JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES

OHIO SENATE

JOURNAL

CORRECTED VERSION TUESDAY, MARCH 21, 2023

TWENTY-THIRD DAY Senate Chamber, Columbus, Ohio **Tuesday, March 21, 2023, 9:30 a.m.**

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Reineke was selected to preside according to the rule.

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

The following guest was recognized by the Senate prior to the commencement of business:

Senator Reineke recognized the Seneca County Chamber of Commerce as the Outstanding Chamber of the Year.

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. 82-Senators Reynolds, Ingram, et al.

To amend sections 5739.12 and 5739.99 and to enact section 5739.28 of the Revised Code to allow certain tax-exempt retailers to retain a portion of state sales taxes to fund employment services.

To the Committee on Ways and Means.

S. B. No. 83-Senator Cirino, et al.

To amend sections 3345.45, 4117.14, and 4117.15 and to enact sections 1713.57, 3333.0419, 3345.029, 3345.0216, 3345.0217, 3345.0219, 3345.382, 3345.451, 3345.452, 3345.453, 3345.591, 3345.80, and 3345.87 of the Revised Code to enact the Ohio Higher Education Enhancement Act regarding the operation of state institutions of higher education.

To the Committee on Workforce and Higher Education.

S. B. No. 84-Senator Ingram, et al.

To amend sections 109.71 and 109.79 and to enact section 109.7411 of the Revised Code to require training on emotional intelligence for peace officers.

To the Committee on Veterans and Public Safety.

S. B. No. 85-Senator Ingram, et al.

To amend section 6117.02 of the Revised Code to expand eligibility for county sewer discounted rates or charges.

To the Committee on Local Government.

YES - 12: MATT HUFFMAN, NICKIE J. ANTONIO, HEARCEL F. CRAIG, 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.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered for the first time:

S. B. No. 86 - Senator Brenner.

To enact sections 3702.3012 and 3727.25 of the Revised Code regarding surgical smoke.

S. B. No. 87 - Senator Smith. Cosponsors: Senators Antonio, Hicks-Hudson, DeMora, Craig.

To amend sections 1.14, 5.20, 124.19, 325.19, 511.10, 1345.21, 3313.63, and 3319.087 of the Revised Code to establish the day of each general election as a legal holiday for which government employees receive paid leave.

S. B. No. 88 - Senators Smith, Cirino. Cosponsors: Senators Antonio, DeMora, Hicks-Hudson, Craig.

To amend section 2903.21 of the Revised Code to expand the offense of aggravated menacing to prohibit threatening a utility worker, cable operator worker, or broadband worker with intent to obstruct the operation of a utility.

OFFERING OF RESOLUTIONS

Senators Craig, Lang offered the following concurrent resolution:

S. C. R. No. 5-Senators Craig, Lang.

To support and encourage the work of the Ohio Commission for the United States Semiquincentennial in celebrating the nation's 250th anniversary.

The question being, "Shall the concurrent resolution, S. C. R. No. 5, be adopted?

On the motion of Senator O'Brien, S. C. R. No. 5, was referred to the Committee on Rules and Reference.

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

S. R. No. 55 - Senator Schaffer.

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

In memory of Dr. Samuel Wallace Speck, Jr.

S. R. No. 56 - Senator Antonio.

Honoring the St. Edward High School boys wrestling team on securing the 2023 OHSWCA Division I State Dual Championship.

S. R. No. 57 - Senators Blessing, Ingram.

Honoring the Princeton High School girls basketball team as the 2023 Division I State Champion.

S. R. No. 58 - Senator Antonio.

Honoring CT Logistics on its Centennial.

S. R. No. 59 - Senator Antonio.

Honoring the Glenville High School cheerleading team as a 2023 OASSA State Champion.

S. R. No. 60 - Senator Kunze. Honoring Trentt Fulgham as a 2023 Division II State Wrestling Champion.

S. R. No. 61 - Senator Kunze.

Honoring Omar Ayoub as a 2023 Division I State Wrestling Champion.

S. R. No. 62 - Senator Kunze.

Honoring Oliver Byerly as a 2023 Division II State Wrestling Runner-up.

S. R. No. 63 - Senator Kunze.

Honoring Camden McDanel as a 2023 Division I State Wrestling Champion

S. R. No. 64 - Senator Kunze. Honoring Ethan Birden as a 2023 Division I State Champion in wrestling.

S. R. No. 65 - Senator Brenner. Honoring Dylan Russo as a 2023 Division I State Wrestling Champion.

S. R. No. 66 - Senator Brenner.

Honoring the Olentangy Liberty High School boys ice hockey team as the 2023 State Champion.

S. R. No. 67 - Senator Craig.

Honoring the Columbus Africentric Early College girls basketball team as the 2023 Division III State Champion.

S. R. No. 68 - Senator Huffman, M.

Honoring the Mercer County Courthouse on its Centennial.

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

So the resolutions were adopted.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Kimberly G. Allison, Republican, from Columbus, Franklin County, Ohio, as a Member of the Board of Tax Appeals for a term beginning March 22, 2023 and ending at the close of business February 8, 2029, replacing Jeffrey Todd Casewell, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Kathryn Bartter Arnold, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Soil and Water Conservation Commission for a term beginning February 24, 2023 and ending at the close of business June 30, 2026, replacing William R. Knapke, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 24th day of February in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Gregory S. Barney, from Tipp City, Montgomery County, Ohio, as a Member of the Board of Building Standards for a new term beginning March 10, 2023 and ending at the close of business October 13, 2026, replacing Gregory S. Barney, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

> Mike DeWine, Governor.

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Todd Christopher Beresford, Republican, from Moreland Hills, Cuyahoga County, Ohio, as a Member of the Self-Insuring Employers Evaluation Board for a term beginning March 10, 2023 and ending at the close of business August 22, 2024, replacing Tommie Jo Brode, who resigned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Robert Chabali, from Springboro, Warren County, Ohio, as a Member of the Ohio Peace Officer Training Commission for a term beginning March 10, 2023 and ending at the close of business September 20, 2025, replacing George R. Kral, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Keith Allan Cheney, Republican, from Lima, Allen County, Ohio, as a Member of the Ohio Casino Control Commission for a term beginning February 24, 2023 and ending at the close of business February 21, 2027, replacing June E. Taylor, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 24th day of February in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Koral Ann Clum, Republican, from Dover, Tuscarawas County, Ohio, as a Member of the Forestry Advisory Council for a new term beginning March 10, 2023 and ending at the close of business February 27, 2027, replacing Koral Ann Clum, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Penelope Ruth Cunningham, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Casino Control Commission for a term beginning February 24, 2023 and ending at the close of business February 21, 2027, replacing John S. Steinhauer, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 24th day of February in the year of our Lord, Two Thousand and Twenty-Three.

Mike DeWine, Governor.

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Richard Stephen Fambro, Democrat, from Powell, Delaware County, Ohio, as a Member of the Ohio Organized Crime Investigations Commission for a term beginning March 10, 2023 and ending at the close of business September 3, 2025, replacing Richard Butsko, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Michael H. Fitchet, from Conneaut, Ashtabula County, Ohio, as a Member of the State Emergency Response Commission for a new term beginning March 10, 2023 and ending at the close of business January 13, 2025, replacing Michael H. Fitchet, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Bruce T. Hale, from Akron, Summit County, Ohio, as a Member of the Ohio Board of Motor Vehicle Repair for a new term beginning March 10, 2023 and ending at the close of business January 1, 2026, replacing Bruce T. Hale, whose term

expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Clyde E. Henry, from Orient, Madison County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning March 10, 2023 and ending at the close of business January 14, 2026, replacing Clyde E. Henry, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Jason M. Hunt, Republican, from Columbus, Franklin County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning March 10, 2023 and ending at the close of business October 4, 2025, replacing Jason M. Hunt, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Amy L. Kramb, from Dublin, Franklin County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning March 10, 2023 and ending at the close of business January 14, 2026, replacing Amy L. Kramb, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Paul Parks Mechling, II, Democrat, from Pierpont, Ashtabula County, Ohio, as a Member of the Wildlife Council for a new term beginning March 10, 2023 and ending at the close of business January 31, 2027, replacing Paul Parks Mechling II, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Robb Mitchell, Republican, from Dublin, Franklin County, Ohio, as a Member of the Motor Vehicle Dealers Board for a new term beginning March 10, 2023 and ending at the close of business October 4, 2025, replacing Robb Mitchell, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Ronald Joseph O'Brien, Republican, from Columbus, Franklin County, Ohio, as a Member of the Liquor Control Commission for a new term beginning February 24, 2023 and ending at the close of business February 8, 2029, replacing Ronald Joseph O'Brien, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 24th day of February in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Eric Lee Roush, Republican, from Amanda, Fairfield County, Ohio, as a Member of the Forestry Advisory Council for a new term beginning March 10, 2023 and ending at the close of business February 27, 2027, replacing Eric Lee Roush, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

> Mike DeWine, Governor.

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Kevin E. Smith, from Findlay, Hancock County, Ohio, as a Member of the State Emergency Response Commission for a term beginning March 10, 2023 and ending at the close of business January 13, 2025, replacing J. Randal Van Dyne, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Christopher Smitherman, Independent, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Casino Control Commission for a term beginning February 24, 2023 and ending at the close of business February 21, 2026, replacing Jo Ann Davidson, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 24th day of February in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Karen Sue Stewart-Linkhart, Democrat, from Xenia, Greene County, Ohio, as a Member of the Wildlife Council for a new term beginning March 10, 2023 and ending at the close of business January 31, 2027, replacing Karen Sue Stewart-Linkhart, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Thomas J. Stickrath, Independent, from Westerville, Franklin County, Ohio, as a Member of the Ohio Casino Control Commission for a term beginning February 24, 2023 and ending at the close of business February 21, 2027, replacing McKinley E. Brown, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 24th day of February in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Doreen N. Uhas-Sauer, from Columbus, Franklin County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning March 10, 2023 and ending at the close of business January 14, 2026, replacing Doreen N. Uhas-Sauer, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

> Mike DeWine, Governor.

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, David Pasquale Viola, from Minerva, Stark County, Ohio, as a Member of the State Board of Emergency Medical, Fire, and Transportation Services for a term beginning March 10, 2023 and ending at the close of business November 12, 2025, replacing David DeVore, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Daniel Arthur Yaussy, Democrat, from Sunbury, Delaware County, Ohio, as a Member of the Forestry Advisory Council for a new term beginning March 10, 2023 and ending at the close of business February 27, 2027, replacing Daniel Arthur Yaussy, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 10th day of March in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine, Governor.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 3379.02 of the Ohio Revised Code, the President of the Senate removes Senator Matt Dolan and appoints Senator Stephanie Kunze to serve on the Ohio Arts Council for the 135th General Assembly.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 181.21(A) of the Ohio Revised Code, the Minority Leader of the Senate appoints Senator Vernon Sykes to the Criminal Sentencing Commission.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 122.17(M) of the Ohio Revised Code, the President of the Senate appoints the following public member to serve on the Ohio Tax Credit Authority for a term of four years, commencing on March 17, 2023 and ending on March 17, 2027.

Deborah McGraw (Franklin County)

MESSAGE FROM THE PRESIDENT

Pursuant to Rules No. 19 and 20, the President of the Senate temporarily appoints Senator Bob D. Hackett as chair of the Health Committee for the purpose of the March 22, 2023 meeting.

MESSAGE FROM THE PRESIDENT

Pursuant to Rules No. 19 and 20, the President of the Senate temporarily removes Senator Michael A. Rulli and appoints Senator Terry Johnson to serve on the Workforce and Higher Education Committee for the purpose of the committee meeting on March 22, 2023.

On the motion of Senator O'Brien, the Senate adjourned until Wednesday, March 22, 2023 at 11:00 a.m.

Attest:

VINCENT L. KEERAN, Clerk.