

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

Helena, Montana
February 09, 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. Forty-nine members present. Senator Esp, excused. Quorum Present.

BILLS AND JOURNALS (Lang, Chair)

Correctly printed: **SB 19, SB 60, SB 95, SB 163, SB 168, SB 209, SB 221, SB 234, SB 291, SB 292, SB 293, SB 294, SB 295, SB 296, SR 7, SR 17, SR 18, SR 19, SR 20, SR 51, HB 21, HB 31, HB 41, HB 48, HB 54, HB 76, HB 86, HB 162, HB 175, HJ 1.**

Correctly engrossed: **SB 94, SB 201.**

Examined by the sponsor and found to be correct: **SB 7, SB 34, SB 35, SB 40, SR 6, SR 8, SR 9, SR 10, SR 26, SR 27, SR 28.**

Correctly enrolled: **SR 6, SR 8, SR 9, SR 10, SR 26, SR 27, SR 28, SR 34, SR 36, SR 37, SR 39, SR 41, SR 42.**

Transmitted to the House: **SB 99, SB 199, HB 18, HB 58, HB 83, HB 111, HB 121, HB 124, HB 149, HB 166.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR AND ECONOMIC AFFAIRS (Small, Chair) 02/09/2023
SB 260, do pass.
SR 29, be adopted.
SR 30, be adopted.
SR 38, be adopted.
SR 40, be adopted.

JUDICIARY (Regier, Chair) 02/08/2023
SB 224, introduced bill, be amended with [SB0224.001.005](#) and, as amended, do pass.
SB 229, introduced bill, be amended with [SB0229.001.001](#) and, as amended, do pass.
SB 265, introduced bill, be amended with [SB0265.001.001](#) and, as amended, do pass.

LOCAL GOVERNMENT (Friedel, Chair) 02/08/2023
SB 226, introduced bill, be amended with [SB0226.001.001](#) and, as amended, do pass.
SB 227, introduced bill, be amended with [SB0227.001.001](#) and, as amended, do pass.

PUBLIC HEALTH, WELFARE AND SAFETY (McGillvray, Chair) 02/08/2023
SR 25, be adopted.
SR 46, be adopted.
SR 48, be adopted.

STATE ADMINISTRATION (Cuffe, Chair) 02/08/2023
SB 93, introduced bill, be amended with [SB0093.001.001](#) and, as amended, do pass.

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TAXATION (Hertz, Chair)
SR 11, be adopted.

02/09/2023

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 Crime Control
MCA § 2-25-2008

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:

- **Doug Overman**, 312 1st Ave E, Kalispell, MT 59901, who was appointed on February 15, 2022, and whose term expires January 1, 2026. Mr. Overman fulfills the requirements as a representative from Montana Association of Chiefs of Police. I support the confirmation of Mr. Overman.

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

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 Housing
MCA § 2-15-1814

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:

- **Tonya Plummer**, 353 Old Hays Road, Hays MT 59527, who was appointed on January 1, 2023, and whose term expires January 1, 2025. Ms. Plummer fulfills the requirements as a member informed and experienced in housing, economics, or finance. I support the confirmation of Ms. Plummer.
- **John Wright**, 511 Yellowstone Ave, Billings, MT 59101, who was appointed on June 13, 2022, and whose term expires January 5, 2025. Mr. Wright fulfills the requirements as a lawyer. I support the confirmation of Mr. Wright.

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
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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 Environmental Review
MCA § 2-15-3502

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:

- **Stacy Aguirre**, PO Box 1265, Glendive, MT 59330, who was appointed on January 1, 2023, and whose term expires January 1, 2025. Ms. Aguirre fulfills the requirements as a public member. I support the confirmation of Ms. Aguirre.

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

House bill passed and transmitted to the Senate for concurrence:

02/08/23

HB 82, introduced by G. Nikolakakos
HB 91, introduced by C. Sprunger
HB 154, introduced by P. Tuss
HB 196, introduced by L. Hellegaard
HB 241, introduced by J. Kassmier
HB 302, introduced by A. Buckley
HB 312, introduced by J. Etchart

FIRST READING AND COMMITMENT OF BILLS

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

SB 296, introduced by B. Beard, F. Smith, E. Buttrey, S. Fitzpatrick, M. Caferro, B. Molnar, . 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, . Schillinger, K. Seekins-Crowe, M. Malone, A. Buckley, M. Bertoglio, M. Binkley, R. Marshall, . Thane, M. Yakawich, T. Brockman, R. Miner, G. Parry, G. Oblander, L. Deming, D. Emrich, . Bergstrom, S. Howell, Z. Wirth, referred to Public Health, Welfare and Safety.

SB 297, introduced by T. Vermeire, B. Beard, referred to Judiciary.

SB 298, introduced by B. Molnar, referred to Fish and Game.

SB 299, introduced by B. Usher, referred to Judiciary.

SB 300, introduced by E. McClafferty, D. Salomon, R. Lynch, W. Curdy, M. Dunwell, J. Ellis, . Hayman, K. Kelker, C. Pope, S. Webber, F. Anderson, E. Boldman, S. Morigeau, J. Gross, . Flowers, M. Fox, S. O'Brien, J. Lynch, referred to Public Health, Welfare and Safety.

SB 301, introduced by G. Hertz, S. Fitzpatrick, M. Bertoglio, C. Sprunger, referred to Local Government.

SB 302, introduced by D. Emrich, S. Fitzpatrick, T. McGillvray, S. Hinebauch, J. Trebas, J. Kassmier, B. Phalen, J. Bergstrom, referred to State Administration.

SB 303, introduced by G. Hertz, referred to Taxation.

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

SR 52, introduced by M. Lang, referred to Agriculture, Livestock and Irrigation.

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

SJ 11, introduced by K. Regier, referred to Judiciary.

The following Senate bills were introduced and read first time:

SB 304, introduced by M. Cuffe.

SB 305, introduced by T. McGillvray.

The following House bills were introduced and read first time:

HB 82, introduced by G. Nikolakakos (by request of the Department of Military Affairs).

HB 91, introduced by C. Sprunger (by request of the State Library Commission).

HB 154, introduced by P. Tuss (by request of the Department of Labor and Industry).

HB 196, introduced by L. Hellegaard.

HB 241, introduced by J. Kassmier.

HB 302, introduced by A. Buckley.

HB 312, introduced by J. Etchart.

The following House bill, previously introduced, was referred to committee:

HB 228, introduced by T. Moore, T. McGillvray, D. Lenz, F. Mandeville, J. Trebas, S. Vinton,

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N. Duram, B. Mercer, L. Brewster, S. Gist, S. Essmann, C. Sprunger, T. Falk, L. Hellegaard, referred to Business, Labor, and Economic Affairs.

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

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

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

Majority Leader Fitzpatrick moved consideration of **SB 176** be passed for the day. Without objection, so ordered.

SB 153 - Senator Molnar moved **SB 153** do pass. Motion **failed** as follows:

Yeas: Boldman, Curdy, Dunwell, Ellis, Emrich, Flowers, Fox, Gross, Hayman, Hinebauch, Kelker, Lynch, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Webber, Zolnikov.
Total 20

Nays: Bartel, Beard, Bogner, Brown, Cuffe, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Lang, Lenz, Mandeville, Manzella, McGillvray, McKamey, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn.
Total 30

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 153 - Majority Leader Fitzpatrick moved **SB 153** be **indefinitely postponed**. Motion carried as follows:

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

Nays: Boldman, Curdy, Dunwell, Ellis, Emrich, Flowers, Fox, Gross, Hayman, Kelker, Lenz, Molnar, Morigeau, O'Brien, Olsen, Pope, Webber, Zolnikov.
Total 18

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Voted absentee: None.
Total 0

Excused: Esp.
Total 1

Absent or not voting: None.
Total 0

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

SB 190 - Senator Mandeville moved **SB 190** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McKamey, Morigeau, Mr. President, Noland, O'Brien, Pope, Regier K, Sales, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 44

Nays: Ellis, Emrich, McGillvray, Molnar, Olsen, Salomon.
Total 6

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 215 - Majority Leader Fitzpatrick moved **SB 215** 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, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 34

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

Voted absentee: None.
Total 0

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 219 - Senator Curdy moved **SB 219** do pass. Motion carried as follows:

Yeas: Beard, Boldman, Brown, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Kelker, Lang, Lynch, McClafferty, McKamey, Morigeau, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn.
Total 37

Nays: Bartel, Bogner, Cuffe, Emrich, Friedel, Hinebauch, Lenz, Mandeville, Manzella, McGillvray, Molnar, Mr. President, Zolnikov.
Total 13

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 220 - Senator Glimm moved **SB 220** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 225 - Senator Glimm moved **SB 225** do pass. Motion carried as follows:

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

Total 31

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

Total 19

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SR 21 - Senator McGillvray moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 21**. 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 22 - Senator McGillvray moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 22**. Motion carried as follows:

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

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Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 50

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SR 23 - Senator McGillvray moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 23**. 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 24 - Senator McGillvray moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 24**. 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 133 - Senator Hinebauch moved **HB 133** be concurred in. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Gillespie, Hayman, Hertz, Hinebauch, Kelker, Lang, Lynch, Mandeville, McGillvray, McKamey, Morigeau, Mr. President, Noland, O'Brien, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 41

Nays: Ellis, Fuller, Glimm, Gross, Lenz, Manzella, McClafferty, Molnar, Olsen.
Total 9

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 Pope moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Morigeau, Mr. President, Noland, O'Brien, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 48

Nays: Molnar.
Total 1

Voted absentee: None.
Total 0

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Excused: Esp.
Total 1

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

SB 19 passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, 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 32

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

Voted absentee: None.
Total 0

Excused: Esp.
Total 1

Absent or not voting: None.
Total 0

SB 95 passed as follows:

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

Nays: Boldman, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Lynch, McClafferty, 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 163 passed as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 47

Nays: Beard, Flowers, Olsen.
Total 3

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 168 passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, 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.
Total 46

Nays: Emrich, Lenz, McGillvray, Zolnikov.
Total 4

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 209 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,

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Kelker, Lang, Lynch, Mandeville, Manzella, McClafferty, 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: Lenz, McGillvray, McKamey.

Total 3

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 21, 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 31, concurred in as follows:

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

Total 5

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Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 41, concurred in as follows:

Yeas: Beard, Boldman, Cuffe, Curdy, Dunwell, Ellis, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Gross, Hayman, Hertz, Kelker, Lang, Lenz, McClafferty, McKamey, Molnar, Morigeau, Mr. President, O'Brien, Olsen, Pope, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn.
Total 35

Nays: Bartel, Bogner, Brown, Emrich, Esp, Friedel, Glimm, Hinebauch, Lynch, Mandeville, Manzella, McGillvray, Noland, Regier K, Zolnikov.
Total 15

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 48, 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, Lynch, Mandeville, Manzella, McClafferty, 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: Lenz, McGillvray, McKamey.
Total 3

Voted absentee: None.
Total 0

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 54, 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 86, 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 162, 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

HJ 1, 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 to re-refer **SB 225**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

Senator Dunwell moved to change her second reading vote on the motion to indefinitely postpone **SB 153** from Yes to No. Without objection, so ordered.

ANNOUNCEMENT OF COMMITTEE MEETINGS

Committee meetings were announced by the committee chairs.

Majority Leader Fitzpatrick moved the Senate adjourn until 1:00 p.m., 02/10/2023, the 30th legislative day. Motion carried.

Senate adjourned at 2:39 p.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate