

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

Helena, Montana
January 23, 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 Kelker excused. Quorum Present.

BILLS AND JOURNALS (Lang, Chair)

Correctly printed: **SB 17, SB 29, SB 33, SB 37, SB 50, SB 64, SB 81, SB 132, SB 144, SB 149, SB 197, SB 198, SB 199, SB 200, SB 201, SB 202, SR 6, SR 7, SR 8, SR 9, SR 10, SR 11, SR 12, SR 13, SR 14, SR 15, SR 16, SR 17, SR 18, SR 19, SR 20, SR 21, SR 22, SR 23, SR 24, SR 25, SR 26, SR 27, SR 28, SR 29, SR 30.**

Correctly engrossed: **SB 39, SB 115, SJ 8.**

Transmitted to the House: **SB 27, SB 78, SB 111, SB 116, SB 130, SB 131, SB 152, SJ 3.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK, AND IRRIGATION (Lang, Chair) 01/19/2023
HB 44, be concurred in.
HB 153, be concurred in.

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Small, Chair) 01/20/2023
SB 53, introduced bill, be amended with [SB0053.001.001](#) and, as amended, do pass.
SB 166, do pass.

FISH AND GAME (Hinebauch, Chair) 01/19/2023
SB 84, introduced bill, be amended with [SB0084.001.001](#) and, as amended, do pass.
SB 85, introduced bill, be amended with [SB0085.001.001](#) and, as amended, do pass.
HB 73, be concurred in.

JUDICIARY (Regier, Chair) 01/20/2023
HJ 1, be concurred in.

PUBLIC HEALTH, WELFARE AND SAFETY (McGillvray, Chair) 01/20/2023
SB 113, do pass.
SB 115, introduced bill, be amended with [SB0115.001.002](#) and, as amended, do pass.
SB 151, do pass.
SB 162, do pass.

STATE ADMINISTRATION (Cuffe, Chair) 01/23/2023
SJ 8, introduced bill, be amended with [SJ0008.001.014](#) and, as amended, do pass.

TAXATION (Zolnikov, Vice Chair) 01/19/2023
SB 119, do pass.

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SB 121, do pass.

SB 124, introduced bill, be amended with [SB0124.001.001](#) and, as amended, do pass.

Without objection, the committee reports were adopted.

MESSAGES FROM THE GOVERNOR

January 2, 2023

The Honorable Jason Ellsworth
Senate President
Montana State Senate
Helena, MT 59620

By Hand and Electronic Delivery

Dear President Ellsworth:

In accordance with Montana Code Annotated §§ 5-5-301 and 5-5-302, I submit to you and the Montana Senate the following appointment for confirmation.

Commissioner of Political Practices
MCA § 13-37-102

As required by MCA § 5-5-302, I am submitting to the Senate for confirmation the following persons who were appointed during the recess of the legislature:

- **Chris Gallus**, 1423 Otter Rd., Helena, MT 59602, who was appointed to serve a term starting January 23, 2023, and whose term expires January 1, 2029. I support the confirmation of Mr. Gallus.

I have included the appointees' resumes, biographies, or other qualification documentation for your consideration.

I have asked Hannah Slusser, my Boards and Appointments Director, to coordinate with your office and Legislative Services as these appointments move through the confirmation process. Ms. Slusser can be reached at 444-5665 or by email at Hannah.Slusser@mt.gov.

Thank you for your consideration and service.

Sincerely,

Greg Gianforte
GOVERNOR

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January 2, 2023

The Honorable Jason Ellsworth
Senate President
Montana State Senate
Helena, MT 59620

Dear President Ellsworth:

In accordance with Montana Code Annotated §§ 5-5-301 and 5-5-302, I submit to you and the Montana Senate the following board appointments for confirmation.

Board of Behavioral Health
MCA § 2-15-1744

As required by MCA § 5-5-302, I am submitting to the Senate for confirmation the following persons who were appointed during the recess of the legislature:

- **Megan Bailey**, 2318 Mary Ave, Missoula, MT 59801, was appointed to serve a term starting January 1, 2023, and whose term ends January 1, 2027. Ms. Bailey fulfills the requirement as a Licensed Marriage and Family Therapist. I support the confirmation of Ms. Bailey.
- **Laura Dever**, 216 Bayshore Drive, Polson, MT, 59860, was appointed to serve a term starting January 1, 2023, and whose term ends January 1, 2027. Ms. Dever fulfills the requirement as a public member not engaged in social work. I support the confirmation of Ms. Dever.
- **Carol Staben Burroughs**, 2023 Stadium Drive, Suite 2B, Bozeman MT 59715, was appointed to serve a term starting January 1, 2023, and whose term ends January 1, 2027. Ms. Staben Burroughs fulfills the requirement as a Licensed Professional Counselor. I support the confirmation of Ms. Staben Burroughs
- **Joelle Johnson**, P.O. Box 1858 East Helena, MT 59635, was appointed to serve a term starting July 21, 2021, and whose term ends January 5, 2025. Ms. Johnson fulfills the requirement as a licensed clinical social worker. I support the confirmation of Ms. Johnson.
- **Joseph Suchanic**, 500 North Higgins Ave, Suite 107, Missoula MT 59802, was appointed to serve a term November 15, 2021, and whose term ends January 5, 2025. Joseph Suchanic fulfills the requirement as a Licensed Professional Counselor. Mr. Suchanic fills a position added during the 2019 Legislative Session. I support the confirmation of Mr. Suchanic.
- **Mona Sumner**, 2227 7th St. West, Billings, MT 59102, was appointed to serve a term starting January 1, 2023 and whose term ends January 1, 2027. Ms. Sumner fulfills the requirement as a Licensed Addiction Counselor. I support the confirmation of Ms. Sumner.
- **Annette Redding**, 1231 North 29th St., Billings, MT 59102, was appointed to serve a term November 7, 2022 and whose term ends January 5, 2025.

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Ms. Redding fulfills the requirement as a peer support specialist. I support the confirmation of Ms. Redding.

- **Shari Rigg**, P.O. Box 3976 Missoula, MT 59806, was appointed to serve a term starting July 21, 2021, and whose term ends January 5, 2025. Ms. Rigg fulfills the requirement as a licensed addiction counselor. I support the confirmation of Ms. Rigg.
- **Erin Williams**, 3203 Cummins Way, Missoula, MT 59802, was appointed to serve a term starting January 1, 2023, and whose term ends January 1, 2027. Ms. Williams fulfills the requirement as a Licensed Professional Counselor. I support the confirmation of Ms. Williams.

I have included the appointees' resumes, biographies, or other qualification documentation for your consideration.

I have asked Hannah Slusser, my Boards and Appointments Director, to coordinate with your office and Legislative Services as these appointments move through the confirmation process. Ms. Slusser can be reached at 444-5665 or by email at Hannah.Slusser@mt.gov.

Thank you for your consideration and service.

Sincerely,

Greg Gianforte
GOVERNOR

January 2, 2023

The Honorable Jason Ellsworth
Senate President
Montana State Senate
Helena, MT 59620

Dear President Ellsworth:

In accordance with Montana Code Annotated Sections 5-5-301 and 5-5-302, I submit to you and the Montana Senate the following board appointments for confirmation.

Montana Arts Council
MCA § 22-2-102

As required by MCA§ 5-5-302, I am submitting to the Senate for confirmation the following persons who were appointed during the recess of the legislature:

- **Troy Collins**, PO Box 1023, Hamilton MT 59840, is appointed to serve a
- STATE INTERNET/BBS COPY**

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term starting March 28, 2022, and through February 1, 2028. Troy Collins fulfills the qualifications of being a member with keen interest in one or more of the arts. I support the confirmation of Mr. Collins.

- **Julie McAlister**, 6479 US Highway 93 S #424, Whitefish MT 59937, is appointed to serve a term starting March 28, 2022, and through February 1, 2028. Julie McAlister fulfills the qualifications of being a member with keen interest in one or more of the arts. I support the confirmation of Ms. McAlister.
- **John Moore**, 494 Hwy 59 N, Miles City MT 59301, is appointed to serve a term starting March 28, 2022, and through February 1, 2028. John Moore fulfills the qualifications of being a member with keen interest in one or more of the arts. I support the confirmation of Mr. Moore.
- **Greg Murphy**, 5533 Gene Sarazen Drive, Billings MT 59106, is appointed to serve a term starting March 28, 2022, and through February 1, 2028. Greg Murphy fulfills the qualifications of being a member with keen interest in one or more of the arts. I support the confirmation of Mr. Murphy.
- **Bridger Pierce**, 3649 Rodeo Rd, Missoula MT 59802, is appointed to serve a term starting March 28, 2022, and through February 1, 2028. Bridger Pierce fulfills the qualifications of being a member with keen interest in one or more of the arts. I support the confirmation of Mr. Pierce.

I have included the appointees' resumes, biography or other qualification documentation for your consideration.

I have asked Hannah Slusser, my Boards and Appointments Director, to coordinate with your office and Legislative Services as these appointments move through the confirmation process. Ms. Slusser can be reached at 444-5665 or by email at Hannah.Slusser@mt.gov.

Thank you for your consideration and service.

Sincerely,

Greg Gianforte
GOVERNOR

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence:

01/20/2023

HB 93, introduced by P. Green
HB 94, introduced by P. Green
HB 102, introduced by J. Gillette
HB 105, introduced by P. Green

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HB 108, introduced by D. Loge
HB 109, introduced by L. Bishop
HB 116, introduced by J. Gillette
HB 134, introduced by K. Zolnikov
HB 143, introduced by J. Dooling

FIRST READING AND COMMITMENT OF BILLS

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

SB 203, introduced by K. Bogner, referred to Agriculture, Livestock and Irrigation.

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

SR 31, introduced by D. Salomon, referred to Education and Cultural Resources.
SR 32, introduced by D. Salomon, referred to Education and Cultural Resources.
SR 33, introduced by D. Salomon, referred to Education and Cultural Resources.
SR 34, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 35, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 36, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 37, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 38, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 39, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 40, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 41, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 42, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 43, introduced by J. Small, referred to Business, Labor, and Economic Affairs.
SR 44, introduced by J. Welborn, referred to Natural Resources.
SR 45, introduced by J. Welborn, referred to Natural Resources.
SR 46, introduced by T. McGillvray, referred to Public Health, Welfare and Safety.

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

SB 197, introduced by M. Cuffe, referred to State Administration.
SB 198, introduced by J. Gross, M. Caferro, S. Stewart Peregoy, R. Lynch, B. Usher, J. Small, S. O'Brien, referred to Public Health, Welfare and Safety.
SB 199, introduced by G. Hertz, referred to Local Government.
SB 200, introduced by G. Hertz, referred to State Administration.
SB 201, introduced by G. Hertz, referred to Judiciary.
SB 202, introduced by G. Hertz, referred to Public Health, Welfare and Safety.

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

HB 93, introduced by P. Green (by request of the Department of Agriculture), referred to Agriculture, Livestock and Irrigation.
HB 94, introduced by P. Green (by request of the Department of Agriculture), referred to Agriculture, Livestock and Irrigation.

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HB 102, introduced by J. Gillette (by request of the Department of Public Health and Human Services), referred to Public Health, Welfare and Safety.

HB 105, introduced by P. Green (by request of the Department of Transportation), referred to Highways and Transportation.

HB 108, introduced by D. Loge (by request of the Department of Revenue), referred to State Administration.

HB 109, introduced by L. Bishop (by request of the Code Commissioner), referred to State Administration.

HB 116, introduced by J. Gillette (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Public Health, Welfare and Safety.

HB 134, introduced by K. Zolnikov (by request of the Department of Military Affairs), referred to State Administration.

HB 143, introduced by J. Dooling (by request of the Department of Commerce), referred to State Administration.

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

HB 31, introduced by R. Fitzgerald (by request of the Department of Revenue), referred to Business, Labor, and Economic Affairs.

HB 32, introduced by S. Gist (by request of the Local Government Interim Committee), referred to Local Government.

HB 33, introduced by S. Gist (by request of the Local Government Interim Committee), referred to Local Government.

HB 34, introduced by S. Gist (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 41, introduced by J. Bergstrom (by request of the Department of Labor and Industry), referred to Business, Labor, and Economic Affairs.

HB 51, introduced by J. Read (by request of the Department of Livestock), referred to Agriculture, Livestock and Irrigation.

HB 65, introduced by T. Moore (by request of the Department of Public Health and Human Services), referred to Public Health, Welfare and Safety.

HB 66, introduced by G. Kmetz (by request of the Department of Revenue), referred to Agriculture, Livestock and Irrigation.

HB 68, introduced by G. Nikolakakos (by request of the Department of Revenue), referred to Business, Labor, and Economic Affairs.

HB 69, introduced by T. Falk (by request of the Department of Revenue), referred to Business, Labor, and Economic Affairs.

HB 80, introduced by G. Nikolakakos (by request of the Department of Military Affairs), referred to State Administration.

HB 84, introduced by K. Walsh (by request of the Department of Livestock), referred to Agriculture, Livestock and Irrigation.

HB 92, introduced by P. Green (by request of the Department of Justice), referred to Judiciary.

HB 175, introduced by E. Buttrey, J. Ellsworth, referred to Finance and Claims.

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THIRD READING OF BILLS

SB 17 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, 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: Kelker.

Total 1

Absent or not voting: None.

Total 0

SB 33 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hayman, 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 47

Nays: Gross, Olsen.

Total 2

Voted absentee: None.

Total 0

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

SB 50 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, 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: None.

Total 0

Voted absentee: None.

Total 0

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

SB 64 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, 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: Kelker.

Total 1

Absent or not voting: None.

Total 0

SB 81 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, 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

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Voted absentee: None.
Total 0

Excused: Kelker.
Total 1

Absent or not voting: None.
Total 0

SB 149 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, 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: Kelker.
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 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 128 - Majority Leader Fitzpatrick moved consideration of **SB 128** be passed for the day. Without objection, so ordered.

SB 54 - Senator Hertz moved **SB 54** do pass.

SB 54 - Senator Molnar moved **SB 54**, second reading copy, be amended with [SB0054.002.001](#).

Amendment **not adopted** as follows:

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Yeas: Brown, Cuffe, Emrich, Esp, Flowers, Friedel, Fuller, Gross, Lynch, Mandeville, Manzella, McGillvray, Molnar, Morigeau, Regier K, Salomon.

Total 16

Nays: Bartel, Beard, Bogner, Boldman, Curdy, Dunwell, Ellis, Fitzpatrick, Fox, Gillespie, Glimm, Hayman, Hertz, Hinebauch, Lang, Lenz, McClafferty, McKamey, Mr. President, Noland, O'Brien, Olsen, Pope, Sales, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 33

Voted absentee: None.

Total 0

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

Thereupon, the Senate reverted to the original motion of Senator Hertz which 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, Manzella, McGillvray, McKamey, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 45

Nays: Hayman, Mandeville, McClafferty, Molnar.

Total 4

Voted absentee: None.

Total 0

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

The Senate was entertained with two musical selections by "Expressions of Silence," a student performing group from the Montana School for the Deaf and Blind.

SB 12 - Senator Lynch moved **SB 12** do pass. Motion carried as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Lang, Lenz, Lynch, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien,

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

Total 45

Nays: Beard, Esp, Mandeville, Olsen.

Total 4

Voted absentee: None.

Total 0

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

SB 13 - Senator Regier moved **SB 13** 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, 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: Kelker.

Total 1

Absent or not voting: None.

Total 0

SB 19 - Senator Regier moved **SB 19** do pass. 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, Lynch, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Webber.

Total 16

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Voted absentee: None.
Total 0

Excused: Kelker.
Total 1

Absent or not voting: None.
Total 0

SB 42 - Senator Hinebauch moved **SB 42** 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, 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: Kelker.
Total 1

Absent or not voting: None.
Total 0

SB 43 - Senator Curdy moved **SB 43** 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, 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: Kelker.
Total 1

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Absent or not voting: None.
Total 0

SB 68 - Senator Usher moved **SB 68** 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, 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 48

Nays: Olsen.
Total 1

Voted absentee: None.
Total 0

Excused: Kelker.
Total 1

Absent or not voting: None.
Total 0

SB 89 - Senator Lynch moved **SB 89** do pass. Motion carried as follows:

Yeas: Bartel, Bogner, Boldman, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Flowers, Fox, Friedel, Fuller, Gillespie, Gross, Hayman, Hertz, Hinebauch, Lang, Lenz, Lynch, McClafferty, McGillvray, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Usher, Vance, Vermeire, Webber, Welborn.
Total 40

Nays: Beard, Brown, Fitzpatrick, Glimm, Mandeville, Manzella, McKamey, Trebas, Zolnikov.
Total 9

Voted absentee: None.
Total 0

Excused: Kelker.
Total 1

Absent or not voting: None.
Total 0

SB 106 - Majority Leader Fitzpatrick moved **SB 106** 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, 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: None.

Total 0

Voted absentee: None.

Total 0

Excused: Kelker.

Total 1

Absent or not voting: None.

Total 0

SJ 5 - Senator Brown moved **SJ 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, 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: Kelker.

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, 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

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SIXTEENTH LEGISLATIVE DAY - January 23, 2023

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Kelker.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Fitzpatrick moved to re-refer **SB 19**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **SB 54**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved to re-refer **SB 89**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

ANNOUNCEMENT OF COMMITTEE MEETINGS

Committee meetings were announced by the committee chairs.

Senator Small introduced the Pages for the coming week:

Dylan Clark from Anaconda, sponsored by Senator Vermeire.
Anna Council from Helena, sponsored by Senator Dunwell.
Peter Harrington from Hamilton, sponsored by President Ellsworth.
Carly Larson from Bozeman, sponsored by Senator Sales.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 01/24/2023, the 17th legislative day. Motion carried.

Senate adjourned at 2:23 p.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate