



# STATE OF WISCONSIN

# Senate Journal

## One-Hundred and Sixth Regular Session

2:11 P.M.

TUESDAY, January 17, 2023

The Senate met.

The Senate was called to order by Senate President Kapenga.

### CALL OF ROLL

The roll was called, disclosing the presence of a quorum.

Pursuant to Senate Rule 15, the official attendance for session was:

Senators Agard, Ballweg, Bradley, Cabral-Guevara, Carpenter, Cowles, Felzkowski, Feyen, Hesselbein, Hutton, Jacque, Jagler, James, L. Johnson, Kapenga, Larson, LeMahieu, Marklein, Nass, Pfaff, Quinn, Roys, Smith, Spreitzer, Stafsholt, Stroebel, Taylor, Testin, Tomczyk, Wanggaard, Wimberger and Wirch - 32.

Absent with leave - None - 0.

Vacancies - 8th Senate District - 1.

The Senate stood for the prayer which was offered by Senator Marklein.

The Senate remained standing and Senator Hutton led the Senate in the pledge of allegiance to the flag of the United States of America.

Pursuant to Senate Rule 17 (6), the Chief Clerk made the following entries under the above date.

### CHIEF CLERK'S ENTRIES

#### AMENDMENTS OFFERED

Senate Substitute Amendment 1 to **Senate Joint Resolution 4** offered by Senators Agard, Smith, Larson, Hesselbein, Carpenter, Roys, Pfaff, Spreitzer, Taylor, Wirch and L. Johnson.

### PETITIONS AND COMMUNICATIONS

#### State of Wisconsin Office of the Senate Minority Leader

January 16, 2023

The Honorable, the Senate:

This letter is to notify you that I am appointing Senator Tim Carpenter to continue serving on the State Fair Park Board.

Please feel free to contact me with any questions.

Sincerely,  
*MELISSA AGARD*  
Minority Leader

#### State of Wisconsin Office of the Senate Majority Leader

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §15.227 (15), I am making the following appointments to the Agricultural Education and Workforce Development Council.

Chair of the Committee on Agriculture and Tourism  
Senator Joan Ballweg  
Chair of the Committee on Education  
Senator John Jagler

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

#### State of Wisconsin Office of the Senate Majority Leader

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §14.017 (2), I am making the following appointment to the Council on Alcohol and Other Drug Abuse.

Senator Jesse James

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin  
Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §13.48 (2), I am making the following appointments to the Building Commission.

Senator André Jacque  
Senator Joan Ballweg

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin  
Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §39.76 (1), I am making the following appointment to the Education Commission of the States.

Senator André Jacque

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin  
Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §15.57, I am making the following appointment to the Educational Communications Board.

Senator Romaine Quinn

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin  
Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §15.467 (3), I am making the following appointment to the Council on Highway Safety.

Senator Rob Hutton

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin  
Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §14.91 (1), I am making the following appointment to the Council on Educational Opportunity for Military Children.

Senator Rachael Cabral-Guevara

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin  
Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §13.47, I am making the following appointments to the Legislative State Supported Programs Study and Advisory Committee.

Senator André Jacque  
Senator Dan Feyen  
Senator Romaine Quinn

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin  
Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §15.227 (8), I am making the following appointment to the Council on Migrant Labor.

Senator Cory Tomczyk

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin**  
**Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §14.017 (4), I am making the following appointment to the Council on Military and State Relations.

Senator Jesse James

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin**  
**Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §15.105 (5), I am making the following appointments to the State Capitol and Executive Residence Board (SCERB).

Senator André Jacque  
Senator Van Wanggaard

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin**  
**Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §15.105 (33), I am making the following appointment to the Small Business Regulatory Review Board.

Chair of the Committee on Insurance and Small Business  
Senator Mary Felzkowski

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin**  
**Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §15.445 (4)(a), I am making the following appointment to the State Fair Park Board.

Senator Howard Marklein

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin**  
**Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §15.447 (1), I am making the following appointment to the Council on Tourism.

