

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

Helena, Montana
February 23, 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 137, SB 229, SB 240, SB 279, SB 293, SB 299, SB 321, SB 344, SB 363, SB 414, SB 447, SB 448, SB 449, SB 450, SB 451, SB 452, SB 453, SB 454, SB 455, SB 456, SB 457, SB 458, SB 459, SB 460, SB 461, SB 462, SJ 15, SR 3.**

Correctly engrossed: **SB 72, SB 255, SB 287, SB 295, SB 320, SB 342, SJ 10.**

Examined by the sponsor and found to be correct: **SB 191**

Correctly enrolled: **SB 191**

Transmitted to the House: **SB 182, SB 211, SB 237, SB 309, SB 312, SB 314, SB 414.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Small, Chair) 02/22/2023
SB 283, introduced bill, be amended with [SB0283.001.002](#) and, as amended, do pass.
SB 310, do pass.
SB 340, do pass.
SB 359, do pass.

EDUCATION AND CULTURAL RESOURCES (Salomon, Chair) 02/22/2023
SB 289, introduced bill, be amended with [SB0289.001.001](#) and, as amended, do pass.
SB 373, introduced bill, be amended with [SB0373.001.001](#) and, as amended, do pass.

JUDICIARY (Regier, Chair) 02/23/2023
SB 250, introduced bill, be amended with [SB0250.001.003](#) and, as amended, do pass.
SB 355, do pass.
SB 377, do pass.
SB 396, do pass.
SB 405, do pass.
SB 429, do pass.

NATURAL RESOURCES (Welborn, Chair) 02/22/2023
SB 274, do pass.

PUBLIC HEALTH, WELFARE AND SAFETY (McGillvray, Chair) 02/22/2023
SB 180, introduced bill, be amended with [SB0180.001.002](#) and, as amended, do pass.
SB 282, introduced bill, be amended with [SB0282.001.001](#) and, as amended, do pass.
SB 284, introduced bill, be amended with [SB0284.001.001](#) and, as amended, do pass.
SB 339, do pass.

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

STATE ADMINISTRATION (Cuffe, Chair)

02/22/2023

SB 232, introduced bill, be amended with [SB0232.001.002](#) and, as amended, do pass.

SB 302, do pass.

SB 338, do pass.

MESSAGES FROM THE GOVERNOR

February 23, 2023

The Honorable Jason Ellsworth
President of the Senate
State Capitol
Helena, MT 59601

Dear President Ellsworth:

On Thursday, February 23, 2023, I signed the following bills:

Senate Bill 45 – McKamey

Senate Bill 62 – Zolnikov

Senate Bill 80 – Fox

Senate Bill 102 - Cuffe

The bills have been delivered to the Secretary of State's Office.

Sincerely,

Greg Gianforte
Governor

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

House bills passed and transmitted to the Senate for concurrence:

02/22/2023

HB 158, introduced by J. Kassmier

HB 159, introduced by J. Kassmier

HB 243, introduced by M. Marler

HB 257, introduced by C. Sprunger

HB 284, introduced by J. Schillinger

HB 301, introduced by D. Baum

HB 311, introduced by M. Yakawich

HB 322, introduced by C. Hinkle

HB 331, introduced by G. Oblander

HB 336, introduced by E. Buttrey

HB 338, introduced by J. Windy Boy

HB 392, introduced by J. Etchart

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

HB 397, introduced by B. Mercer

FIRST READING AND COMMITMENT OF BILLS

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

- SB 463**, introduced by J. Trebas, referred to Local Government.
SB 464, introduced by J. Trebas, L. Brewster, D. Emrich, referred to Judiciary.
SB 465, introduced by J. Trebas, L. Brewster, D. Emrich, referred to Public Health, Welfare and Safety.
SB 466, introduced by J. Trebas, B. Usher, L. Brewster, D. Emrich, referred to Energy and Telecommunications.
SB 467, introduced by J. Trebas, L. Brewster, referred to Local Government.
SB 468, introduced by J. Trebas, referred to Judiciary.
SB 469, introduced by J. Trebas, L. Brewster, referred to Judiciary.
SB 470, introduced by J. Trebas, referred to Judiciary.
SB 471, introduced by J. Trebas, L. Brewster, referred to Business, Labor, and Economic Affairs.
SB 472, introduced by D. Emrich, referred to State Administration.
SB 473, introduced by D. Emrich, referred to Agriculture, Livestock and Irrigation.
SB 474, introduced by F. Mandeville, K. Bogner, referred to Local Government.
SB 475, introduced by W. Curdy, F. Smith, E. McClafferty, M. Caferro, R. Lynch, M. Dunwell, J. Ellis, D. Hayman, W. McKamey, C. Pope, D. Fern, R. Fitzgerald, W. Sales, K. Abbott, S. Morigeau, J. Gross, E. Kerr-Carpenter, B. Gillespie, M. Marler, K. Sullivan, P. Flowers, M. Fox, E. Stafman, A. Buckley, K. Walsh, M. Thane, E. Matthews, P. Tuss, D. Baum, M. Romano, S. Howell, J. Fitzpatrick, referred to Business, Labor, and Economic Affairs.
SB 476, introduced by E. Boldman, referred to Judiciary.
SB 477, introduced by E. Boldman, referred to Judiciary.
SB 478, introduced by S. Morigeau, referred to Public Health, Welfare and Safety.
SB 479, introduced by K. Bogner, referred to Local Government.
SB 480, introduced by M. Dunwell, referred to Education and Cultural Resources.
SB 481, introduced by C. Glimm (by request of the (S) Joint Select Committee on Election Security), referred to State Administration.
SB 482, introduced by C. Glimm (by request of the (S) Joint Select Committee on Election Security), referred to State Administration.
SB 483, introduced by C. Pope, referred to State Administration.
SB 484, introduced by T. Manzella, referred to State Administration.
SB 485, introduced by J. Small, T. McGillvray, R. Lynch, J. Ellsworth, P. Flowers, referred to State Administration.
SB 486, introduced by P. Flowers, E. McClafferty, D. Zolnikov, W. Curdy, M. Dunwell, J. Ellis, D. Hayman, C. Pope, W. Sales, referred to Local Government.

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

SJ 16, introduced by M. Cuffe, referred to Natural Resources.

The following Senate bills were introduced and read first time:

SB 487, introduced by S. Vance.

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

SB 488, introduced by D. Zolnikov.
SB 489, introduced by S. O'Brien, P. Flowers.
SB 490, introduced by G. Hertz, S. Fitzpatrick.

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

SB 346, introduced by R. Lynch, referred to Local Government.
SB 460, introduced by D. Salomon, S. Morigeau, J. Small, referred to State Administration.
SB 461, introduced by D. Salomon, S. Fitzpatrick, W. Sales, J. Small, J. Kassmier, D. Bedey, J. Fitzpatrick, referred to Taxation.
SB 462, introduced by M. Lang, referred to Agriculture, Livestock and Irrigation.

The following House bills were introduced and read first time:

HB 158, introduced by J. Kassmier (by request of the Department of Livestock).
HB 159, introduced by J. Kassmier (by request of the Department of Livestock).
HB 243, introduced by M. Marler, N. Duram.
HB 257, introduced by C. Sprunger, D. Salomon, N. Duram, D. Bedey, L. Reksten, M. Bertoglio, T. Smith, E. Matthews.
HB 284, introduced by J. Schillinger.
HB 301, introduced by D. Baum, S. Vinton, N. Duram, E. Kerr-Carpenter, B. Mercer, T. Moore, L. Brewster, K. Zolnikov, K. Seekins-Crowe, D. Hawk, C. Friedel, S. Essmann, M. Yakawich, G. Oblander, N. Nicol, L. Deming, J. Etchart.
HB 311, introduced by M. Yakawich, L. Smith.
HB 322, introduced by C. Hinkle, J. Read, B. Brown, J. Hinkle, T. Manzella, N. Duram, B. Ler, B. Phalen, F. Nave, B. Mitchell, A. Regier, S. Kerns, J. Schillinger, R. Marshall.
HB 331, introduced by G. Oblander, S. Gist, T. Smith, N. Nicol.
HB 336, introduced by E. Buttrey, S. Fitzpatrick, J. Small, J. Ellsworth, J. Carlson, A. Buckley.
HB 338, introduced by J. Windy Boy, F. Smith, S. Stewart Peregoy, K. Abbott, M. Hopkins, E. Kerr-Carpenter, T. Running Wolf, C. Keogh, A. Buckley, D. Hawk, M. Thane, P. Tuss, M. Romano, S. Howell, J. Fitzpatrick.
HB 392, introduced by J. Etchart, E. Kerr-Carpenter, T. Moore, K. Zolnikov, J. Gillette.
HB 397, introduced by B. Mercer.

**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.

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

SB 93 - Senator Cuffe moved **SB 93** do pass. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella, McGillvray, McKamey,

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

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, McClafferty, Molnar, Morigeau, O'Brien, Olsen, Pope, Webber.

Total 16

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 178 - Senator Zolnikov moved **SB 178** do pass.

SB 178 - Senator Zolnikov moved **SB 178**, second reading copy, be amended with [SB0178.002.004](#). Amendment **adopted** as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Dunwell, Ellis, 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, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.

Total 43

Nays: Curdy, Flowers, Hayman, Lynch, Pope, Webber.

Total 6

Voted absentee: None.

Total 0

Excused: Olsen.

Total 1

Absent or not voting: None.

Total 0

SB 178, as amended, passed as follows:

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

Total 37

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

Nays: Boldman, Curdy, Dunwell, Ellis, Flowers, Hayman, Kelker, Lenz, Molnar, O'Brien, Olsen, Pope, Webber.

Total 13

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 264 - Senator Regier moved **SB 264** 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, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, Olsen, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.

Total 48

Nays: Lenz, O'Brien.

Total 2

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 269 - Senator Hertz moved **SB 269** 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

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 213 - Senator McClafferty moved **SB 213** 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

SB 245 - Senator Zolnikov moved **SB 245** do pass.

SB 245 - Senator Dunwell moved **SB 245**, second reading copy, be amended with [SB0245.002.001](#). Amendment **not adopted** as follows:

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

Nays: Bartel, Beard, Bogner, Brown, Cuffe, Emrich, Esp, Fitzpatrick, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McKamey, Molnar, Mr. President, Noland, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 33

Voted absentee: None.
Total 0

Excused: Olsen.
Total 1

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

Absent or not voting: None.
Total 0

SB 245 - Thereupon, the Senate reverted to the original motion of Senator Zolnikov which passed as follows:

Yeas: Bartel, Beard, Bogner, Boldman, Brown, Cuffe, Dunwell, Emrich, Esp, Fitzpatrick, Flowers, Fox, Friedel, Fuller, Gillespie, Glimm, Hertz, Hinebauch, Lang, Lenz, Lynch, Mandeville, Manzella, McClafferty, McGillvray, McKamey, Morigeau, Mr. President, Noland, O'Brien, Olsen, Regier K, Sales, Salomon, Small, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 41

Nays: Curdy, Ellis, Gross, Hayman, Kelker, Molnar, Pope, Tempel, Webber.
Total 9

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 275 - Senator Mandeville moved **SB 275** do pass. Motion carried 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, Morigeau, Mr. President, Noland, O'Brien, Regier K, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Zolnikov.
Total 36

Nays: Boldman, Dunwell, Ellis, Flowers, Fox, Gross, Hayman, Kelker, Lynch, McClafferty, Olsen, Pope, Sales, Welborn.
Total 14

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 278 - Majority Leader Fitzpatrick moved **SB 278** 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,

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

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

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 285 - Senator Glimm moved **SB 285** do pass. Motion carried as follows:

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

Total 30

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

Total 20

Voted absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 286- Majority Leader Fitzpatrick moved consideration of **SB 286** be passed for the day. Without objection, so ordered.

SB 318 - Senator Boldman moved **SB 318** 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, Hertz, Hinebauch, Kelker, Lang, Lenz, Mandeville, 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 46

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

Nays: Hayman, Lynch, Manzella, McClafferty.
Total 4

Voted absentee: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

President Ellsworth assumed the chair.

SR 15 - Senator McGillvray moved the nominations transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 15**. 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, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Welborn, Zolnikov.
Total 48

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Olsen, Webber.
Total 2

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

SB 94 passed as follows:

Yeas: Bartel, Bogner, Boldman, Brown, Cuffe, Curdy, Dunwell, Ellis, Emrich, Esp, Fitzpatrick, Flowers, Fox, Fuller, Gillespie, Glimm, Gross, Hayman, Hertz, Hinebauch, Kelker, Lang, Lenz, Lynch, Manzella, McClafferty, McGillvray, McKamey, Molnar, Morigeau, Mr. President, Noland, O'Brien, Pope, Regier K, Sales, Salomon, Small, Tempel, Usher, Vance, Vermeire, Welborn.
Total 43

Nays: Beard, Friedel, Mandeville, Trebas, Zolnikov.
Total 5

Voted absentee: None.
Total 0

Excused: Olsen, Webber.
Total 2

Absent or not voting: None.
Total 0

SB 240 passed 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, Pope.
Total 14

Voted absentee: None.
Total 0

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

Excused: Olsen, Webber.
Total 2

Absent or not voting: None.
Total 0

SB 279 passed as follows:

Yeas: Bartel, Beard, Bogner, Brown, Cuffe, 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 33

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

Voted absentee: None.
Total 0

Excused: Olsen.
Total 1

Absent or not voting: None.
Total 0

SB 293 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, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov.
Total 49

Nays: None.
Total 0

Voted absentee: None.
Total 0

Excused: Olsen.
Total 1

Absent or not voting: None.
Total 0

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

MOTIONS

Majority Leader Fitzpatrick moved to re-refer **SB 93**, heard under second reading this date, to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Fitzpatrick reported the Rules Committee met regarding topics referred by the Committee of the Whole and recommends adoption of the changes as distributed to members.

Majority Leader Fitzpatrick moved adoption of the recommended changes. 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, Pope, Regier K, Sales, Salomon, Small, Tempel, Trebas, Usher, Vance, Vermeire, Webber, Welborn, Zolnikov, Mr. President.
Total 49

Nays: None.
Total 0

Voted absentee: None.

Excused: Olsen.
Total 1

Absent or not voting: None.
Total 0

Senator Usher moved the Senate reconsider its action on **SB 311**, indefinitely postponed the previous day, and that **SB 311** be placed on second reading February 24, 2023, the next legislative day. Motion carried as follows:

Yeas: Bartel, Beard, Bogner, Brown, Emrich, Friedel, Fuller, Glimm, Hertz, Hinebauch, Lang, Lenz, Mandeville, Manzella, McKamey, Molnar, Noland, Regier K, Tempel, Trebas, Usher, Vance, Vermeire, Zolnikov, Mr. President.
Total 25

Nays: Boldman, Cuffe, Curdy, Dunwell, Ellis, Esp, Fitzpatrick, Flowers, Fox, Gillespie, Gross, Hayman, Kelker, Lynch, McClafferty, McGillvray, Morigeau, O'Brien, Pope, Sales, Salomon, Small, Webber, Welborn.
Total 24

Voted absentee: None.

Excused: Olsen.
Total 1

SENATE JOURNAL
THIRTY-NINTH LEGISLATIVE DAY - February 23, 2023

Absent or not voting: None.
Total 0

UNFINISHED BUSINESS

Senator Zolnikov moved that the following undersigned names be **ADDED** as sponsors to **SB 384**: Senators K. Bogner, E. Boldman, D. Emrich, P. Flowers, and S. Morigeau and Representatives K. Sullivan and K. Zolnikov.

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., 02/24/2023, the 40th legislative day. Motion carried.

Senate adjourned at 3:15 p.m.

MARILYN MILLER
Secretary of the Senate

JASON ELLSWORTH
President of the Senate