

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

Helena, Montana
February 08, 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. All members present. Quorum present.

BILLS AND JOURNALS (Lang, Chair)

Correctly printed: **SB 99, SB 153, SB 190, SB 199, SB 206, SB 225, SB 280, SB 281, SB 282, SB 283, SB 284, SB 285, SB 286, SB 289, SB 290, SR 21, SR 22, SR 23, SR 24, SJ 10, HB 18, HB 28, HB 58, HB 83, HB 85, HB 111, HB 121, HB 124, HB 149, HB 166.**

Correctly engrossed: **SB 176, SB 186, SB 215, SB 219, SB 220.**

Correctly enrolled: **SB 7, SB 34, SB 35, SB 40.**

Transmitted to the House: **SB 83, SB 124, SB 174, SB 188, SB 202, SB 214, HB 22, HB 123, HB 138, HB 139, HB 145, HB 157, HB 160.**

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Esp, Chair)

02/07/2023

SB 19, do pass.

SB 60, do pass.

SB 94, introduced bill, be amended with [SB0094.002.001](#) and, as amended, do pass.

SB 95, do pass.

SB 163, do pass.

SB 168, do pass.

HB 175, be concurred in.

HIGHWAYS AND TRANSPORTATION (Manzella, Chair)

02/07/2023

SB 221, do pass.

SB 234, do pass.

HB 76, be concurred in.

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 Nursing
MCA § 2-15-1734

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:

- **Alicia Beagles**, 1703 21st Ave South, Great Falls MT 59405, is appointed to serve a term starting September 14, 2022, and through July 1, 2026. Alicia Beagles fulfills the qualifications of being Registered Nurse. I support the confirmation of Ms. Beagles.
- **Lee Ann Evatt**, PO Box 637, Fairfield MT 59436, is appointed to serve a term starting September 14, 2022, and through July 1, 2026. Lee Ann Evatt fulfills the qualifications of being Licensed Practical Nurse. I support the confirmaiton of Ms. Evatt.
- **Betsy Mancuso**, PO Box 966, Manhattan MT 59741, is appointed to serve a term starting September 14, 2022, and through July 1, 2026. Betsy Mancuso fulfills the qualifications of being Public Member. I support the confirmation of Ms. Mancuso.
- **Desma Meissner**, 725 53rd St. S., Great Falls, MT 59405, is appointed to serve a term starting December 19, 2022, and through July 1, 2024. Desma Meissner fulfills the qualifications as a Registered Professional Nurse (RN), with experience in a school of nursing. I support the confirmation of Ms. Meissner.
- **Russell Motschenbacher**, 508 33rd Ave NE, Great Falls, MT 59404, is appointed to serve a term starting July 21, 2021, and through June 30, 2025. Mr. Motschenbacher fulfills the qualifications of being a registered nurse. I support the confirmation of Mr. Motschenbacher.
- **Constance Neumann**, PO Box 830, Kila MT 59920, is appointed to serve a term starting September 14, 2022, and through July 1, 2026. Constance Neumann fulfills the qualifications of being Public Member. I support the confirmation of Ms. Neumann.

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.

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

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

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.

Montana Tax Appeal Board
MCA § 15-2-101

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:

- **Travis Brown**, 606 Peosta Ave, Helena, MT 59601, who was appointed on January 1, 2023 and whose term expires January 1, 2029. Mr. Brown fulfills the requirements as a Public Representative. I support the confirmation of Mr. Brown.

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

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

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

By Hand and Electronic Delivery

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 Optometry
MCA § 2-15-1736

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:

- **Kristi Schied**, 2430 Lydia Lane, Billings, MT 59102, is appointed to serve a term starting August 25, 2021, and through April 1, 2025. Ms. Schied fulfills the qualifications of being a Registered Optometrist. I support the confirmation of Ms. Schied.
- **Ron Benner**, PO Box 190, Laurel, MT 59044, is appointed to serve a term starting August 25, 2021 through April 1, 2025. Mr. Benner fulfills the qualifications of being a Registered Optometrist. I support the confirmation of Mr. Benner.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate Bills concurred in and returned to the Senate:

02/07/2023

SB 62, introduced by D. Zolnikov
SB 80, introduced by M. Fox

House bills passed and transmitted to the Senate for concurrence:

02/07/2023

HB 289, introduced by G. Oblander
HB 292, introduced by J. Dooling
HB 303, introduced by A. Regier

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

HB 310, introduced by J. Carlson

HB 326, introduced by K. Seekins-Crowe

HB 344, introduced by M. Thane, requiring adoption by an affirmative roll call vote of **2/3 of Each House** is transmitted to the Senate with the following vote: Ayes: 66 Nays: 32

FIRST READING AND COMMITMENT OF BILLS

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

SB 291, introduced by G. Hertz, referred to Taxation.

SB 292, introduced by G. Hertz, referred to Taxation.

SB 293, introduced by M. Noland, M. Cuffe, J. Cohenour, C. Glimm, G. Hertz, W. Curdy, J. Ellis, S. Gunderson, D. Fern, D. Loge, S. Vinton, N. Duram, M. Marler, T. Vermeire, referred to Fish and Game.

