch, Kelker, Lynch, McClafferty, McKamey, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 28

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Nays: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Glimm, Hertz, Lang, Lenz, Mandeville, Manzella, McGillvray, Mr. President, Noland, Regier K, Tempel, Trebas.  
Total 22

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 915**, a proposal to amend the Montana Constitution, **not concurred in** as follows:

Yeas: Bartel, Beard, Bogner, Brown, Emrich, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lenz, Mandeville, Manzella, McGillvray, Mr. President, Noland, Regier K, Trebas, Usher, Vance, Vermeire, Zolnikov.  
Total 23

Nays: Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Gross, Hayman, Kelker, Lang, Lynch, McClafferty, McKamey, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Webber, Welborn.  
Total 27

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

### MOTIONS

Senator Molnar moved that **HB 963** be taken from the Taxation Committee and brought before the Committee of the Whole on Tuesday, April 25, 2023, the 81<sup>st</sup> legislative day. Motion **failed** as follows:

Yeas: Bartel, Boldman, Brown, Cuffe, Curdy, Emrich, Flowers, Fuller, Glimm, Gross, Hertz, Hinebauch, Lenz, Lynch, Mandeville, Manzella, McGillvray, McKamey, Molnar, Morigeau, Noland, Regier K, Trebas, Usher, Vermeire.  
Total 25

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Nays: Beard, Bogner, Dunwell, Ellis, Esp, Fitzpatrick, Fox, Friedel, Gillespie, Hayman, Kelker, Lang, McClafferty, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vance, Webber, Welborn, Zolnikov.

Total 25

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. President Ellsworth in the chair.

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

**SB 425 - House Amendments** - Senator Small moved do concur in House amendments to **SB 425**. Motion carried as follows:

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

Total 50

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**SB 59 - House Amendments** - Majority Leader Fitzpatrick moved **do not concur** in House amendments to **SB 59**. Motion carried as follows:

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

Total 35

Nays: Bogner, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Lynch, Mandeville, McClafferty, O'Brien, Olsen, Pope, Webber, Welborn.

Total 15

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 75 - House Amendments** - Majority Leader Fitzpatrick moved do concur in House amendments to **SB 75**. 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 221 - House Amendments** - Senator Usher moved do concur in House amendments to **SB 221**. 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, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau,

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

Total 49

Nays: Esp.

Total 1

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 867** - Senator Small moved **HB 867** be concurred in. Motion carried as follows:

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

Total 40

Nays: Emrich, Esp, Fuller, Hayman, Lang, Lenz, McGillvray, Noland, Regier K, Tempel.

Total 10

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 288** - Senator Morigeau moved **HB 288** be concurred in. Motion **failed** as follows:

Yeas: Boldman, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Fuller, Gross, Hayman, Kelker, Lynch, McClafferty, McKamey, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Vermeire, Webber, Zolnikov.

Total 25

Nays: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Friedel, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, Mr. President, Noland, Regier K, Tempel, Trebas, Usher, Vance, Welborn.

Total 25

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 382** - Senator O'Brien moved **HB 382** be concurred in. Motion carried as follows:

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

Nays: Bartel, Emrich, Hinebauch, Lenz, Manzella, McGillvray, Noland.  
Total 7

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 551** - Senator Usher moved **HB 551** be concurred in. Motion carried as follows:

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

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

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**HB 886** - Senator Brown moved **HB 886** 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 968** - Senator Regier moved **HB 968** 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, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Trebas, Usher, Vance, Zolnikov.

Total 29

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

Total 21

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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

Majority Leader Fitzpatrick moved the Committee of the Whole report be adopted. Report **adopted** as follows:

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

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Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, O'Brien, Regier K, Sales, Salomon, Small, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.

Total 39

Nays: Dunwell, Ellis, Flowers, McClafferty, Morigeau, Olsen, Pope, Tempel, Webber.

Total 9

Voted absentee: None.

Total 0

Excused: Gross.

Total 1

Absent or not voting: Bartel.

Total 1

**MOTIONS**

Majority Leader Fitzpatrick moved the Senate reconsider its action on **SB 221** and that **SB 221** be placed on second reading this date. Motion carried as follows:

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

Total 1

Voted absentee: None.

Total 0

Excused: Gross.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Fitzpatrick moved to **indefinitely postpone HB 288**, which failed second reading this date. Motion carried as follows:

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

Total 25



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

Total 24

Voted absentee: None.

Total 0

Excused: Gross.

Total 1

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 the consideration of business on second reading. Motion carried. President Ellsworth in the chair.

**HB 920** - Senator O'Brien moved **HB 920** be concurred in.

**HB 920** - Senator Bogner moved **HB 920**, second reading copy, be amended with [HB0920.002.001](#). Amendment **adopted** as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Glimm, Hayman, Hertz, Kelker, Lang, Lenz, Lynch, Manzella, McClafferty, McGillvray, McKamey, Molnar, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Zolnikov.

Total 40

Nays: Beard, Esp, Gillespie, Hinebauch, Mandeville, Morigeau, Mr. President, Noland, Welborn.

Total 9

Voted absentee: None.

Total 0

Excused: Gross.

Total 1

Absent or not voting: None.

Total 0

**HB 920**, as amended, 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, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President,

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

Total 47

Nays: Esp, Hinebauch, Regier K.

