

**SENATE JOURNAL  
68TH LEGISLATURE  
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana  
February 03, 2023

Senate Chambers  
State Capitol

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

Roll Call. All members present. Quorum present.

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

Correctly printed: **SB 55, SB 70, SB 164, SB 188, SB 202, SB 255, SB 256, SB 257, SB 258, SB 259, SB 260, SR 12, SR 14, SJ 6, HB 15, HB 30, HB 39, HB 43, HB 44, HB 50, HB 61, HB 65, HB 67, HB 68, HB 77, HB 78, HB 102, HB 169, HB 178.**

Correctly engrossed: **SB 83, SB 132, SB 174, SB 214.**

Correctly enrolled: **SB 18.**

Transmitted to the House: **SB 49, SB 51, SB 73, SB 77, SB 86, SB 136, SB 171, SB 177, SB 207.**

**REPORTS OF STANDING COMMITTEES**

**FINANCE AND CLAIMS** (Esp, Chair) 02/02/2023  
**SB 124**, do pass.

**NATURAL RESOURCES** (Welborn, Chair) 02/01/2023  
**SB 72**, introduced bill, be amended with [SB0072.002.001](#) 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 board appointments for confirmation.

**Board of Chiropractors**  
MCA § 2-15-1737

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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:

- **Dustin Rising, D.C.**, 2451 Farrier Ln., Bozeman, MT 59718, who was appointed May 3, 2022, and whose term expires January 1, 2025. Dr. Rising fulfills the requirements as a licensed chiropractor. I support the confirmation of Dr. Rising.
- **Marcus Nynas, D.C.**, 872 Ginger Ave, Billings, MT 59105, who was appointed on January 1, 2022, and whose term expires December 31, 2024. Dr. Nynas fulfills the requirements as a licensed chiropractor. I support the confirmation of Dr. Nynas.

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](mailto:Hannah.Slusser@mt.gov).

Thank you for your consideration and service.

Sincerely,

Greg Gianforte  
GOVERNOR

January 18, 2023

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

By Hand and Electronic Delivery

Dear President Ellsworth:

**It has come to my attention that there was an error in the terms previously submitted to you in the letter dated January 2, 2023. Please find below the corrected letter:**

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 term starting March 28, 2022, and through February 1, 2027. Troy Collins fulfills the qualifications of

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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, 2027. 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, 2027. 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, 2027. 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, 2027. 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](mailto: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

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 board appointments for confirmation.

**Board of Professional Engineers and Professional Land Surveyors**  
MCA § 2-15-1763

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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:

- **Wallace Gladstone**, 200 North 34<sup>th</sup> St., Billings, MT 59101, who was appointed on August 15, 2021, and whose term expires June 30, 2024. Mr. Gladstone fulfills the requirements as a professional engineer. I support the confirmation of Mr. Gladstone.
- **Pat Goodover, II**, PO Box 1725, Great Falls, MT 59403, who was appointed on August 1, 2022, and whose term expires July 1, 2026. Mr. Goodover II fulfills the requirements as a Representative of the Public who is not engaged in engineering or land surveying. I support the confirmation of Mr. Goodover.
- **Troy Jensen**, 2036 Clover Ct, Sidney, MT 59270, who was appointed on August 1, 2022, and whose term expires July 1, 2026. Mr. Jensen fulfills the requirements as a Representative of the Public who is not engaged in engineering or land surveying. I support the confirmation of Mr. Jensen.
- **Byron Stahly**, 1965 Ambrose Court, Helena, MT 59601, who was appointed on August 15, 2021, and whose term expires June 30, 2024. Mr. Stahly fulfills the requirements as a professional engineer. I support the confirmation of Mr. Stahly.

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](mailto: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:

02/02/2023

**HB 147**, introduced by J. Gillette  
**HB 171**, introduced by D. Bedey  
**HB 192**, introduced by B. Mercer  
**HB 212**, introduced by J. Kassmier  
**HB 221**, introduced by T. Welch  
**HB 222**, introduced by T. Welch  
**HB 255**, introduced by G. Oblander  
**HB 267**, introduced by C. Sprunger

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**FIRST READING AND COMMITMENT OF BILLS**

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

- SB 261**, introduced by K. Regier, referred to Natural Resources.
- SB 262**, introduced by D. Zolnikov, referred to Local Government.
- SB 263**, introduced by K. Regier, referred to Business, Labor, and Economic Affairs.
- SB 264**, introduced by K. Regier, referred to Business, Labor, and Economic Affairs.
- SB 265**, introduced by M. Noland, S. Fitzpatrick, T. McGillvray, S. Sales, F. Mandeville, W. McKamey, S. Hinebauch, D. Bartel, B. Usher, J. Small, J. Ellsworth, K. Bogner, D. Emrich, referred to Judiciary.
- SB 266**, introduced by T. Manzella, B. Brown, S. Hinebauch, D. Emrich, referred to Public Health, Welfare and Safety.
- SB 267**, introduced by G. Hertz, referred to Business, Labor, and Economic Affairs.
- SB 268**, introduced by G. Hertz, referred to Local Government.
- SB 269**, introduced by G. Hertz, referred to Business, Labor, and Economic Affairs.
- SB 270**, introduced by K. Regier, referred to Business, Labor, and Economic Affairs.
- SB 271**, introduced by S. Fitzpatrick, referred to Natural Resources.

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

- SR 50**, introduced by T. McGillvray, referred to Public Health, Welfare and Safety.

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

- SB 258**, introduced by M. Dunwell, E. McClafferty, A. Olsen, D. Hayman, C. Pope, J. Gross, M. Fox, S. O'Brien, referred to Taxation.
- SB 259**, introduced by M. Dunwell, E. McClafferty, A. Olsen, D. Hayman, C. Pope, M. Fox, S. O'Brien, referred to Business, Labor, and Economic Affairs.
- SB 260**, introduced by D. Salomon, E. Buttrey, referred to Business, Labor, and Economic Affairs.

The following House bills were introduced and read first time:

- HB 147**, introduced by J. Gillette (by request of the Children, Families, Health and Human Services Interim Committee).
- HB 171**, introduced by D. Bedey.
- HB 192**, introduced by B. Mercer.
- HB 212**, introduced by J. Kassmier.
- HB 221**, introduced by T. Welch.
- HB 222**, introduced by T. Welch.
- HB 255**, introduced by G. Oblander.
- HB 267**, introduced by C. Sprunger.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Fitzpatrick moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator McGillvray in the chair.

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

**SB 47** - Senator Manzella moved **SB 47** do pass. Motion **failed** as follows:

Yeas: Curdy, Dunwell, Ellis, Esp, Flowers, Fox, Gross, Hayman, Kelker, Lang, Manzella, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Tempel, Vermeire, Webber, Welborn.  
Total 23

Nays: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Emrich, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lenz, Lynch, Mandeville, McGillvray, McKamey, Mr. President, Noland, Regier K, Small, Trebas, Usher, Vance, Zolnikov.  
Total 27

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 47** - Majority Leader Fitzpatrick moved **SB 47** be **indefinitely postponed**. Motion carried as follows:

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

Nays: Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Manzella, Morigeau, O'Brien, Olsen, Pope, Salomon, Webber.  
Total 13

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

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**SR 8** - Senator Regier moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 8**. 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

**SR 10** - Senator Regier moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 10**. 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

**SR 26** - Senator Lang moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 26**. 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, 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

**SR 27** - Senator Lang moved the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 27**. 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 24** - Senator Beard moved **HB 24** 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

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Nays: None.

Total 0

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 59** - Senator Gillespie moved **HB 59** 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, 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: Gross.

Total 1

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 70** - Senator Small moved **HB 70** 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, Zolnikov.

Total 49

Nays: Welborn.

Total 1

Voted absentee: None.

Total 0

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 71** - Senator Curdy moved **HB 71** 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 73** - Senator Brown moved **HB 73** 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

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**HB 98** - Senator Small moved **HB 98** 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, Kelker, Lang, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 47

Nays: Hinebauch, Lenz, Lynch.

Total 3

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 99** - Senator Fuller moved **HB 99** 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 113** - Senator Zolnikov moved **HB 113** be concurred in

.

**HB 113** - Senator Zolnikov moved **HB 113**, second reading copy, be amended with [HB0113.001.002](#). Amendment was **not adopted** as follows:

Yeas: Hayman, Lynch, Mandeville, Morigeau, Salomon, Trebas, Usher, Zolnikov.

Total 8

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Nays: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hertz, Hinebauch, Kelker, Lang, Lenz, Manzella, McClafferty, McGillvray, McKamey, Molnar, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Small, Tempel, Vance, Vermeire, Webber, Welborn.  
Total 42

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 113** - Thereupon, the Senate reverted to the original motion of Senator Zolnikov which passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Mr. President, Noland, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Zolnikov.  
Total 45

Nays: Flowers, Lynch, Morigeau, Regier K, Welborn.  
Total 5

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 120** - Senator Gillespie moved **HB 120** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Kelker, Lang, Lynch, Mandeville, Manzella, McClafferty, McGillvray, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 45

Nays: Emrich, Esp, Hinebauch, Lenz, McKamey.  
Total 5

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Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 153** - Senator Lang moved **HB 153** 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

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

Senator McGillvray 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, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 50

Nays: None.  
Total 0

Voted absentee: None.  
Total 0

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Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**THIRD READING OF BILLS**

**SB 34** 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 55** passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Fox, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.  
Total 36

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Gillespie, Gross, Hayman, Kelker, Morigeau, O'Brien, Olsen, Pope, Webber.  
Total 14

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

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Absent or not voting: None.  
Total 0

**SB 70** passed as follows:

Yeas: Bartel, 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, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 46

Nays: Beard, Esp, Lenz, McGillvray.  
Total 4

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**SB 164** 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

**SJ 6** passed as follows:

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

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

Total 44

Nays: Beard, Gillespie, Manzella, Noland, Usher, Vance.

Total 6

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 30** 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 39** 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 43** 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 44** 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

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Absent or not voting: None.  
Total 0

**HB 61** concurred in as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Emrich, Esp, Fitzpatrick, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hertz, Hinebauch, Kelker, Lang, Lenz, 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 43

Nays: Dunwell, Ellis, Flowers, Hayman, Lynch, Olsen, Webber.  
Total 7

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 67** 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, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.  
Total 49

Nays: Molnar.  
Total 1

Voted absentee: None.  
Total 0

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 77** 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,

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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, 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 78** 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

**MOTIONS**

Majority Leader Fitzpatrick moved that **SB 240** be taken from the Local Government Committee and re-referred to the Natural Resources Committee. Without objection, so ordered.

Majority Leader Fitzpatrick moved the Senate reconsider its action on **SB 199**, indefinitely postponed the previous legislative day. Motion carried as follows:

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

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

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

Committee meetings were announced by the committee chairs.

Senator Small thanked the Pages for their service the past week.

President Ellsworth appointed a committee to plan and prepare the attached party this session. Appointees are Senator Bogner, chair, and Senators Freidel, Mandeville, Trebas, and Zolnikov.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 02/06/2023, the 26th legislative day. Motion carried.

Senate adjourned at 2:13 p.m.

MARILYN MILLER  
Secretary of the Senate

JASON ELLSWORTH  
President of the Senate