SB 294, introduced by B. Usher, E. Buttrey, S. Fitzpatrick, J. Esp, T. McGillvray, J. Welborn, L. Jones, C. Glimm, G. Hertz, D. Zolnikov, D. Lenz, R. Lynch, K. Kelker, T. Manzella, W. McKamey, M. Noland, S. Hinebauch, L. Sheldon-Galloway, J. Trebas, D. Bartel, W. Sales, E. Boldman, J. Small, J. Gross, J. Ellsworth, J. Fuller, K. Bogner, B. Gillespie, B. Mercer, P. Flowers, J. Carlson, A. Regier, C. Friedel, L. Deming, D. Emrich, T. Vermeire, G. Kmetz, referred to Judiciary.

SB 295, introduced by B. Gillespie, M. Cuffe, D. Salomon, K. Regier, J. Welborn, J. Cohenour, B. Molnar, C. Glimm, M. Lang, F. Mandeville, W. McKamey, M. Noland, D. Loge, R. Fitzgerald, S. Vinton, B. Beard, J. Small, M. Hopkins, R. Tempel, N. Duram, J. Fuller, K. Bogner, T. Moore, P. Flowers, B. Phalen, K. Zolnikov, A. Regier, S. Kerns, S. Galloway, S. Gist, G. Frazer, R. Marshall, M. Thane, C. Friedel, M. Yakawich, G. Oblander, N. Nicol, D. Emrich, S. Vance, T. Vermeire, G. Nikolakakos, Z. Wirth, referred to Fish and Game.

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

SR 51, introduced by D. Salomon, referred to Education and Cultural Resources.

The following Senate bill was introduced and read first time:

SB 296, introduced by B. Beard, F. Smith, E. Buttrey, S. Fitzpatrick, M. Caferro, B. Molnar, J. Fielder, M. Lang, D. Lenz, B. Brown, M. Dunwell, S. Hinebauch, D. Fern, D. Loge, R. Fitzgerald, C. Knudsen, S. Vinton, T. Welch, K. Abbott, J. Small, R. Knudsen, J. Dooling, T. Running Wolf, J. Kassmier, C. Keogh, B. Ler, B. Phalen, F. Nave, L. Brewster, A. Regier, L. Reksten, J. Schillinger, K. Seekins-Crowe, M. Malone, A. Buckley, M. Bertoglio, M. Binkley, R. Marshall, M. Thane, M. Yakawich, T. Brockman, R. Miner, G. Parry, G. Oblander, L. Deming, D. Emrich, J. Bergstrom, S. Howell, Z. Wirth.

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

SB 280, introduced by M. Lang, R. Knudsen, referred to Fish and Game.

SB 281, introduced by P. Flowers, E. McClafferty, J. Welborn, G. Hertz, R. Lynch, A. Olsen, W. Curdy, J. Ellis, K. Kelker, C. Pope, S. Webber, R. Fitzgerald, J. Gross, B. Gillespie, M. Fox, P. Fielder, S. Gist, S. O'Brien, R. Miner, E. Matthews, G. Nikolakakos, J. Karlen, referred to Fish and Game.

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

SB 282, introduced by D. Lenz, referred to Public Health, Welfare and Safety.
SB 283, introduced by M. Noland, K. Regier, C. Glimm, referred to Business, Labor, and Economic Affairs.
SB 284, introduced by C. Glimm, referred to Public Health, Welfare and Safety.
SB 285, introduced by C. Glimm, referred to Local Government.
SB 286, introduced by S. Fitzpatrick, referred to Judiciary.
SB 287, introduced by S. Fitzpatrick, referred to Judiciary.
SB 288, introduced by M. Cuffe, referred to Highways and Transportation.
SB 289, introduced by C. Friedel, referred to Education and Cultural Resources.
SB 290, introduced by D. Zolnikov, referred to State Administration.

The following Senate joint resolution, previously introduced, was referred to committee:

SJ 10, introduced by M. Cuffe, referred to Energy and Telecommunications.

The following House bills were introduced and read first time:

HB 289, introduced by G. Oblander.
HB 292, introduced by J. Dooling.
HB 303, introduced by A. Regier.
HB 310, introduced by J. Carlson.
HB 326, introduced by K. Seekins-Crowe.
HB 344, introduced by M. Thane.

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

HB 266, introduced by T. Brockman, referred to Judiciary.
HB 283, introduced by S. Galloway, E. Buttrey, J. Read, B. Keenan, D. Zolnikov, T. Manzella, M. Noland, D. Loge, F. Anderson, L. Sheldon-Galloway, J. Trebas, C. Knudsen, B. Usher, S. Vinton, M. Hopkins, R. Knudsen, T. Moore, B. Ler, B. Phalen, F. Nave, L. Brewster, K. Zolnikov, A. Regier, L. Reksten, J. Schillinger, J. Gillette, C. Hinkle, M. Binkley, R. Marshall, C. Friedel, S. Essmann, M. Yakawich, T. Brockman, T. Smith, G. Oblander, N. Nicol, L. Deming, C. Sprunger, T. Falk, J. Bergstrom, G. Kmetz, P. Green, J. Etchart, W. Rusk, referred to Local Government.