Senator Joan Ballweg

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin**  
**Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §13.489 (1g), I am making the following appointments to the Transportation Projects Commission.

Senator Robert Cowles  
Senator André Jacque  
Senator Cory Tomczyk

Please do not hesitate to contact my office with any questions.

Sincerely,  
*DEVIN LEMAHIEU*  
Majority Leader

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**State of Wisconsin**  
**Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §234.02 (1), I am making the following appointment to the Wisconsin Housing and Economic Development Authority (WHEDA).

Senator Romaine Quinn

Please do not hesitate to contact my office with any questions.

Sincerely,  
DEVIN LEMAHIEU  
Majority Leader

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**State of Wisconsin  
Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §247.03, I am making the following appointment to the Wisconsin Artistic Endowment Foundation.

Senator André Jacque

Please do not hesitate to contact my office with any questions.

Sincerely,  
DEVIN LEMAHIEU  
Majority Leader

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**State of Wisconsin  
Office of the Senate Majority Leader**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stat. §15.107 (11), I am making the following appointment to the Women’s Council.

Senator Rachael Cabral-Guevara

Please do not hesitate to contact my office with any questions.

Sincerely,  
DEVIN LEMAHIEU  
Majority Leader

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**State of Wisconsin  
Wisconsin Ethics Commission**

January 17, 2023

The Honorable, the Senate:

Pursuant to Wis. Stats. §13.685 (7), we are providing the enclosed information. Please visit the Wisconsin Ethics Commission’s *Eye on Lobbying* website, <https://lobbying.wi.gov>, for more detailed information about

lobbyists, lobbying principals (organizations), and state agency liaisons.

- Ayala, Alexander.....Milwaukee Police Association
- Bauer, Kurt.....Wisconsin Manufacturers & Commerce
- Bender, James.....The Lincoln Academy
- Boyer, Amy.....North Central States Regional Council of Carpenters
- Brooks, Bryan.....Graduation Alliance
- Brooks, Bryan.....Indigenous Business Group (IBG)
- Brooks, Bryan.....Indigenous Cannabis Industry Association (ICIA)
- Brooks, Bryan.....InState Partners
- Brooks, Bryan.....WISCONSIN GENETIC COUNSELORS ASSOCIATION, Inc
- Buchen, James.....Wisconsin Utility Investors Inc
- Burns, Nicole.....Badger Advocates, Inc.
- Cruz, Annette.....Wireless Infrastructure Association
- Cruz, Lorenzo.....Wisconsin Bankers Association
- DeMars, Cheryl.....The Alliance
- Disch, Andrew.....North Central States Regional Council of Carpenters
- Early, Annie.....Aggregate Producers of Wisconsin Inc
- Early, Annie.....Wisconsin Bankers Association
- Elliott, William.....Wisconsin Hotel and Lodging Association
- Engel, Andrew.....American Red Cross
- Engel, Andrew.....Delta Dental of Wisconsin Inc
- Engel, Andrew.....Northern States Power d/b/a Xcel Energy
- Engel, Andrew.....Wisconsin Interscholastic Athletic Association
- Ermert, George.....Aggregate Producers of Wisconsin Inc
- Ermert, George.....Funeral Service & Cremation Alliance of Wisconsin
- Fitzgerald, Jeff.....Dealertrack
- Fitzgerald, Jeff.....Graduation Alliance
- Fitzgerald, Jeff.....Indigenous Business Group (IBG)

Fitzgerald, Jeff.....	Indigenous Cannabis Industry Association (ICIA)	Kussow, Matthew.....	NextEra Energy Transmission, LLC
Fitzgerald, Jeff.....	InState Partners	Kussow, Michelle.....	7-Eleven, Inc
Fitzpatrick, Helen.....	Bristol Myers Squibb	Langenohl, Tony.....	Johnson Controls Inc
Fonfara, Thomas.....	Microsoft Corporation	Larson, Rebecca.....	Wisconsin Association of Independent Colleges and Universities
Fulcomer, Eric.....	Wisconsin Association of Independent Colleges and Universities	Longmire, Erin.....	Funeral Service & Cremation Alliance of Wisconsin
Gard, John.....	Wisconsin Infrastructure Investment Now, Inc.	Loudenbeck, Amy.....	School Choice Wisconsin Action
Goyke, Gary.....	Invest In Wisconsin, LLC	Lund, Daryll.....	Wisconsin Bankers Association
Halbach, Nathan.....	Wireless Infrastructure Association	McCoshen, William.....	Johnson Controls Inc
Hauck, William.....	SMART (Sheet Metal Air Rail Transportation)	McDermott, Catherine.....	American Red Cross
Hayward, Courtney.....	Planned Parenthood of Wisconsin Inc	McDermott, Catherine.....	Bicycle Federation of Wisconsin
Hogan, Rebecca.....	American College of Nurse-Midwives (WI Affiliate)	McIntosh, Forbes.....	Catalis Holdco, Inc.
Hogan, Rebecca.....	Delta Dental of Wisconsin Inc	Mellberg, Kelly.....	3M Company
Hogan, Rebecca.....	Northern States Power d/b/a Xcel Energy	Moede, Peggy.....	Americash Loans of WI, LLC
Hubbard, Gregory.....	Fix the System Wisconsin - Action Inc. (DBA Democracy Found Action)	Moore, Thomas.....	Cigar Association of America Inc
Hubbard, Gregory.....	JPMorgan Chase Holdings LLC	Moore, Thomas.....	Energy Action Fund
Hubbard, Gregory.....	Wisconsin Dental Association	Murray, Mike.....	Planned Parenthood of Wisconsin Inc
Jaeger, Katie.....	City of Milwaukee	Neill, Lauren.....	T-Mobile
Jordahl, Adam.....	Wisconsin Civil Justice Council, Inc	Neitzel, Scott.....	Wisconsin Center District
Kammer, Peter.....	Altria Client Services LLC	O'Connor, Alice.....	Wisconsin Professional Police Association
Kilgore, Kathleen.....	Wisconsin Hotel and Lodging Association	Oswald Poels, Rose.....	Wisconsin Bankers Association
Kleefisch, Joel.....	All American Association of Home Inspectors	Pagel, Matthew.....	Northern States Power d/b/a Xcel Energy
Kleefisch, Joel.....	A-Team Grassroots System Inc.	Palmer, James.....	Wisconsin Professional Police Association
Kleefisch, Joel.....	Numotion	Pirlot, Randall.....	Bicycle Federation of Wisconsin
Kleefisch, Joel.....	Whitetails of Wisconsin	Pirlot, Randall.....	Northern States Power d/b/a Xcel Energy
Kleefisch, Joel.....	Wisconsin Game Preserve Association	Reever, Michael.....	Johnson & Johnson Services Inc.
Knight, Eric.....	T-Mobile	Rogowski, Michael.....	Wireless Infrastructure Association
Knight, Jeffery.....	T-Mobile	Romportl, Daniel.....	Fix the System Wisconsin - Action Inc. (DBA Democracy Found Action)
Kobza, Lawrie.....	Municipal Environmental Group - Water Division	Romportl, Daniel.....	JPMorgan Chase Holdings LLC
		Romportl, Daniel.....	Wisconsin Dental Association
		Rude, Nels.....	Altria Client Services LLC
		Schmudlach, Shelby.....	Wisconsin Credit Union League

Sepic, Savannah.....Indigenous Cannabis Industry Association (ICIA)

Shepherd, Jeremy.....Funeral Service & Cremation Alliance of Wisconsin

Shepherd, Jeremy.....T. Wall Enterprises Mgt, LLC

Shepherd, Jeremy.....Wisconsin Bankers Association

Smith, Jared.....Municipal Environmental Group - Water Division

Speth, Andrew.....NextEra Energy Transmission, LLC

Theo, Peter.....Wisconsin Dental Hygienists Association

VanderHorst, Faith.....Southeastern Wisconsin Schools Alliance

Velasquez, Michelle.....Planned Parenthood Advocates of Wisconsin

Velasquez, Michelle.....Planned Parenthood of Wisconsin Inc

Wagner, Andrew.....Milwaukee Police Association

Walsh, Kenneth.....Wisconsin Bankers Association

Webb II, Steven.....Planned Parenthood Advocates of Wisconsin

Webb II, Steven.....Planned Parenthood of Wisconsin Inc

White, Katie.....Fix the System Wisconsin - Action Inc. (DBA Democracy Found Action)

White, Katie.....JPMorgan Chase Holdings LLC

White, Katie.....Wisconsin Dental Association

Wilson, A.J.....Fix the System Wisconsin - Action Inc. (DBA Democracy Found Action)

Wilson, A.J.....JPMorgan Chase Holdings LLC

Wilson, A.J.....Wisconsin Dental Association

Zelenkova, Ramie.....Fix the System Wisconsin - Action Inc. (DBA Democracy Found Action)

Zelenkova, Ramie.....JPMorgan Chase Holdings LLC

Zelenkova, Ramie.....Wisconsin Dental Association

Sincerely,  
*DANIEL A. CARLTON, JR.*  
 Administrator

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**SECOND READING AND AMENDMENTS OF  
 SENATE JOINT RESOLUTIONS AND  
 SENATE BILLS**

**Senate Joint Resolution 2**

Relating to: conditions for release prior to conviction, including the imposition of bail (second consideration).

Read a second time.

Ordered to a third reading.

Senator LeMahieu, with unanimous consent, asked that the rules be suspended and the joint resolution be given its third reading.

**Senate Joint Resolution 2**

Read a third time.

The question was: Adoption of **Senate Joint Resolution 2?**

The ayes and noes were required and the vote was: ayes, 23; noes, 9; absent or not voting, 0; as follows:

Ayes - Senators Ballweg, Bradley, Cabral-Guevara, Cowles, Felzkowski, Feyen, Hutton, Jacque, Jagler, James, Kapenga, LeMahieu, Marklein, Nass, Pfaff, Quinn, Stafsholt, Stroebel, Testin, Tomczyk, Wanggaard, Wimberger and Wirch - 23.

Noes - Senators Agard, Carpenter, Hesselbein, L. Johnson, Larson, Roys, Smith, Spreitzer and Taylor - 9.

Absent or not voting - None - 0.

Adopted.

Senator LeMahieu, with unanimous consent, asked that all action be immediately messaged to the Assembly:

**Senate Joint Resolution 2**

Messaged.

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**CONSIDERATION OF RESOLUTIONS AND  
 JOINT RESOLUTIONS NOT REQUIRING A  
 THIRD READING**

**Senate Joint Resolution 3**

Relating to: proclaiming February 20 to 26, 2023, as American Birkebeiner Week in Wisconsin.

The question was: Adoption of **Senate Joint Resolution 3?**

Adopted.

Senator Stafsholt, with unanimous consent, asked to be recorded as voting “No” on the question of adoption of **Senate Joint Resolution 3.**

**Senate Joint Resolution 4**

Relating to: providing for an advisory referendum on the question of requiring able-bodied, childless adults to look for work in order to receive taxpayer-funded welfare benefits.

Senator LeMahieu raised the point of order that Senate Substitute Amendment 1 to **Senate Joint Resolution 4** was not germane, pursuant to Senate Rule 50 (6)(b).

The Chair ruled the point of order well taken

Senator Smith appealed the ruling of the Chair.

The question was: Shall the Decision of the Chair stand as the judgment of the Senate?

The ayes and noes were required and the vote was: ayes, 21; noes, 11; absent or not voting, 0; as follows:

Ayes - Senators Ballweg, Bradley, Cabral-Guevara, Cowles, Felzkowski, Feyen, Hutton, Jacque, Jagler, James, Kapenga, LeMahieu, Marklein, Nass, Quinn, Stafsholt, Stroebel, Testin, Tomczyk, Wanggaard and Wimberger - 21.

Noes - Senators Agard, Carpenter, Hesselbein, L. Johnson, Larson, Pfaff, Roys, Smith, Spreitzer, Taylor and Wirch - 11.

Absent or not voting - None - 0.

The Decision of the Chair stands as the judgment of the Senate.

The question was: Adoption of **Senate Joint Resolution 4**?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 0; as follows:

Ayes - Senators Ballweg, Bradley, Cabral-Guevara, Cowles, Felzkowski, Feyen, Hutton, Jacque, Jagler, James, Kapenga, LeMahieu, Marklein, Nass, Pfaff, Quinn, Stafsholt, Stroebel, Testin, Tomczyk, Wanggaard and Wimberger - 22.

Noes - Senators Agard, Carpenter, Hesselbein, L. Johnson, Larson, Roys, Smith, Spreitzer, Taylor and Wirch - 10.

Absent or not voting - None - 0.

Adopted.

Senator Wirch, with unanimous consent, asked to be recorded as voting "Aye" on the question of adoption of **Senate Joint Resolution 4**.

Senator LeMahieu, with unanimous consent, asked that all action be immediately messaged to the Assembly:

**Senate Joint Resolution 3**

**Senate Joint Resolution 4**

Messaged.

**ANNOUNCEMENTS, ADJOURNMENT  
HONORS, AND REMARKS UNDER  
SPECIAL PRIVILEGE**

Senator Larson, with unanimous consent, asked that when the Senate adjourn in honor of Bruce Colburn, a Milwaukee Labor leader who is retiring this week.

Senator Marklein, with unanimous consent, asked that the Senate adjourn in honor of his new granddaughter, Harper Jean Marklein, who was born January 10, 2023.

Senator Roys, with unanimous consent, asked that the Senate adjourn in honor of the women of reproductive age across our state whose lives and health are being sacrificed so that right-wing politicians can force their narrow ideology onto the rest of us. Abortion care is healthcare, and when it isn't available, pregnant people die. Everyone loves someone who will need an abortion. Thanks to the inaction of this body, people who need abortions will be treated like criminals instead of being able to access the healthcare they need. We should be marking the 50th anniversary of Roe v. Wade this week. Instead, women in our state are now forced to cross state lines to receive the health care they need, thanks to an archaic law passed 70 years before women had the right to vote. There is plenty of work to be done to support women and families. Wisconsin has among the highest maternal and infant mortality rates in the nation – Black women are five times more likely to die than white women for causes related to childbirth. And with abortion now unavailable in our state, those numbers are going to get much, much worse. Senator Roys keeps all those who are affected by the loss of abortion access in her thoughts, and adjourn in their honor today.

Senator Spreitzer, with unanimous consent, asked that the Senate adjourn in honor of S. Jesse "Stan" Van Hoose, of Beloit, who passed away on January 7, 2023 at the age of 102. Van Hoose survived the attack on Pearl Harbor in 1941, and served in the U.S. Navy from 1940-1948. Senator Spreitzer sends his thoughts to Van Hoose's family, friends, and loved ones.

Senator Wanggaard, with unanimous consent, asked that the Senate adjourn in honor his daughter, Kathleen Jensen, who is currently experiencing cancer. She was diagnosed in November. Senator Wanggaard wanted to also adjourn in honor of all of the medical personnel who are so wonderful and help people who have these types of issues going on in their life, to help them look forward and be positive. His daughter is just a strength of faith and positive attitude but it wouldn't be the same if we didn't acknowledge our healthcare workers and how they become such an integral part and of course all of my friends, colleagues and family friends who have been supportive with their prayers. Senator Wanggaard adjourns in honor of all of them.

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**ADJOURNMENT**

Senator LeMahieu, with unanimous consent, asked that the Senate stand adjourned until Thursday, January 19, 2023.

Adjourned.

3:08 P.M.