

OHIO

SENATE

JOURNAL

WEDNESDAY, JUNE 7, 2023

FIFTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Wednesday, June 7, 2023, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Senator Terry Johnson, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

The following guests were recognized by the Senate prior to the commencement of business:

Senator Johnson and Senator Brenner recognized Private First Class Max Walls, of Cincinnati, as the 2023 Ohio Army National Guard Soldier of the Year and Sergeant First Class Justin Landerman, of Warsaw, as the 2023 Ohio Army National Guard Non-commissioned Officer of the Year.

Senator Brenner recognized the Delaware County Career Center whose Web Application Development team won the 2023 Business Professionals of America National Championship.

Senator DeMora recognized the St. Francis DeSales Boys Volleyball team as the 2023 Division II State Champion.

Senator DeMora recognized The Ohio State University Men's Doubles Tennis team as the National Champions.

Senator Kunze recognized the Hilliard Davidson High School Competitive Cheer team as the 2023 Americheer International Champions.

Senator Craig and Senator Kunze recognized COSI as being named USA Today's Best Science Museum.

Senator Landis recognized East Central Association of Realtors on their visit to the Statehouse.

**REPORTS OF REFERENCE AND BILLS FOR SECOND
CONSIDERATION**

Senator Huffman, M. reports for the standing committee on Rules and Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 126-Senator Johnson, et al.

To enact section 3727.62 of the Revised Code regarding the use of noncompete provisions in certain health care professional employment

contracts with nonprofit hospitals.

To the Committee on Health.

S. B. No. 127-Senators Kunze, Manning

To amend sections 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, and 2945.42 of the Revised Code to eliminate the spousal exceptions for the offenses of rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, sexual imposition, and importuning and to permit a person to testify against the person's spouse in a prosecution for any of those offenses.

To the Committee on Judiciary.

YES - 12: MATT HUFFMAN, NICKIE J. ANTONIO, ANDREW O. BRENNER, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, PAULA HICKS-HUDSON, STEPHANIE KUNZE, ROB MCCOLLEY, MICHELE REYNOLDS, TIM SCHAFFER, KENT SMITH

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Said bills were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Cirino submitted the following report:

The standing committee on Workforce and Higher Education, to which was referred **S. B. No. 117**-Senators Cirino, McColley having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 4: JERRY C. CIRINO, MICHAEL A. RULLI, BILL REINEKE, MICHELE REYNOLDS

NO - 1: CATHERINE D. INGRAM

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Senator Huffman, M. submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

Ingram, Carlton, from Youngstown, Mahoning County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning March 10, 2023, ending at the close of business October 16, 2024, replacing Robert Maiorano, who resigned.

Sutter, Lucas, from Martin, Ottawa County, Ohio, as a Member of the Terra State Community College Board of Trustees for a term beginning February 24, 2023, ending at the close of business December 30, 2026, replacing Nicholas Gerber, who resigned.

Thornton, Lois, from Youngstown, Mahoning County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning March 10, 2023, ending at the close of business October 16, 2027, replacing William "BJ" Nurczyk, whose term expired.

Tompkins, P. Kelly, from Rocky River, Cuyahoga County, Ohio, as a Member of the Cleveland State University Board of Trustees for a term beginning February 24, 2023, ending at the close of business May 1, 2031, replacing Thomas W. Adler, whose term expired.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES – 12: MATT HUFFMAN, NICKIE J. ANTONIO, ANDREW O. BRENNER, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, PAULA HICKS-HUDSON, STEPHANIE KUNZE, ROB MCCOLLEY, MICHELE REYNOLDS, TIM SCHAFFER, KENT SMITH

NO – 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the Senate advised and consented to said appointments.

RESOLUTIONS REPORTED BY COMMITTEE**S. R. No. 115**-Senators Brenner, Wilson.

Cosponsors: Senators Lang, Cirino, Roegner, Schaffer.

To urge the President of the United States to rescind the Federal Housing Finance Agency's new loan-level price adjustments (LLPAs) for purchase, rate-term refinance, and cash-out refinance loans.

WHEREAS, The Federal Housing Finance Agency announced a new fee structure for purchase, rate-term refinance, and cash-out refinance loans that will take effect on May 1, 2023; and

WHEREAS, The new fee structure reduces or eliminates fees for first-time and low-income homebuyers, but would significantly increase fees for borrowers with moderate incomes and higher credit scores; and

WHEREAS, These increased fees, combined with higher mortgage interest rates, could inhibit the ability of middle class Ohioans to afford a home or to obtain a loan to maintain or improve their current home; and

WHEREAS, The increased fees could have a significant chilling effect on the real estate market in Ohio and create greater uncertainty for both buyers and sellers; now therefore be it

RESOLVED, That we, the members of the Ohio Senate of the 135th General Assembly, call upon the President of the United States to rescind the new loan-level price adjustments for purchase, rate-term refinance, and cash-out refinance loans and, should the President refuse, call upon the United States Congress to intervene; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President of the United States, the President Pro Tempore and Clerk of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Ohio congressional delegation, and the news media of Ohio.

The question being, "Shall the resolution, **S. R. No. 115**, be adopted?

The yeas and nays were taken and resulted – yeas 25, nays 6, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Cirino	Dolan
Gavarone	Hackett	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Wilkin	Wilson
			Huffman, M.-25

Senators Antonio, Craig, DeMora, Hicks-Hudson, Smith, and Sykes voted in the negative-6.

So the resolution was adopted.

The title was amended as follows:

Add the names: "Gavarone, Hackett, Hoagland, Johnson, Landis, O'Brien, Reineke, Reynolds, Rulli, Wilkin."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

Sub. S. B. No. 40-Senator Roegner.

Cosponsors: Senators Hackett, Johnson, Huffman, S.

To enact sections 4715.271 and 4715.272 of the Revised Code to enter into the Dentist and Dental Hygienist Compact, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 40**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Cirino, Craig, DeMora, Gavarone, Hoagland, Landis, Lang, McColley, Reineke, Reynolds, Romanchuk, Wilson."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. S. B. No. 44-Senator Brenner.

To enact section 4743.06 of the Revised Code to require a state occupational licensing agency to accept electronic license applications, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 44**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
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Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Senators Antonio, Cirino, Craig, DeMora, Hackett, Hicks-Hudson, Ingram, Johnson, Landis, Lang, McColley, Reineke, Reynolds, Roegner, Romanchuk, Rulli, Wilson."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. S. B. No. 100-Senators Manning, Antonio.

Cosponsor: Senator Kunze.

To enact section 2903.216 of the Revised Code to generally prohibit a person from knowingly installing a tracking device or application on another person's property without the other person's consent or failing to remove or ensure removal of such a device or application from another person's property if the other person gave consent and subsequently revokes it, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 100**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Cirino
Craig	DeMora	Dolan	Gavarone
Hackett	Hicks-Hudson	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Blessing, Brenner, Cirino, Craig, DeMora, Dolan, Gavarone, Hackett, Hicks-Hudson, Huffman, S., Ingram, Johnson, Landis, Reineke, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Smith, Sykes, Wilkin, Wilson."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

MOTIONS

Senator Gavarone moved that Senators absent the week of Sunday, June 04, 2023, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 55, the following resolutions were offered:

S. R. No. 135 - Senators Kunze, Reineke.

Honoring the Dublin Jerome High School boys lacrosse team as the 2023 Division I State Champion.

S. R. No. 136 - Senator Brenner.

Honoring Jaxson Eckert on winning a 2023 Division I State Track and Field Championship.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"

So the resolutions were adopted.

On the motion of Senator McColley, the Senate adjourned until Tuesday, June 13, 2023 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.