Total 3

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 938** - Majority Leader Fitzpatrick moved **HB 938** 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 928** - Senator Usher moved **HB 928** 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

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 947** - Majority Leader Fitzpatrick moved **HB 947** 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

**SB 209 - Conference Committee Report 001** - Senator Hertz moved the Conference Committee report to **SB 209** be adopted. 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, 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

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Absent or not voting: None.

Total 0

**SB 445 - House Amendments** - Senator Bogner moved do concur in House amendments to  
**SB 445**. 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 498 - House Amendments** - Senator Morigeau moved do concur in House amendments to  
**SB 498**. Motion carried as follows:

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

Total 50

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**SB 499 - House Amendments** - Senator McGillvray moved do concur in House amendments to **SB 499**. 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, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 42

Nays: Dunwell, Ellis, Hayman, Kelker, Lynch, O'Brien, Olsen, Webber.  
Total 8

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 93 - House Amendments** - Senator Cuffe moved do concur in House amendments to **SB 93**. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 33

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Webber.  
Total 17

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 148 - House Amendments** - Senator Lenz moved **do not concur** in House amendments to **SB 148**. 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

**SB 397 - House Amendments** - Senator Bogner moved do concur in House amendments to **SB 397**. 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, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 48

Nays: Lynch, Usher.

Total 2

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 87** - Senator Gillespie moved **HB 87** be concurred in.

**HB 87** - Senator Curdy moved **HB 87**, second reading copy, be amended with [HB0087.003.001](#). Amendment **adopted** as follows:

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

Total 39

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Nays: Beard, Bogner, Brown, Emrich, Esp, Glimm, Hertz, Mandeville, Manzella, Regier K.  
Total 10

Voted absentee: None.

Total 0

Excused: Gross.

Total 1

Absent or not voting: None.

Total 0

**HB 87**, 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, 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: Mandeville.

Total 1

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 221 - House Amendments** - Senator Usher moved **do not concur** in House amendments to **SB 221**. Motion carried as follows:

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

Total 50

Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: None.  
Total 0

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

Majority Leader Fitzpatrick moved the Committee of the Whole report be adopted. Report **adopted** as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, 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: Gross.  
Total 1

Absent or not voting: None.  
Total 0

### MOTIONS

Majority Leader Fitzpatrick moved to re-refer **HB 819**, reported out of the Business, Labor and Economic Affairs 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 59**. Without objection, so ordered. President Ellsworth appointed President Ellsworth, chair, Majority Leader Fitzpatrick, and Senator Morigeau.

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 149**. Without objection, so ordered. President Ellsworth appointed Senator Lenz, chair, and Senators Manzella and Olsen.

Majority Leader Fitzpatrick moved the President be authorized to appoint a Conference Committee, and request the House to appoint a like committee, to confer on House amendments to **SB 221**. Without objection, so ordered. President Ellsworth appointed Senator Usher, Chair, and Senators Manzella and Olsen.



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Majority Leader Fitzpatrick moved the President be authorized to appoint a Conference Committee, and request the House to appoint a like committee, to confer on House amendments to **SB 351**. Without objection, so ordered. President Ellsworth appointed Senator Zolnikov, Chair, and Senators Bogner and Olsen.

Majority Leader Fitzpatrick moved the Senate accede to the request of the House and authorize the President to appoint a Free Conference Committee to confer on Senate amendments to **HB 566**. Without objection, so ordered. President Ellsworth appointed Senator Regier, chair, and Senators Emrich and Morigeau.

Senator Molnar moved that **HB 963** be taken from the Taxation Committee and brought before the Committee of the Whole on Tuesday April 25, 2023. Motion **failed** as follows:

Yeas: Bartel, Cuffe, Emrich, Friedel, Glimm, Hertz, Hinebauch, Lenz, Lynch, Mandeville, Manzella, McGillvray, Molnar, Morigeau, Regier K, Trebas, Usher.  
Total 17

Nays: Beard, Bogner, Boldman, Brown, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Hayman, Kelker, Lang, McClafferty, McKamey, Mr. President, Noland, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 32

Voted absentee: None.  
Total 0

Excused: Gross.  
Total 1

Absent or not voting: None.  
Total 0

Senator Cuffe moved that **HB 473** be taken from the Natural Resources Committee and brought before the Committee of the Whole on Tuesday April 25, 2023. Motion **failed** as follows:

Yeas: Bogner, Brown, Cuffe, Esp, Fitzpatrick, Gillespie, Glimm, Hertz, Hinebauch, Lenz, Mandeville, Manzella, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Salomon, Small, Trebas, Usher, Vermeire.  
Total 23

Nays: Bartel, Beard, Boldman, Curdy, Dunwell, Ellis, Emrich, Flowers, Fox, Friedel, Fuller, Hayman, Kelker, Lang, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Sales, Tempel, Vance, Webber, Welborn, Zolnikov.  
Total 26

Voted absentee: None.  
Total 0

Excused: Gross.  
Total 1

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Absent or not voting: None.

Total 0

Majority Leader Fitzpatrick moved to re-refer **HB 914**, reported out of the Local Government Committee, to the Business, Labor, and Economic Affairs Committee. Without objection, so ordered.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

Committee meetings were announced by the committee chairs.

Senator Small thanked the Pages for their service this week.

Majority Leader Fitzpatrick moved the Senate adjourn until 9:00 a.m., 04/24/2023, the 80th legislative day. Motion carried.

Senate adjourned at 2:53 p.m.

MARILYN MILLER  
Secretary of the Senate

JASON ELLSWORTH  
President of the Senate