

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

Helena, Montana  
January 11, 2023

Senate Chambers  
State Capitol

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

Roll Call. Forty-nine members present. Senator Webber, excused. Quorum Present.

**BILLS AND JOURNALS** (Lang, Chair) 01/11/2023

Correctly printed: **SB 6, SB 45, SB 91, SB 98, SB 103, SB 143, SB 144, SB 145.**  
Correctly engrossed: **SB 5.**

**REPORTS OF STANDING COMMITTEES**

**BUSINESS, LABOR, AND ECONOMIC AFFAIRS** (Small, Chair) 01/10/2023

**SB 21**, introduced bill, be amended with [SB0021.001.001](#) and, as amended, do pass.

**SB 35**, do pass.

**SB 59**, introduced bill, be amended with [SB0059.001.001](#) and, as amended, do pass.

**SB 63**, introduced bill, be amended with [SB0063.001.001](#) and, as amended, do pass.

**SB 75**, introduced bill, be amended with [SB0075.001.001](#) and, as amended, do pass.

**SB 80**, do pass.

**SB 102**, do pass.

**STATE ADMINISTRATION** (Cuffe, Chair) 01/09/2023

**SB 18**, do pass.

**SB 40**, do pass.

**SJ 4**, do pass.

Without objection, the committee reports were adopted.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

House bills passed and transmitted to the Senate for concurrence: 01/10/2023

**HB 1**, introduced by L. Jones

**HB 43**, introduced by R. Marshall

**HB 56**, introduced by J. Dooling

**HB 61**, introduced by R. Fitzgerald

**HB 67**, introduced by N. Nicol

**HB 106**, introduced by K. Walsh

**HB 120**, introduced by R. Miner

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**FIRST READING AND COMMITMENT OF BILLS**

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

**SB 146**, introduced by S. Morigeau, F. Smith, E. McClafferty, J. Windy Boy, J. Cohenour, R. Lynch, A. Olsen, W. Curdy, M. Dunwell, J. Ellis, D. Hayman, K. Kelker, C. Pope, S. Webber, E. Boldman, J. Gross, L. Bishop, D. Harvey, M. Weatherwax, T. Running Wolf, M. Marler, P. Flowers, M. Fox, K. Zolnikov, M. Stromswold, E. Stafman, D. Hawk, T. France, M. Thane, S. O'Brien, D. Baum, J. Lynch, M. Romano, S. Howell, J. Karlen, B. Carter, referred to Business, Labor, and Economic Affairs.

**SB 147**, introduced by C. Pope, referred to Energy and Telecommunications

**SB 148**, introduced by D. Lenz, referred to Judiciary.

**SB 149**, introduced by D. Lenz, referred to Judiciary.

**SB 150**, introduced by D. Lenz, referred to Public Health, Welfare and Safety.

**SB 151**, introduced by D. Lenz, referred to Public Health, Welfare and Safety.

**SB 152**, introduced by F. Mandeville, referred to Local Government.

**SB 153**, introduced by B. Molnar, referred to State Administration.

**SB 154**, introduced by K. Regier, referred to Judiciary.

**SB 155**, introduced by K. Bogner, referred to Business, Labor, and Economic Affairs.

**SB 156**, introduced by W. McKamey, referred to State Administration.

**SB 158**, introduced by J. Ellsworth, referred to Local Government.

The following Senate bill was introduced and read first time:

**SB 157**, introduced by J. Ellsworth.

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

**HB 1**, introduced by L. Jones (by request of the Legislative Council), referred to Finance and Claims.

**HB 43**, introduced by R. Marshall (by request of the Department of Revenue), referred to Business, Labor, and Economic Affairs.

**HB 56**, introduced by J. Dooling (by request of the Department of Administration), referred to Taxation.

**HB 61**, introduced by R. Fitzgerald (by request of the State Auditor), referred to Education and Cultural Resources.

**HB 67**, introduced by N. Nicol (by request of the Department of Labor and Industry), referred to Local Government.

**HB 106**, introduced by K. Walsh (by request of the Department of Military Affairs), referred to State Administration.

**HB 120**, introduced by R. Miner (by request of the Department of Revenue), referred to Business, Labor, and Economic Affairs.

**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.

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

**SB 5** - Senator Dunwell moved **SB 5** do pass. 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, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 48

Nays: Olsen.  
Total 1

Voted absentee: None.  
Total 0

Excused: Webber.  
Total 1

Absent or not voting: None.  
Total 0

**SB 45** - Senator McKamey moved **SB 45** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Dunwell, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Kelker, Lang, Lenz, Mandeville, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 42

Nays: Curdy, Ellis, Emrich, Hinebauch, Lynch, Manzella, Olsen.  
Total 7

Voted absentee: None.  
Total 0

Excused: Webber.  
Total 1

Absent or not voting: None.  
Total 0

**SB 98** - Senator Regier moved **SB 98** do pass. 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,

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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, Welborn, Zolnikov.  
Total 49

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: Webber.  
Total 1

Absent or not voting: None.  
Total 0

**SB 103** - Senator Beard moved **SB 103** do pass. 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, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 48

Nays: Olsen.  
Total 1

Voted absentee: None.  
Total 0

Excused: Webber.  
Total 1

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, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar,

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Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 47

Nays: Lynch, Morigeau.  
Total 2

Voted absentee: None.  
Total 0

Excused: Webber.  
Total 1

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

**SB 6** passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, 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, Vermeire, Welborn, Zolnikov.  
Total 45

Nays: Emrich, Friedel, Hinebauch, Vance.  
Total 4

Voted absentee: None.  
Total 0

Excused: Webber.  
Total 1

Absent or not voting: None.  
Total 0

**SB 91** 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, Welborn, Zolnikov.  
Total 49

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Nays: None.  
Total 0

Voted absentee: None.  
Total 0

Excused: Webber.  
Total 1

Absent or not voting: None.  
Total 0

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

Committee meetings were announced by the committee chairs.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 01/12/2023, the 9th legislative day. Motion carried.

Senate adjourned at 1:27 p.m.

MARILYN MILLER  
Secretary of the Senate

JASON ELLSWORTH  
President of the Senate