**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 Lang in the chair.

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

HB 54 - Senator Brown moved **HB 54** 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,

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

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 86 - Senator Brown moved **HB 86** 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

Vote totals include a change of vote from No to Yes made by Senator Cuffe this day under Order of Business 9, Motions.

HB 162 - Senator Brown moved **HB 162** 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

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJ 1 - Senator Brown moved **HJ 1** 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

SB 201 - Senator Hertz moved **SB 201** do pass.

SB 201 - Senator Olsen moved **SB 201**, second reading copy, be amended with [SB0201.001.003](#). Amendment **not adopted** as follows:

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

Nays: 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

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 201 - Senator Hertz moved **SB 201**, second reading copy, be amended with [SB0201.001.004](#).
Amendment **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

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 201, as amended, passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Curdy, 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 35

Nays: Boldman, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Morigeau, O'Brien, Olsen, Pope, Webber.
Total 15

Voted absentee: None.
Total 0

Excused: None.
Total 0

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

Absent or not voting: None.
Total 0

SB 209 - Senator Hertz moved **SB 209** 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, Lynch, Mandeville, Manzella, McClafferty, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 48

Nays: Lenz, McGillvray.
Total 2

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 230 - Senator Fuller moved **SB 230** do pass. Motion **failed** as follows:

Yeas: Bartel, Beard, Bogner, Brown, Emrich, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McGillvray, Mr. President, Noland, Regier K, Trebas, Usher, Zolnikov.
Total 20

Nays: Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Kelker, Lynch, McClafferty, McKamey, Molnar, Morigeau, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vance, Vermeire, Webber, Welborn.
Total 30

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 230 - Majority Leader Fitzpatrick moved **SB 230** be **indefinitely postponed**. Motion carried as follows:

Yeas: Beard, Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Gross, Hayman, Hertz, Kelker, Lang, Lynch, McClafferty, McGillvray, McKamey,

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Vance, Vermeire, Webber, Welborn.

Total 35

Nays: Bartel, Bogner, Brown, Emrich, Fuller, Glimm, Hinebauch, Lenz, Mandeville, Manzella, Noland, Regier K, Trebas, Usher, Zolnikov.

Total 15

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SR 7 - Senator Regier moved the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 7**. 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, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov, Mr. President.

Total 50

Nays: None.

Total 0

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SR 17 - Senator McGillvray moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 17**. 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

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 18 - Senator McGillvray moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 18**. 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 19 - Senator McGillvray moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 19**. 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, 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: Lang.
Total 1

Voted absentee: None.
Total 0

Excused: None.
Total 0

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

Absent or not voting: None.
Total 0

SR 20 - Senator McGillvray moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 20**. 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 21 - Senator Salomon moved **HB 21** 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

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

HB 31 - Senator Sales moved **HB 31** be concurred in. Motion carried as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Friedel, 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, Vermeire, Webber, Welborn, Zolnikov.

Total 43

Nays: Beard, Emrich, Esp, Fuller, Lenz, McGillvray, Vance.

Total 7

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 41 - Senator Small moved **HB 41** be concurred in. Motion carried as follows:

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

Total 39

Nays: Emrich, Esp, Glimm, Hinebauch, Lang, Mandeville, Manzella, McGillvray, Mr. President, Regier K, Usher.

Total 11

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 48 - Senator Gillespie moved **HB 48** 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, Lynch, Mandeville, Manzella, McClafferty, McKamey, Molnar, Morigeau,

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

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

Total 48

Nays: Lenz, McGillvray.

Total 2

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 Lang 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

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

SB 99 passed 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, Small, Tempel, Trebas, Usher, Vance, Welborn, Zolnikov.

Total 30

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

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

Total 20

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 199 passed as follows:

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

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.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 18, 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

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 58, 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 83, 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

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

HB 111, 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 121, 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, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 49

Nays: Usher.
Total 1

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 124, 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,

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

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 149, 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 166, 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

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Senator Cuffe moved to change his second reading vote this date on **HB 86** from No to Yes. Without objection, so ordered.

Senator Molnar moved to **suspend joint rule** 40-50(2)(b) related to the deadline to introduce a bill. Motion carried as follows:

Yeas: Bartel, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hinebauch, Kelker, Lang, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Noland, O'Brien, Olsen, Pope, Regier K, Salomon, Small, Tempel, Trebas, Vance, Vermeire, Webber, Zolnikov, Mr. President.
Total 43

Nays: Beard, Bogner, Hertz, Lenz, Sales, Usher, Welborn.
Total 7

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.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 02/09/2023, the 29th legislative day. Motion carried.

SENATE JOURNAL
TWENTY-EIGHTH LEGISLATIVE DAY - February 08, 2023

Senate adjourned at 2:19 p.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate